



2012 DEC 31 AM 11: 21 *De*

**EDDIE BAZA CALVO**  
Governor

**RAY TENORIO**  
Lieutenant Governor

*Office of the Governor of Guam*

December 27, 2012

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

*31-12-2028*

Office of the Speaker  
**Judith T. Won Pat, Ed. D.**  
Date 12/28/12  
Time 5:04 PM  
Received by Tenorio

Dear Madame Speaker:

Transmitted herewith is Bill No. 352-31 (COR) "AN ACT TO REZONE LOT NO. 10060REM-4-1-1, MUNICIPALITY OF DEDEDO, FROM ONE-FAMILY DWELLING ZONE/MULTIPLE DWELLING ZONE (R1/R2) TO COMMERCIAL ZONE (C)", which I signed into law on December 26, 2012 as **Public Law 31-258**.

*Senseramente,*

**EDDIE BAZA CALVO**

Attachment: copy of Bill

2028

6

# I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (SECOND) Regular Session

Date: 12/14/12

## VOTING SHEET

Bill No. 352-31(COR)

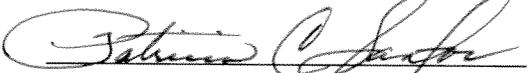
Resolution No. \_\_\_\_\_

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					EA
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                      14                      0                      0                      0                      1

CERTIFIED TRUE AND CORRECT:

  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



the People

Chairman  
Committee on Appropriations,  
Taxation, Public Debt, Banking,  
Insurance, Retirement, and  
Land

Vice Chairman  
Committee on Education

Member  
Committee on Rules,  
Federal, Foreign &  
Micronesian Affairs and  
Human & Natural  
Resources

Member  
Committee on  
Municipal Affairs,  
Tourism, Housing, and  
Recreation

Member  
Committee on the Guam  
Military Buildup and  
Homeland Security

Member  
Committee on Health and  
Human Services, Senior  
Citizens, Economic  
Development, and Election  
Reform

# I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

JAN 09 2012

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

Speaker

I Mina'trentai Unu na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

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

**RE: Committee Report on Bill No. 352-31 (COR)**

2012 JAN 12 AM 11:25

WMA

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report Bill No. 352-31 (COR): "An Act to rezone Lot No. 10060REM-4-1-1, In the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone." sponsored by Senator Frank Blas Jr. which was referred to the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

Committee votes are as follows:

- 3 TO PASS
- 0 TO NOT PASS
- 2 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

*Si Yu`os Ma`åse`,*

**Vicente (ben) Cabrera Pangelinan**  
Chairman

**COMMITTEE REPORT  
ON**

**Bill No. 352-31 (COR):**

**“An Act to rezone Lot No. 10060REM-4-1-1, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.”**



the People

Chairman  
Committee on Appropriations,  
Taxation, Public Debt, Banking,  
Insurance, Retirement, and  
Land

Vice Chairman  
Committee on Education

Member  
Committee on Rules,  
Federal, Foreign &  
Micronesian Affairs and  
Human & Natural  
Resources

Member  
Committee on  
Municipal Affairs,  
Tourism, Housing, and  
Recreation

Member  
Committee on the Guam  
Military Buildup and  
Homeland Security

Member  
Committee on Health and  
Human Services, Senior  
Citizens, Economic  
Development, and Election  
Reform

# I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

~~JAN 09 2012~~ JAN 06 2012

## MEMORANDUM

**To: All Members**  
Committee on Appropriations, Taxation, Public Debt, Banking,  
Insurance, Retirement, and Land

**From: Senator Vicente (ben) Cabrera Pangelinan**  
Committee Chairperson

### **Subject: Committee Report on Bill No. 352-31 (COR)**

Transmitted herewith is the Committee Report Bill No. 352-31 (COR):  
"An Act to rezone Lot No. 10060REM-4-1-1, In the Municipality of  
Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial  
("C") Zone." sponsored by Senator Frank Blas Jr. which was referred to  
the Committee on Appropriations, Taxation, Public Debt, Banking,  
Insurance, Retirement, and Land.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 352-31 (COR)
4. Public Hearing Sign-in Sheet
5. Copies of Submitted Testimony & Supporting Documents
6. Copy of COR Referral of Bill No. 352-31 (COR)
7. Notices of Public Hearing
8. Copy of the Public Hearing Agenda
9. Fiscal Notes

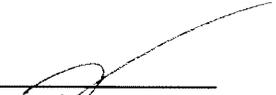
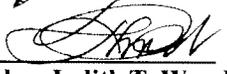
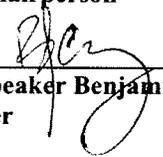
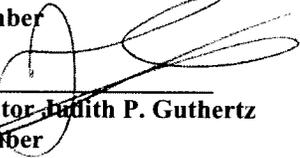
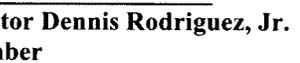
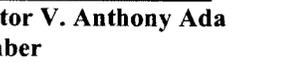
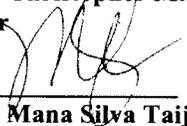
Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

*Si Yu `os Ma `åse`*,

Vicente (ben) Cabrera Pangelinan  
Chairman

*I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
**Committee Voting Sheet**  
**Committee on Appropriations, Taxation, Public Debt, Banking, Insurance,**  
**Retirement, and Land**

**Bill No. 352-31 (COR: An Act to rezone Lot No. 10060REM-4-1-1, In the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.**

Committee Members	To Pass	To Not Pass	Report Out	Abstain	Inactive Files
 Senator Vicente C. Pangelinan Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Speaker Judith T. Won Pat, Ed.D. Vice Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Vice Speaker Benjamin J.F. Cruz Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Tina Rose Muña-Barnes Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Judith P. Guthertz Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Dennis Rodriguez, Jr. Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator V. Anthony Ada Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Christopher M. Dueñas Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Mana Silva Taijeron Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



the People

Chairman  
Committee on Appropriations,  
Taxation, Public Debt, Banking,  
Insurance, Retirement, and  
Land

Vice Chairman  
Committee on Education

Member  
Committee on Rules,  
Federal, Foreign &  
Micronesian Affairs and  
Human & Natural  
Resources

Member  
Committee on  
Municipal Affairs,  
Tourism, Housing, and  
Recreation

Member  
Committee on the Guam  
Military Buildup and  
Homeland Security

Member  
Committee on Health and  
Human Services, Senior  
Citizens, Economic  
Development, and Election  
Reform

# I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

## Committee Report

**Bill No. 352-31 (COR):** An Act to rezone Lot No. 10060REM-4-1-1, In the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.

### I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on November 29, 2011 at 1:00 pm in *I Liheslatura's* Public Hearing Room.

#### Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on November 21, 2011 (5-Day Notice), and again on November 27, 2011 (48 Hour Notice).

#### (a) Committee Members and Senators Present

Senator Vicente (ben) Cabrera Pangelinan, Chairman  
Senator Dennis Rodriguez, Member  
Senator V. Anthony Ada, Member  
Senator Mana Silva Tajjeron, Member  
Senator Adolpho Palacios  
Senator Tom Ada  
Senator Frank Blas, Jr.

#### (b) Appearing before the Committee

Ms. Melissa Savares, Dededo Mayor  
Mr. Joe McDonald

#### (c) Written Testimonies Submitted

Mr. Thomas A. Cruz, GWA – Chief Engineer  
Mr. Monte Mafnas, DLM – Acting Director  
Mr. Joseph D. McDonald

## **II. COMMITTEE PROCEEDINGS**

### **(a) Bill Sponsor Summary**

**Senator Blas, Jr.:** Blas: Thank you Mr. chair. This bill was originally introduced to this body as bill 310-31 and to be in compliance with the law and our standing rules, my office took it back and worked with Mr. McDonald and his family and we were able to craft and break up the bill 310 into the set of bills 352 to 359-31. What the bills in totality request this legislature to do is to grant the lots in the Municipality of Dededo to be rezoned from multifamily dwelling to commercial "C" zones. Mr. McDonald and my office have provided the committee with not only the maps that are attached to each of the bills but also written testimony that is also pretty concise with regards to where the property is at, the impact and the areas surrounding the property with a brief explanation as to what the intended use of the property is.

### **(b) Testimony**

#### **1. Ms. Melissa Savares, Dededo Mayor**

**Mayor Savares:** Thank you again Senator, my name is Melissa Savares and I am the Mayor of Dededo. I am here to support Mr. McDonalds request on bill number 352-59-31. As we know, there is a delay on the military build-up and as we know, this property is located across the street from the gate of NCTS, which is a Naval Telecommunications station, and behind that is the NCS housing area, which has many residential homes. There is an elementary school above the property about 600 feet up. Other lots between the school and his property are already "C" zones. With that, he's already in between commercial lots , Shell gas station and Kasperbauer lot, right along Artero drive and route 3.

For commercial use, I support the zone change, however I will be inviting Mr. McDonald and his family to our Municipal planning council in December to present to our council so we can present a resolution to support. I did speak to other family members in the vicinity and they are in favor of the change. I did ask two of them to be here today but due to conflict in their work schedule, they are not able to attend this hearing.

Again, the restriction, since we have a bus stop outside Shell gas station, an elementary school where students walk to school, I support the commercial use but if this should be passed and it makes it to the floor for voting I would like to request restrictions of bars and strip joints because of the elementary school and the bus stop in the vicinity.

Thank you.

## Panel Comments and Questions

**Chairman Pangelinan:** Thank you

### 2. Mr. Joe McDonald

**Mr. McDonald:** Joe McDonald, I am married to a landowner up there, and as the Mayor has said, these eight (8) lots are in between two large commercial zones and across the commercial zone, NCTMS. There is one thing I would like to point out, the waterworks says there is an 8 inches sewer line in the back. It is not 8 inches it is 36 inches. If you look at the end, there is a layout of their pipes, sewer lines, manholes and stuff.

That's all Senator, thank you.

## Panel Comments and Questions

**Chairman Pangelinan:** This concludes the testimony on Bill No. 352-31. There being no additional individuals to present any additional testimony, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at [senbenp@guam.net](mailto:senbenp@guam.net) or through our website at [senbenp.com](http://senbenp.com)

For the record, I want to note, the committee did send out notices to each of the government agencies that part of the agency review committee that would review every application for rezoning with the Guam Land Use Commission (GLUC). So, the same individuals that would review with the GLUC were notified for rezoning by the Legislature and were requested for their comments as well. We received testimony from Guam Waterworks on all the bills as to availability for water and sewer to the properties being affected by the rezoning. We sent notices to the Governor, Lt. Governor, AG, DLM, ARC, Mayor of Dededo and the family. We are doing our due diligence to request these agencies to comment and advise the legislature on these requests.

**Senator Blas, Jr.:** Mr. McDonald, Madam Mayor stated that she was going to invite the family to the Municipal planning council meeting for the proposed development, and she has requested to this body on two restrictions for the use of the lots, so I will assume that any resolution that comes from the meeting will be due to amicable decisions made.

## III. FINDINGS & RECOMMENDATIONS

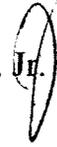
The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land hereby reports out Bill No. 352-31 (COR), As Introduced, by the committee with the recommendation To report out only.

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

**Bill No. 352-31 (cor)**

Introduced by:

F. F. Blas, Jr.



2011 OCT 24 PM 3:15

**AN ACT TO REZONE LOT NO. 10060REM-4-1-1, IN  
THE MUNICIPALITY OF DEDEDO FROM SINGLE  
FAMILY/MULTI FAMILY DWELLING ("R1/R2") TO  
COMMERCIAL ("C") ZONE.**

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

**Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds that due to the increase of both civilian and military population along Route 3, especially in the Toguac – Gugogan area, a necessity for developing a complex that will house services and offices for businesses serving this area will be greatly needed. The rezoning of this property will be convenient to the residents and employees of the five (5) public schools. The owners of the subject property are seeking the assistance of *I Liheslatura* to rezone their property from Single Family/Multi-Family Dwelling (R1/R2) to Commercial (C) zone for the purpose of maximizing its potential use.

More importantly, *I Liheslatura* finds that the subject property is surrounded by other properties zoned Commercial.

**Section 2.** Lot No. 10060Rem-4-1-1, Municipality of Dededo, containing an area of approximately 11,752 ± square feet is hereby rezoned from Single Family/Multi-Residential "R1/R2" to Commercial "C" Zone.





**Mina'trentai Unu Na Liheslaturan Guahan**  
**THIRTY-FIRST GUAM LEGISLATURE**  
**Senator Vicente "ben" Cabrera Pangelinan**

**COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,**  
**INSURANCE, RETIREMENT AND LAND**  
 Tuesday, November 29, 2011  
**Bill No. 352 - 359**

**SIGN UP SHEET**

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
Joe Saunders	Box 34, Yeb	727-9901	Togracel@psn.net	✓	✓	Yes
Melissa Saunders	Detada	632-5303			✓	Yes



**GUAM WATERWORKS AUTHORITY**  
578 North Marine Corps Drive | Tamuning | Guam 96913

November 29, 2011

Senator Vicente C. Pangelinan  
Thirty First Legislature  
324 West Soledad Avenue  
Hagatna, Guam 96932

**SUBJECT:** Bill No. 175-31 (COR): An Act to rezone Lot No. 5231-9-1, in the Municipality of Dededo from Agricultural "A" to Commercial "C"

Bill No. 352-31 (COR): an Act to rezone Lot No. 10060REM-4-1-1 in the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.

Bill No. 353-31 (COR): An Act to Rezone Lot No. 10060 REM 3-R3, in the Municipality of Dededo from Single-Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.

Bill No. 354-31 (COR): An Act to re-zone Lot No. 10060-REM-3-1, in the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.

Bill No. 355-31 (COR): An Act to rezone Lot No. 10060 REM 3-2, in the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial "C" Zone

Bill No. 356-31 (COR): an Act to rezone Lot No. 10060REM-3-3, in the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.

Bill No. 357-31 (COR): An Act to Rezone Lot No. 10060 REM -2-2NEW, in the Municipality of Dededo from Single-Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.

Bill No. 358-31 (COR): An Act to re-zone Lot No. 10060-REM-2-1-R2, in the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.

Bill No. 359-31 (COR): An Act to rezone Lot No. 10060 REM -2-2-1, in the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial "C" Zone



**GUAM WATERWORKS AUTHORITY**

578 North Marine Corps Drive | Tamuning | Guam 96913

Page 2

Position Statement on Bill Numbers 175, 352, 353, 354, 355, 356, 357, 358, 359, 369, 370, 371

Bill No. 369-31 (COR): an Act to zone the previously unzoned Lot No. 1060-5-1, in the Municipality of Barrigada to Single-Family Dwelling ("R-1") Zone.

Bill No. 370-31 (COR): An Act to zone the previously unzoned Lot No. 1060 -5-2, in the Municipality of Barrigada to Single-Family Dwelling ("R-1") Zone.

Bill No. 371-31 (COR): An Act to re-zone Lot No. 19A-3, in the Municipality of Sinajana from Single Family Dwelling ("R1") to Multi-Family Dwelling ("R-2") Zone.

Honorable Senator Pangelinan:

This is in response to your letter dated November 21, 2011 inviting the Guam Waterworks Authority (GWA) to a public hearing to provide written or oral testimony regarding the above subject. This letter shall serve as GWA's position statement to the above zone change requests related to availability of water and sewer infrastructures to serve the above subject lots. This position statement shall not be construed as a notice that water and wastewater services are immediately available for the subject lots, nor that the current water and sewer systems have the capacities to accommodate the future developments without on-site or off-site improvements. Any extension of the water and sewer systems and/or capacity upgrades required to serve the properties shall be subject to the rules and regulations of GWA. Any required extension to the existing facilities to serve the subject property shall be at the expenses of the property owner.

According to GWA records, the followings are the existing water and sewer facilities adjacent to the subject properties.

- 1) Lot No. 5231-9-1, Municipality of Dededo, requesting to rezone from "A" (agriculture) to "C" (Commercial). GWA certified that there is an existing eight inches (8") waterline located along Alageta Street fronting the subject lot. There is no public sewer line in the area.

Page 3

Position Statement on Bill Numbers 175, 352, 353, 354, 355, 356, 357, 358, 359, 369, 370, 371

- 2) Lot No. 10060-REM-4-1-1, Municipality of Dededo, requesting to rezone from Single Family/Multi Dwelling (R1/R2") to "C" (Commercial). GWA certified that there is an existing twenty inches (20") waterline and a thirty inches (30") sewer line located along Route 3 across from the subject lot.
- 3) Lot No. 10060 REM 3-R3, Municipality of Dededo, requesting to rezone from Single Family/Multi Dwelling (R1/R2") to "C" (Commercial). GWA certified that there is an existing twenty inches (20") waterline and a thirty inches (30") sewer line located along Route 3 across from the subject lot.
- 4) Lot No. 10060 REM 3-1, Municipality of Dededo, requesting to rezone from Single Family/Multi Dwelling (R1/R2") to "C" (Commercial). GWA certified that there is an existing eight inches (8") waterline and an eight inches (8") sewer line located along Mepa Street fronting the subject lot.
- 5) Lot No. 10060R-3-2, Municipality of Dededo, requesting to rezone from Single Family/Multi Dwelling (R1/R2") to "C" (Commercial). GWA certified that there is an existing eight inches (8") waterline and an eight inches (8") sewer line located along Mepa Street fronting the subject lot.
- 6) Lot No. 10060REM-3-3, Municipality of Dededo, requesting to rezone from Single Family/Multi Dwelling (R1/R2") to "C" (Commercial). GWA certified that there is an existing twenty inches (20") waterline and a thirty inches (30") sewer line located along Route 3 across from the subject lot.
- 7) Lot No. 10060REM-2-2NEW, Municipality of Dededo, requesting to rezone from Single Family/Multi Dwelling (R1/R2") to "C" (Commercial). GWA certified that there is an existing twenty inches (20") waterline and a thirty inches (30") sewer line located along Route 3 across from the subject lot.
- 8) Lot No. 10060REM-2-1-R2, Municipality of Dededo, requesting to rezone from Single Family/Multi Dwelling (R1/R2") to "C" (Commercial). GWA certified that there is an existing twenty inches (20") waterline and a thirty inches (30") sewer line located along Route 3 across from the subject lot.



**GUAM WATERWORKS AUTHORITY**  
578 North Marine Corps Drive | Tamuning | Guam 96913

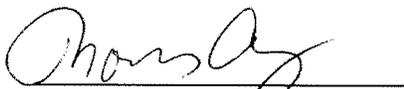
Page 4

Position Statement on Bill Numbers 175, 352, 353, 354, 355, 356, 357, 358, 359, 369, 370, 371

- 9) Lot No. 10060REM-2-2-1-R1, Municipality of Dededo, requesting to rezone from Single Family/Multi Dwelling (R1/R2") to "C" (Commercial). GWA certified that there is an existing eight inches (8") waterline and an eight inches (8") sewer line is located along Mepa Street fronting the subject lot.
- 10) Lot 1060-5-1, Municipality of Barrigada, requesting to zone the previously unzoned to Single-Family Dwelling ("R-1"). GWA certified that there is an existing six inches (6") waterline located along Route 8A approximately four hundred fifty feet (450") from the subject lot. An existing eight inches (8") sewer line is located along Route 8A fronting the subject lot.
- 11) Lot 1060-5-2, Municipality of Barrigada, requesting to zone the previously unzoned to Single-Family Dwelling ("R-1"). GWA certified that there is an existing six inches (6") waterline located along Route 8A approximately four hundred feet (400") from the subject lot. An existing eight inches (8") sewer line is located along Route 8A fronting the subject lot.
- 12) Lot 19A-3, Municipality of Sinajana, requesting to rezone from Single-Family Dwelling ("R-1") to Multiple-Family Dwelling zone. GWA certified that there is an existing six inches (6") waterline and an eight inches (8") sewer line located along Joseph Cruz Avenue fronting the subject lot.

For additional information please contact Mr. Menglou Wang, Senior Engineer Supervisor, at 647-0492.

Respectfully,



Thomas A. Cruz, P.E.  
Chief Engineer





**DIPĀTTAMENTON MINANEHAN TĀNO'**  
 (Department of Land Management)  
**GUBETNAMENTON GUĀHAN**  
 (Government of Guahan)



EDDIE BAZA CALVO  
 Governor

MONTE MAFNAS  
 Acting Director

RAY TENORIO  
 Lieutenant Governor

Street Address:  
 590 S. Marine Corps Drive  
 Suite 733 ITC Building  
 Tamuning, GU 96913

Mailing Address:  
 P.O. Box 2950  
 Hagåtña, GU 96932

Website:  
<http://dlim.guam.gov>

E-mail Address:  
[dlimdir@dlim.guam.gov](mailto:dlimdir@dlim.guam.gov)

Telephone:  
 671-649-LAND (5263)

Facsimile:  
 671-649-5383

December 5, 2011

Senator Vicente (Ben) C. Pangelinan  
 Thirty-First Guam Legislature  
 524 W. Soledad Ave., Suite 100  
 Hagåtña, GU 96932

Subject: Comments on Bills 356-31 through 359-31

Bueñas Yan Hafa Adai:

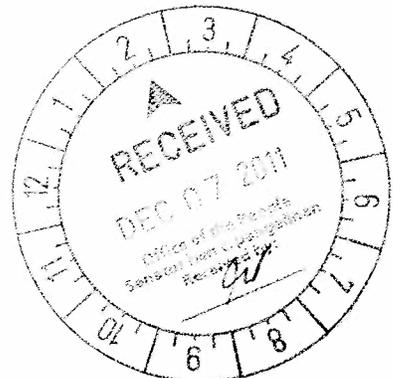
The Department has reviewed previous legislative proposal of similar if not on the same subject matter for all the above proposed legislation. Bill Nos. 356-31 through 359-31 reflects a request to rezone contiguous properties from "R-1/R-2" single and multi-family residential zone and reiterates earlier comments for Bill Nos. 352-31 through 355-31.

Again, the Department would like to remind all concern that our Guam Legislature delegated land use development, inclusive of the authority to act on zone changes, through Public Law 1-88, as amended, to the Guam Land Use Commission via the Department of Land Management as its administrative arm. As well, processes exist and are in place by statute for the purpose of changing zones that is not only efficient but also considers all aspect of land use planning in respect to promoting public necessity, public convenience, and general welfare.

Should you have additional questions or need further clarification please contact the Acting Chief Planner at 649-5263, extension 311.

Senseramente,

Monte Mafnas  
 Acting Director, Department of Land Management



31<sup>st</sup> Legislative

Zone Change Request

From R1/R2 Limited to Commercial

For

**Lots 10060-Rem-4-1-1, 10060-Rem-3-1, 10060-Rem-3-2  
10060-Rem-3-R3, 10060-Rem-3-3, 10060-Rem-2-2New,  
Lot 10060-Rem-2-2-1-R1, 10060-Rem-2-1-R2.**

Submitted by:

Joseph D. McDonald

July 2011



# **JOSEPH D. McDONALD**

P.O. Box 22169 Barrigada, Guam 96921

671-727-9106

July 5, 2011

**Subject:** Request for Zone Change from R1/R2(Limited) to Commercial for Lots 10060-Rem-4-1-1, 10060 Rem-3-R3, 10060 Rem-3-1, 10060-Rem-3-3, 10060 Rem-3-2, 10060-Rem-2-2, 10060-REM-2-2-1-R1, 10060-Rem-2-1-R2.

On behalf of myself, Evelina C. McDonald, Melvia A. Cafky, Roseana E. Duenas Palmer, Anthony M. Sablan, Francisca C. Sablan, Ky Wong, Lan Wien Lien, and Y'Asela Pereira The applicants are seeking approval of 31<sup>st</sup> Guam Legislature to convert existing structures and erecting new buildings to form an integrated commercial complex consisting of retail and office space. In order, to do this project a zone change for the above subject lots from R1 (with limited R2 usage per attached public law 21-80) to C is required.

## **Location**

The properties consist of  $\pm$  10383 sq. meters and are located in Toguac - Gugogan area along Route 3 across the entrance to Ncts Naval base with the McDonald's Restaurant near the access to the base. The properties are next to a Shell gas station and White market, to the rear of the properties is Mepa St. a 40 ft. paved easement with a 6 inch water line, 36 inch sewer line and street lights. Main Access to the project will be from Route 3.

Lots 100600Rem-4-1-1, is next to a commercial complex that has a Shell Gas Station, restaurant and a grocery store. Lot 10060-4-1-1 has a house with tin roof on it and will be demolished and a commercial building of 1500 sq. ft. will be built on it. This will be for offices or financial institution.

Lot 10060 Rem 3-R3 and 10060 Rem 3-1 is rectangular in shape and is across from McDonald's restaurant on the other side of Route 3. Both lots have combined area of 2994 sm Lot 10060 Rem 3-R3 is vacant and a building of 2500 sq. feet will be erected to possible house a fast food restaurant or other services. Lot 10060 Rem 3 -1- has a two story house on it. The owner would like to live upstairs and rent out the first floor as office space.

Lot 10060 Rem 3-2 and 10060 Rem 3-3 is rectangular in shape and are currently vacant. These lots are to be used for parking and future expansion. The lots are 2740 Sq. metes.

Lot 10060 -Rem-2-2New is rectangular in shape and contains 2053 sq. meters. There is a 1600 sq. feet duplex on the property with 1 unit being vacant. The owners wish to convert it to office space.

10060 Rem2-1-R2 is rectangular in shape and contains 1859 sq. meters. There is a 2000 sq. ft. house on it. The owner wishes to move out of the house and convert it to office space.

### SUMMARY OF PHYSICAL INFRASTRUCTURE DEMANDS

**Utilities:** Electrical power will be provided by Guam Power Authority via their existing power system in place. Potable water and waste water services will be provided by Guam Waterworks Authority Along existing systems in place. Land line telephone services are available from Gta and MCV systems in place. Solid waste disposal will be provided by DPW or private companies. Drainage system will be installed on site as required by DPW.

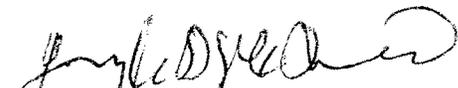
**Access:** Access to the project is primarily from Route 3 which spans the entire length of the properties. Route 3 is major highway of a 100 ft. easement with asphalt pavement and street lights. On the east side of the property is Mepa St. a forty ft. asphalt pave right of way with street lights, 8 inch water line and 36 inch sewer line.

### ZONE CHANGE JUSTIFICATIONS AS MANDATED BY PUBLIC LAW 21 GCA, CH. 61 SECT. 61630

- A. **Public Necessity.** Due to the increase of both civilian and military population along Route 3 especially in the Toguac – Gugogan Area Across from Ncts., a necessity for development for complex that will house services and offices for businesses serving this area and for the population needing these services. Numerous companies have sought to rent space from the existing building and or land but the zoning does not permit there operations. Business's seeking space on these properties are phone companies, fast foods, finance, ATM's drive thru, insurance, contractor's field office, engineers, labs and other services.
- B. **Public Convenience.** The proposed project will be convenient to the employees of the five public schools, a new chapel in the planning stage. In addition the military plans to house additional military personnel in the Ncts. complex. This project will be convenient to both military and civilian population along Route 3 and Route 9.
- C. **General Welfare.** The proposed development will provide both civilian and military residents along Route 3 to obtain services which otherwise they would have to drive a substantial distance to get to. DPW is currently planning to expand the full length of Route 3 to 4 and 5 lanes. Upon completion of this expansion, Dpw estimates that 45,000 cars will be utilizing Route 3. This project will help keep a portion of this traffic from having to travel to congested Route 1, save fuel and lessen car pollution and this will serve the general welfare of the Island.

Thank you for your time and consideration.

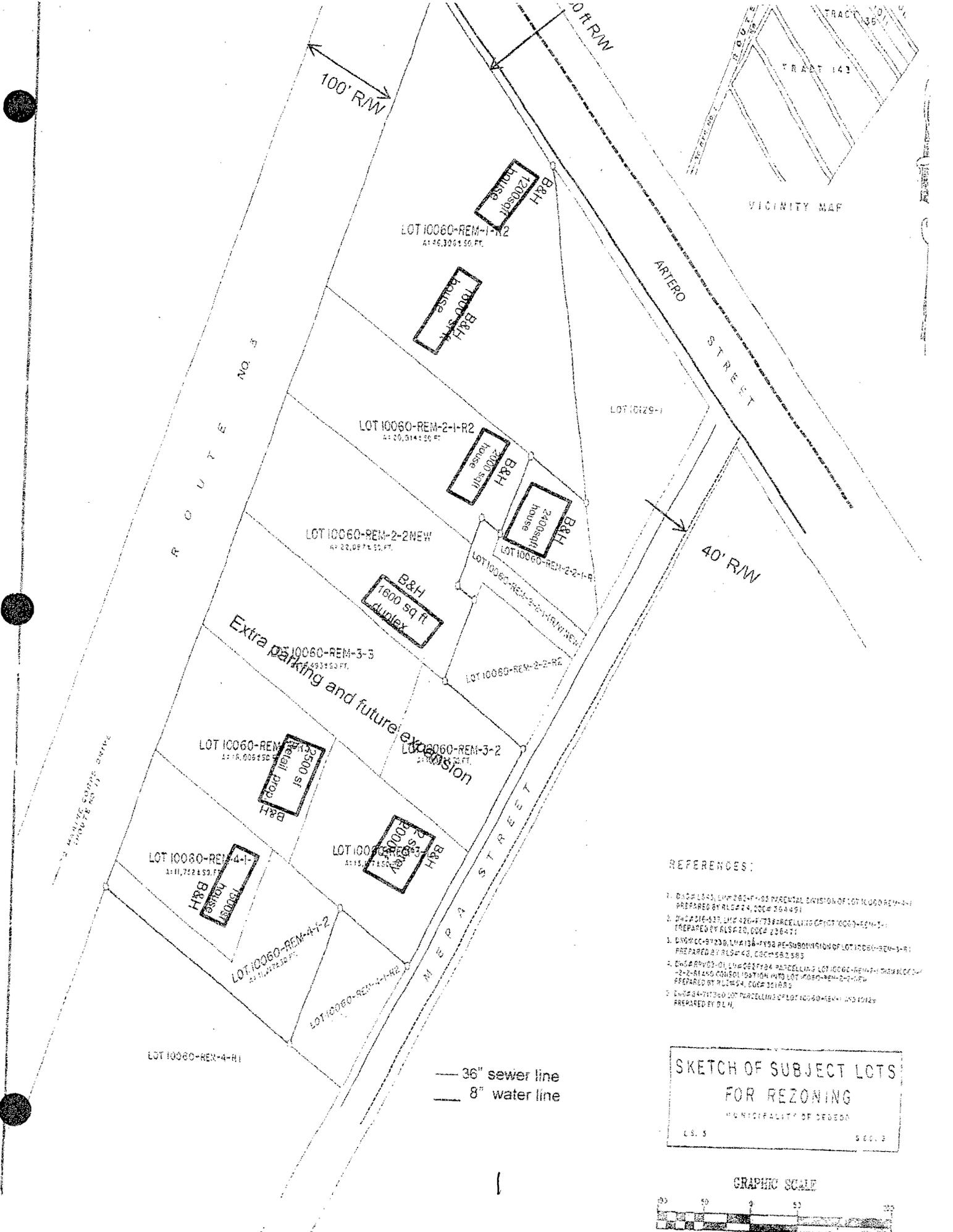
Thank you,



Joseph D. McDonald

## **Attachments**

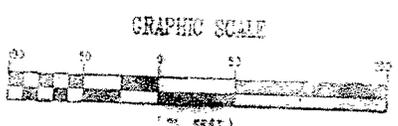
- 1 SKETCH OF LOTS TO BE REZONED**
- 2 TO 5 MAPS OF LOT TO BE REZONED**
- 6 GOOGLE PICTURE OF AREA**
- 7 TO 9 COMMERCIAL ACTIVITIES**
- 10 MAP OF SEWER AND WATER LINES**
- 11 1000 FT RADIUS WITH CURRENT ZONE**



REFERENCES:

1. DWS 04-1234, LHM 2014-1-05 PARENTAL DIVISION OF LOT 10060-REM-4-1 PREPARED BY ALS#24, COCA 2014-051
2. DWS 04-1234, LHM 2014-1-05 PARCELING OF LOT 10060-REM-1-1 PREPARED BY ALS#20, COCA 2014-051
3. DWS 04-1234, LHM 2014-1-05 RE-SUBDIVISION OF LOT 10060-REM-3-1 PREPARED BY ALS#40, COCA 2014-051
4. DWS 04-1234, LHM 2014-1-05 PARCELING LOT 10060-REM-4-1 AND 10060-REM-4-2 AND CONSOLIDATION INTO LOT 10060-REM-2-2-NEW PREPARED BY ALS#24, COCA 2014-051
5. DWS 04-1234, LHM 2014-1-05 PARCELING OF LOT 10060-REM-4-1 AND 10060-REM-4-2 PREPARED BY ALS#40, COCA 2014-051

SKETCH OF SUBJECT LOTS  
FOR REZONING  
MUNICIPALITY OF DEDECO  
L.S. 3 500.0



Handwritten notes at the top of the page, possibly a header or title area.

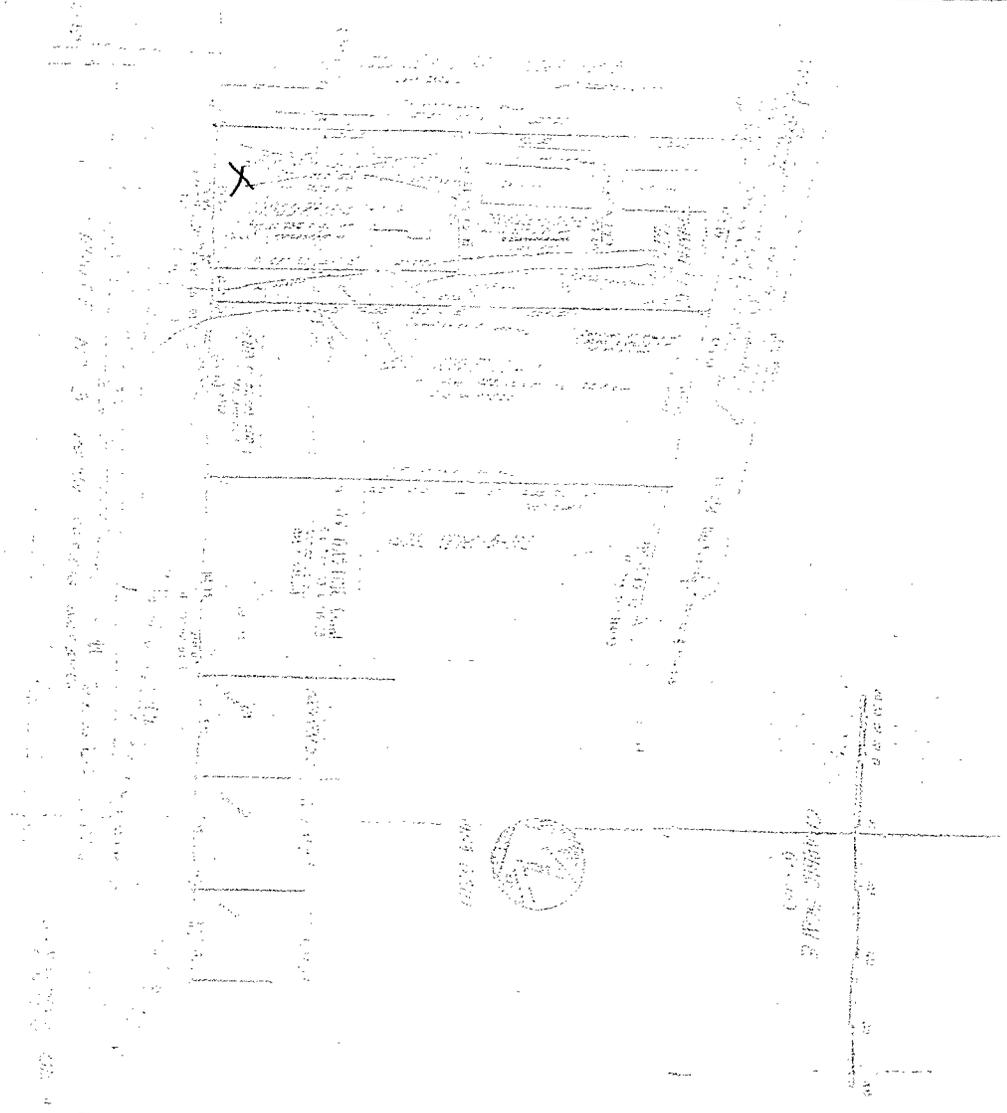
Handwritten notes in the upper left quadrant, including a large 'X' mark.

Handwritten notes in the middle left quadrant.

Handwritten notes in the lower middle left quadrant.

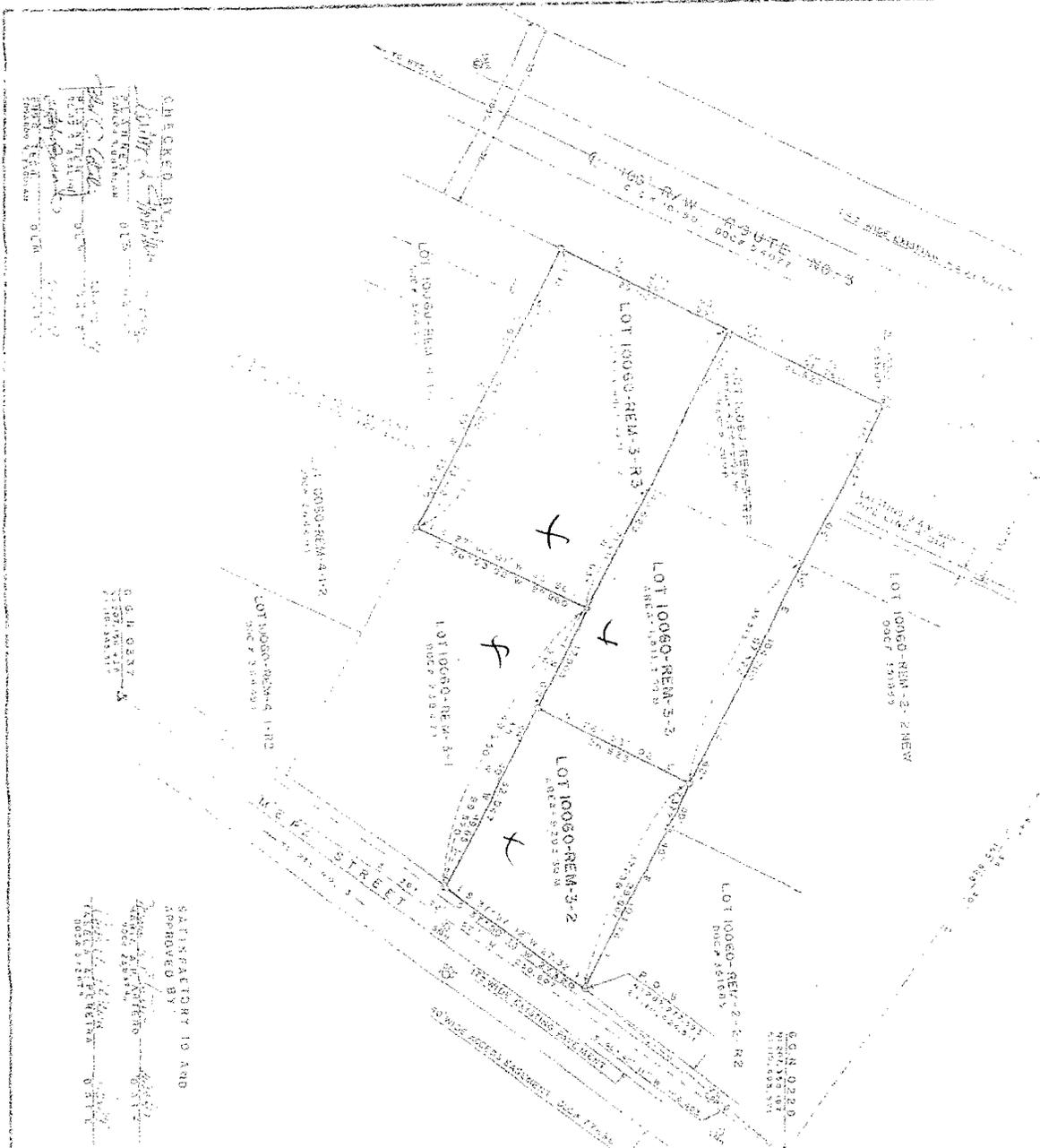
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G. G. N. TITELIN  
NOT TO SCALE

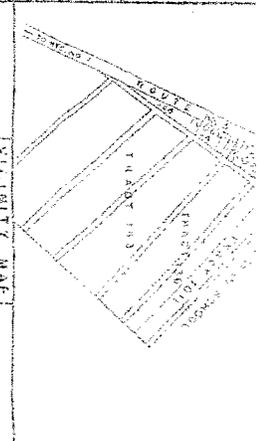
G. G. N. 1983 GRID  
GRAPHIC SCALE: 1 inch = 10 FEET



CHECKED BY: [Signature]  
DATE: 015  
PROJECT NO. 138-FY 98

G. G. N. 0220  
DATE: 015

SATISFACTORY TO AND  
APPROVED BY: [Signature]  
DATE: 015



**SYMBOLS:**

- ▲ G. G. N. STATION
- 4x4 CONCRETE FOUND SET BY R.L. 500 (10075/24)
- 4x4 CONCRETE FOUND SET BY R.L. 500 (10075/24)
- 4x4 REBAR FOUND SET BY R.L. 500 (10075/24)
- 4x4 REBAR SET W/REAR MARKED R.L. 500 (10075/24)
- 4x4 CONCRETE FOUND SET BY R.L. 500 (10075/24)
- 4x4 CONCRETE FOUND SET BY R.L. 500 (10075/24)

**NOTES:**

1. SURVEY WAS BASED ON RECORDED CORNER AS SHOWN  
2. ALL DISTANCES ARE TO CENTER UNLESS OTHERWISE NOTED  
3. REBAR FOUND SET BY R.L. 500 (10075/24)  
4. SUBJECT LOTS 10060-REM-3-1/2/3/4/5 ARE 100% UNIFORM PARTNERSHIP  
RESIDENTIAL SUBDIVISION TO PUBLIC LAW 21-72 (1958)

**REFERENCES:**

1. PAGES 10060-REM-3-1/2/3/4/5 RECORDED BY R.L. 500 (10075/24)  
2. PAGES 10060-REM-3-1/2/3/4/5 RECORDED BY R.L. 500 (10075/24)  
3. PAGES 10060-REM-3-1/2/3/4/5 RECORDED BY R.L. 500 (10075/24)

**CERTIFICATIONS:**

APPROVAL PURSUANT TO TITLE 10, SECTION 10060-REM-3-1/2/3/4/5  
GIVEN BY THE SURVEYOR ON THIS DATE:  
[Signature] SURVEYOR  
[Signature] PLANNER

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE  
21, CHAPTER 10060-REM-3-1/2/3/4/5, AND ALL APPLICABLE  
UNIFORM STANDARDS AND REGULATIONS AND ALL APPLICABLE  
REQUIREMENTS OF THE SUBDIVISION ACT, AND I CERTIFY THAT ALL THE  
INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF  
MY KNOWLEDGE AND BELIEF.

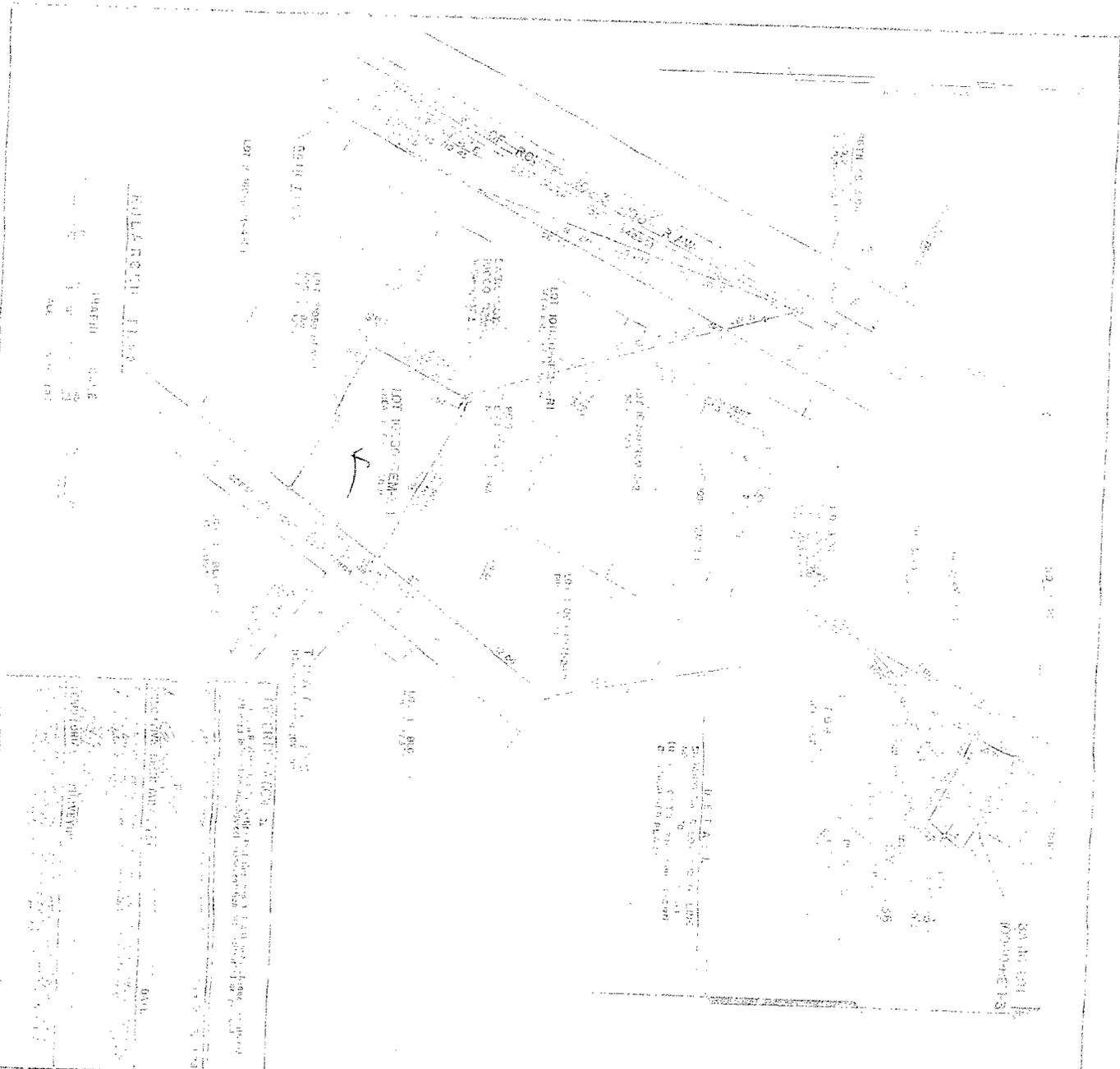
EXAMINED AND APPROVED BY THE CHIEF OF BUREAU OF LAND SURVEY  
[Signature] CHIEF OF BUREAU OF LAND SURVEY

DATE: 015

LOT 10060-REM-3-1  
RE-SUBDIVISION SURVEY MAP  
0 F

138-FY 98





PLAT NO. 1000  
 SHEET NO. 1000  
 DATE 10/10/10

SECTION 10  
 TOWNSHIP 10 N  
 RANGE 10 W



Artero Dr

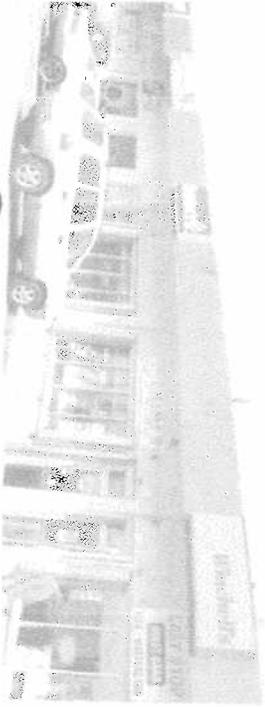
Mabini St

mcdonalds

© 2011 Google

Map data © 2011 Google

b



7



Entrance to Nctams

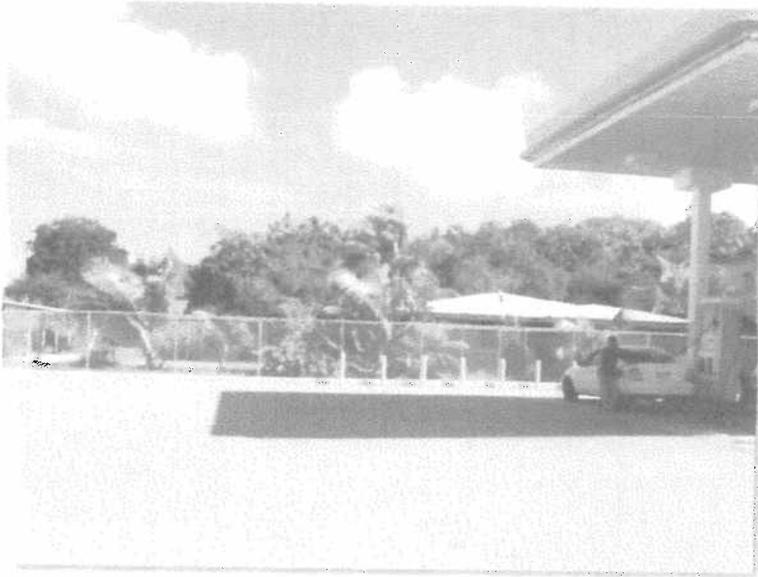


Route 3 and property



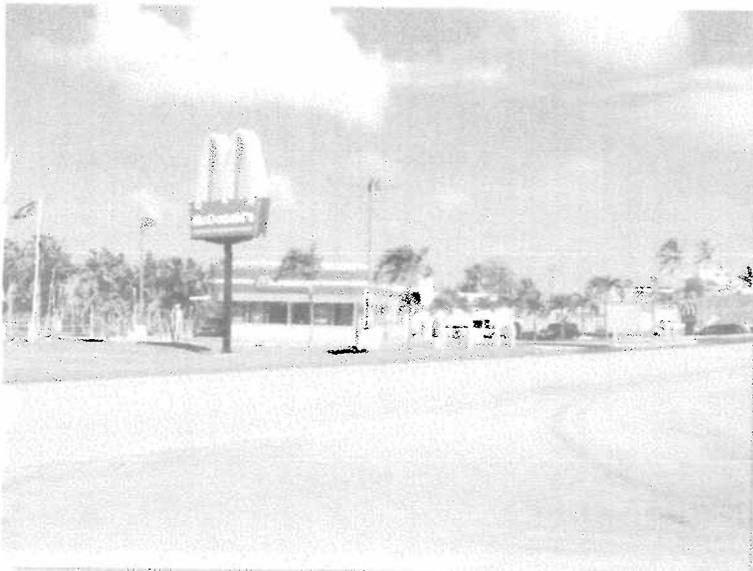
Rear of property on Mepa St

8



Property viewed from Shell

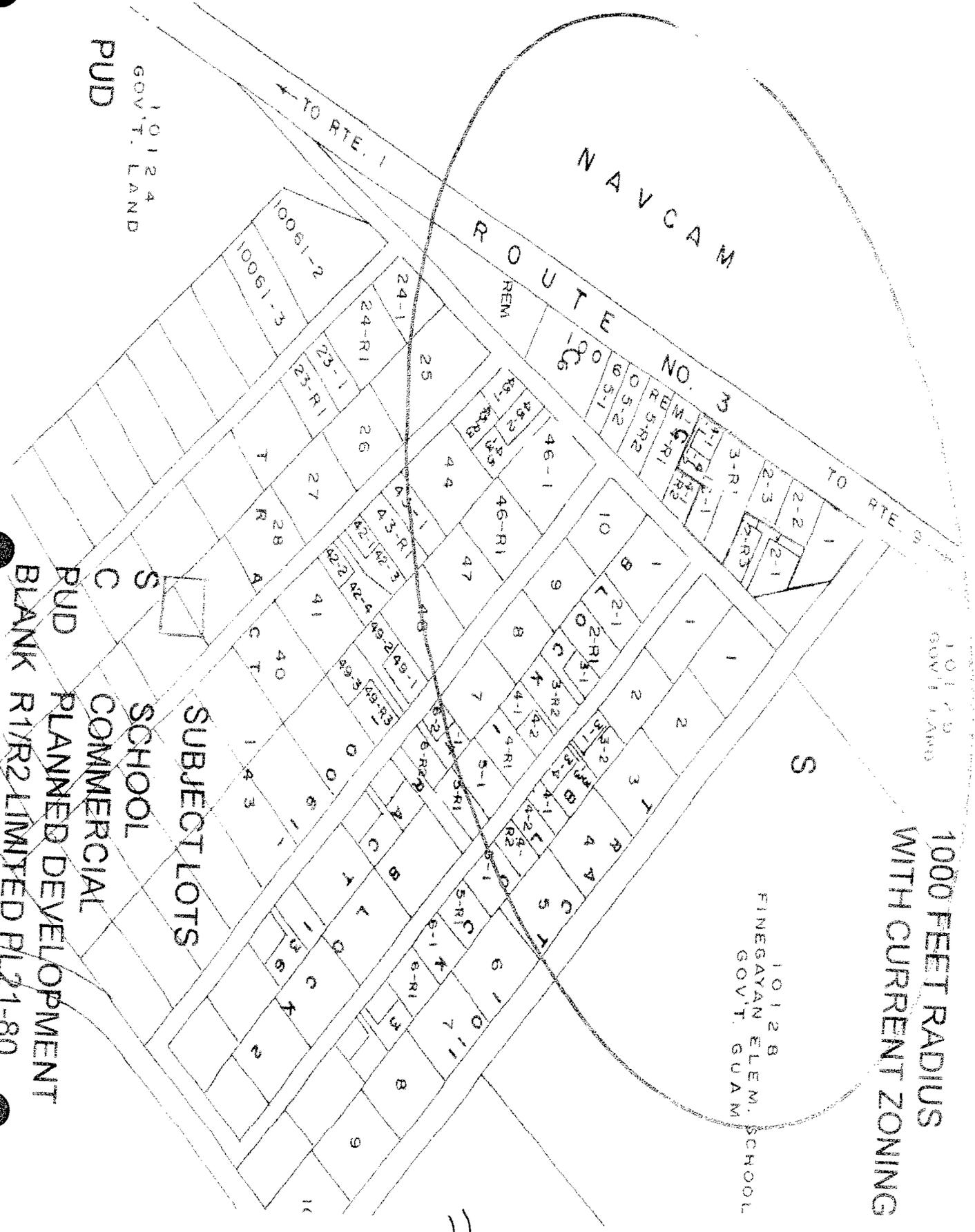
Shell



McDonald's and NCTAMS



1000 FEET RADIUS  
WITH CURRENT ZONING



10124  
GOV'T. LAND  
PUD

10129  
GOV'T. LAND

10128  
FINEGAYAN ELEM. SCHOOL  
GOV'T. GUAM

SUBJECT LOTS  
SCHOOL  
COMMERCIAL  
PLANNED DEVELOPMENT  
BLANK R1/R2 LIMITED PL21-80

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 352-31 (COR)**

**AN ACT TO REZONE LOT NO. 10060REM-4-1-1, IN THE MUNICIPALITY OF DEDEDO FROM SINGLE FAMILY/MULTI FAMILY DWELLING ("R1/R2") TO COMMERCIAL ("C") ZONE.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Land Management	Dept./Agency Head: Monte Mafnas, Acting Director
Department's General Fund (GF) appropriation(s) to date:	640,932
Department's Other Fund (Land Survey Revolving Fund) appropriation(s) to date:	2,885,837
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$3,526,769</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2011 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2012 Adopted Revenues	\$0	\$0	\$0
FY 2012 Appro. (P.L. 31-75 & 31-77)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2012 (if applicable)	FY 2013	FY 2014	FY 2015	FY 2016
#VALUE!	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? / x / Yes      // No  
If Yes, see attachment. 1/
- Is amount appropriated adequate to fund the intent of the appropriation? / x / N/A      // Yes      // No  
If no, what is the additional amount required? \$ \_\_\_\_\_ / x / N/A
- Does the Bill establish a new program/agency? // Yes      / x / No  
If yes, will the program duplicate existing programs/agencies? / x / N/A      // Yes      // No  
Is there a federal mandate to establish the program/agency? // Yes      / x / No
- Will the enactment of this Bill require new physical facilities? // Yes      / x / No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / x / Yes      // No  
/ x / Requested agency comments not received by due date      / / Other: \_\_\_\_\_

Analyst: <u>Evelyn G. Fernandez</u> Evelyn G. Fernandez, BMA III	Date: <u>11/15/11</u>	Director: <u>John A. Rios</u> John A. Rios, Director	Date: <u>11/16/11</u>
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**Footnotes:**  
1/ There is a potential for additional revenues to the Government of Guam in terms of real property and income taxes due from ensuing business activities as a result of rezoning Lot Number 10060Rem-4-1-1 from Single Family/Multi-Residential ("R1/R2") to Commercial ("C") zone. The overall potential financial impact of the Bill, in its present form, cannot be determined at this time. Bill 352-31 (COR) is similar to Bill No. 310-31 (COR) for which fiscal note comments have already been submitted.



# 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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

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Vice Speaker  
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Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

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Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

October 25, 2011

### MEMORANDUM

To: Pat Santos  
Clerk of the Legislature

Attorney Therese M. Terlaje  
Legislative Legal Counsel

From: Senator Rory J. Respicio

Subject: Referral of Bill Nos. 352-31(COR) & 359-31 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 352-31 (COR) and 359-31 (COR).

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 members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

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

*Si Yu'os Ma'åse!*

(8) Attachment

2011 OCT 27 PM 4:01

*I Mina'Trentai Unu Na Liheslaturan Guåhan*

**Bill Log Sheet**

**October 24, 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?
352-31 (COR)	F. F. Blas, Jr.	AN ACT TO REZONE LOT NO. 10060REM-4-1-1, IN THE MUNICIPALITY OF DEDEDO FROM SINGLE FAMILY/MULTI FAMILY DWELLING ("R1/R2") TO COMMERCIAL ("C") ZONE.	10/24/11 3:45 p.m.	10/25/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land.			



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

November 21, 2011

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing – FIRST NOTICE

Chairman  
Committee on Appropriations,  
Taxation, Public Debt, Banking,  
Insurance, Retirement, and  
Land

Vice Chairman  
Committee on Education

Member  
Committee on Rules,  
Federal, Foreign &  
Micronesia Affairs and  
Human & Natural  
Resources

Member  
Committee on  
Municipal Affairs,  
Tourism, Housing, and  
Recreation

Member  
Committee on the Guam  
Military Buildup and  
Homeland Security

Member  
Committee on Health and  
Human Services, Senior  
Citizens, Economic  
Development, and Election  
Reform

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing on **Tuesday, November 29, 2011 beginning at 1:00m** at the Guam Legislature's Public Hearing Room and **beginning at 6:30pm** at the Chalan Pago Community Center.

Agenda

1:00 pm

Guam Legislature Public Hearing Room

**Bill No. 205-31 (COR): An Act authorizing *I Maga'lahaen Guahan* to borrow up to \$2,000,000 for the purchase and installation of a new emergency 911 system.**

**Bill No. 280-31 (COR): An Act to appropriate the sum of Five Hundred Thousand Dollars (\$500,000.00) from the Enhanced 911 Emergency Reporting System Fund to the Guam Fire Department Capital Revolving Fund for the purpose of purchasing ambulances.**

**Bill No. 328-31 (COR): An Act to provide for the regulated conduct of special tasting and sampling events at approved locations, when conducted by a off-sale licensee, wholesale licensee or agent licensee for the sale of alcoholic beverages and distilled spirits by adding a New §3229 to Article 2 of §3215, Chapter 3, and by amending §3413 of Article 4 of Chapter 3, both of Title 11, Guam Code Annotated.**

**Bill No. 175-31 (COR): An Act to rezone Lot No. 5231-9-1, in the Municipality of Dededo from Agriculture "A" to Commercial "C".**

**Bill No. 251-31 (COR): An Act relative to re-zoning Lot No. 54NEW-R1, located in the Municipality of Tamuning, from Residential ("R-1") to Commercial ("C") for purposes of establishing a medical related business.**

**Bill No. 352-31 (COR): An Act to rezone Lot No. 10060REM-4-1-1, In the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.**

**Bill No. 353-31 (COR): An Act to rezone Lot No. 10060 REM 3-R3, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.**

**Bill No. 354-31 (COR): An Act to rezone Lot No. 10060-REM-3-1, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.**

**Bill No. 355-31 (COR): An Act to rezone Lot No. 10060 REM 3-2, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.**

**Bill No. 356-31 (COR): An Act to rezone Lot No. 10060 REM 3-3, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.**

**Bill No. 357-31 (COR): An Act to rezone Lot No. 10060-REM-2-2NEW, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.**

**Bill No. 358-31 (COR): An Act to rezone Lot No. 10060 REM2-1-R2, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.**

**Bill No. 359-31 (COR): An Act to rezone Lot No. 10060 REM-2-2-1-R1, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.**

**Bill No. 369-31 (COR): An Act to zone the previously unzoned Lot No. 1060-5-1, in the Municipality of Barrigada, to Single-Family Dwelling (R-1).**

**Bill No. 370-31 (COR): An Act to zone the previously unzoned Lot No. 1060-5-2, in the Municipality of Barrigada, to Single-Family Dwelling (R-1).**

**Bill No. 371-31 (COR): An Act to rezone Lot No. 19A-3, in the Municipality of Sinajana from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2) Zone.**

Agenda

6:30pm

Chalan Pago Community Center

**Bill No. 334-31 (COR): An Act to Rezone Lot No. 3261-R4 in the Municipality of Chalan Pago from Residential “R-1” to Light Industrial “M1” Zone.**

**Bill No. 335-31 (COR): An Act to Rezone Lot No. 3261-1-R3 in the Municipality of Chalan Pago from Residential “R-1” to Light Industrial “M1” Zone.**

Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi [www.guamlegislature.com](http://www.guamlegislature.com). Yanggen para un na’hålom testigu-mu, chule’ para i ifisinan-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi [senbenp@guam.net](mailto:senbenp@guam.net). Este na nutisiu inapåsi nu i fendon gubetnamento.

If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature’s website at [www.guamlegislature.com](http://www.guamlegislature.com). Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at [senbenp@guam.net](mailto:senbenp@guam.net)

**Bill No. 353-31 (COR): An Act to rezone Lot No. 10060 REM 3-R3, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.**

**Bill No. 354-31 (COR): An Act to rezone Lot No. 10060-REM-3-1, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.**

**Bill No. 355-31 (COR): An Act to rezone Lot No. 10060 REM 3-2, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.**

**Bill No. 356-31 (COR): An Act to rezone Lot No. 10060 REM 3-3, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.**

**Bill No. 357-31 (COR): An Act to rezone Lot No. 10060-REM-2-2NEW, In the Municipality of Dededo from Single Family/Multi Dwelling (“R1/R2”) to Commercial (“C”) Zone.**

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Agenda

6:30pm

Chalan Pago Community Center

**Bill No. 334-31 (COR): An Act to Rezone Lot No. 3261-R4 in the Municipality of Chalan Pago from Residential “R-1” to Light Industrial “M1” Zone.**

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Hafa Adai,  
 Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Tuesday, November 29 beginning at 1:00pm at the Guam Legislature Public Hearing Room and 6:30pm at the Chalan Pago Community Center. See attached for further details.

Saina Ma'ase.

Lisa Cipollone  
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**Public Hearing - First Notice**

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 date: Mon, Nov 21, 2011 at 5:31 PM  
 subject: Public Hearing - First Notice  
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- ALICIA PEREZ  
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Hafa Adai, Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Tuesday, November 29 beginning at 1:00pm at the Guam Legislature Public Hearing Room and 6:30pm at the Chalan Pago Community Center. The agenda is as follows:

**INEKUNGOK PUPBLEKO (PUBLIC HEARING)**

*gi Måttes, gi diha 29 gi Nubembre 2011 (Tuesday, November 29, 2011)*

*Kuåtton Inekungok Pupbleko gi I Liheslaturan Guáhan (Guam Legislature Public Hearing Room)*

**TAREHA (AGENDA)**

*ala una gi despues di talo'áni (1:00 PM)*

**Priniponi Siha (Bills)**

**Bill No. 205-31 (COR): An Act authorizing *I Maga'lahen Guahan* to borrow up to \$2,000,000 for the purchase and installation of a new emergency 911 system.**

**Bill No. 280-31 (COR): An Act to Appropriate the sum of Five Hundred Thousand Dollars (\$500,000.00) from the Enhanced 911 Emergency Reporting System Fund to the Guam Fire Department Capital Revolving Fund for the purpose of purchasing ambulances.**

**Bill No. 328-31 (COR): An Act to provide for the regulated conduct of special tasting and sampling events at approved locations, when conducted by a off-sale licensee, wholesale licensee or agent licensee for the sale of alcoholic beverages and distilled spirits by adding a New §3229 to Article 2 of §3215, Chapter 3, and by amending §3413 of Article 4 of Chapter 3, both of Title 11, Guam Code Annotated.**

- Bill No. 175-31 (COR): An Act to rezone Lot No. 5231-9-1, in the Municipality of Dededo from Agriculture "A" to Commercial "C".
- Bill No. 362-31 (COR): An Act to rezone Lot No. 10060REM-4-1-1, in the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.
- Bill No. 353-31 (COR): An Act to rezone Lot No. 10060 REM 3-R3, in the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.
- Bill No. 354-31 (COR): An Act to rezone Lot No. 10060-REM-3-1, in the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.
- Bill No. 355-31 (COR): An Act to rezone Lot No. 10060 REM 3-2, in the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.
- Bill No. 356-31 (COR): An Act to rezone Lot No. 10060 REM 3-3, in the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.
- Bill No. 357-31 (COR): An Act to rezone Lot No. 10060-REM-2-2NEW, in the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.
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- Bill No. 369-31 (COR): An Act to zone the previously unzoned Lot No. 1060-5-1, in the Municipality of Barrigada, to Single-Family Dwelling (R-1).
- Bill No. 370-31 (COR): An Act to zone the previously unzoned Lot No. 1060-5-2, in the Municipality of Barrigada, to Single-Family Dwelling (R-1).
- Bill No. 371-31 (COR): An Act to rezone Lot No. 19A-3, in the Municipality of Sinajana from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2) Zone.

*Sentan Kumunidat Chalan Pago  
(Chalan Pago Community Center)*

**TAREHA  
(AGENDA)**

*gi alas 6:30 gi pipuengi  
(6:30 pm )*

- Bill No. 334-31 (COR): An Act to Rezone Lot No. 3261-R4 in the Municipality of Chalan Pago from Residential "R-1" to Light Industrial "M1" Zone.
- Bill No. 335-31 (COR): An Act to Rezone Lot No. 3261-1-R3 in the Municipality of Chalan Pago from Residential "R-1" to Light Industrial "M1" Zone.

Yanggen un nisisita espesiât na setbision, put fabot âgang i Ifsinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guahan gi [www.guamlegislature.com](http://www.guamlegislature.com). Yanggen para un na'hâlom testigu-mu, chule' para i ifsinan-mâmi gi 324 West Soledad Avenue gi iya Hagâña, pat guatto gi i Kuaaton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi [senbenp@guam.net](mailto:senbenp@guam.net). Este na nutisiu inapâsi nu i fendon gubetnamento.

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**Saina Ma'ase.**

Lisa Cipollone  
Chief of Staff  
Office of Senator ben c. pangelinan  
(671) 473-4236  
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Senator Vicente (ben) Cabrera Pangelinan (D)

November 27, 2011

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing – SECOND NOTICE

Chairman  
Committee on Appropriations,  
Taxation, Public Debt, Banking,  
Insurance, Retirement, and  
Land

Vice Chairman  
Committee on Education

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Micronesian Affairs and  
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Tourism, Housing, and  
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Committee on the Guam  
Military Buildup and  
Homeland Security

Member  
Committee on Health and  
Human Services, Senior  
Citizens, Economic  
Development, and Election  
Reform

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing on **Tuesday, November 29 2011 beginning at 1:00pm** at the Guam Legislature's Public Hearing Room and **beginning at 6:30pm** at the Chalan Pago Community Center.

Agenda

1:00 pm

Guam Legislature Public Hearing Room

**Bill No. 205-31 (COR): An Act authorizing *I Maga'laken Guahan* to borrow up to \$2,000,000 for the purchase and installation of a new emergency 911 system.**

**Bill No. 280-31 (COR): An Act to appropriate the sum of Five Hundred Thousand Dollars (\$500,000.00) from the Enhanced 911 Emergency Reporting System Fund to the Guam Fire Department Capital Revolving Fund for the purpose of purchasing ambulances.**

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**Bill No. 251-31 (COR): An Act relative to re-zoning Lot No. 54NEW-R1, located in the Municipality of Tamuning, from Residential ("R-1") to Commercial ("C") for purposes of establishing a medical related business.**

**Bill No. 352-31 (COR): An Act to rezone Lot No. 10060REM-4-1-1, In the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.**

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Agenda

6:30pm

Chalan Pago Community Center

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*Saina Ma'ase.*

Lisa Cipollone  
Chief of Staff  
Office of Senator ben c. pangelinan  
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- Fundraiser 2010
- FY11 Comm Rpts
- GDP
- GEDA
- Grants (242)
- GVB
- Messages Comm
- Messages Comm ...
- Military Buildup (2)
- NCSL Fall Seminar...
- News Releases
- PA Docs
- PR
- Referrals
- Referrals 2011 (1)
- Retirement Fund
- SBill 145
- Scan Documents
- Sen Travel
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- Session Update (1)
- Shinseki
- Solutions to...
- Tiyan
- Website Comments
- 7 more ▾

Chat

- Lisa Cipollone  
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- olivia
- jane
- Anjelica ...
- Ariana Vil...
- Artemio ...
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- Calvo (18)
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- CMTF (1)
- DC-Conf Trip
- Democrat Speech
- Dos Amantes
- Farmer's Coop
- Faxes
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- Session Update (1)
- Shinseki
- Solutions to...
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### Public Hearing - Second Notice

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from Lisa Cipollone cipo@guamlegislature.org 11:21 AM (0 minutes ago) Reply

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 Ken Quintanilla <kenq@kuam.com>,  
 Josh Tyquiengco <jtyquiengco@k57.com>,  
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 rgibson@k57.com,  
 ALICIA PEREZ <aliciaperez69@hotmail.com>,  
 Alicia Perez <perezksto@gmail.com>,  
 Gaynor Daleno <gdumat-ol@guampdn.com>,  
 slimiaco@guampdn.com,  
 brkelman@guampdn.com,  
 Erin Thompson <egthompson@guampdn.com>,  
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ALICIA PEREZ

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date Sun, Nov 27, 2011 at 11:21 AM

subject Public Hearing - Second Notice

mailed by guamlegislature.org

Hafa Adai,  
 Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Tuesday, November 29 beginning at 1:00pm at the Guam Legislature Public Hearing Room and 6:30pm at the Chalan Pago Community Center. The agenda is as follows:

### INEKUNGOK PUPBLEKO (PUBLIC HEARING)

*gi Máttes, gi diha 29 gi Nubembre 2011*  
 (Tuesday, November 29, 2011)

*Kuátton Inekungok Pupleko gi l Liheslaturan Guåhan*  
 (Guam Legislature Public Hearing Room)

#### TAREHA (AGENDA)

*ala una gi despues di talo'áni*  
 (1:00 PM)

#### Priniponi Siha (Bills)

**Bill No. 205-31 (COR): An Act authorizing *l Maga'lahen Guahan* to borrow up to \$2,000,000 for the purchase and installation of a new emergency 911 system.**

**Bill No. 280-31 (COR): An Act to appropriate the sum of Five Hundred Thousand Dollars (\$500,000.00) from the Enhanced 911 Emergency Reporting System Fund to the Guam Fire Department Capital Revolving Fund for the purpose of purchasing ambulances.**

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**Bill No. 175-31 (COR): An Act to rezone Lot No. 5231-9-1, in the Municipality of Dededo from Agriculture "A" to Commercial "C".**

**Bill No. 362-31 (COR): An Act to rezone Lot No. 10060REM-4-1-1, in the Municipality of Dededo from Single**

Chat

Lisa Cipollone

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- olivia
- ▾ jane
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- ▾ Selina O...
- ▾ Senator ...
- ▾ Stephani...

Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.

Bill No. 353-31 (COR): An Act to rezone Lot No. 10060 REM 3-R3, In the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.

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Bill No. 358-31 (COR): An Act to rezone Lot No. 10060 REM2-1-R2, In the Municipality of Dededo from Single Family/Multi Dwelling ("R1/R2") to Commercial ("C") Zone.

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Bill No. 371-31 (COR): An Act to rezone Lot No. 19A-3, in the Municipality of Sinajana from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2) Zone.

**Sentan Kumunidat Chalan Pago**  
(Chalan Pago Community Center)

**TAREHA**  
(AGENDA)

*gi alas 6:30 gi pipuengi*  
(6:30 pm)

Bill No. 334-31 (COR): An Act to Rezone Lot No. 3261-R4 in the Municipality of Chalan Pago from Residential "R-1" to Light Industrial "M1" Zone.

Bill No. 335-31 (COR): An Act to Rezone Lot No. 3261-1-R3 in the Municipality of Chalan Pago from Residential "R-1" to Light Industrial "M1" Zone.

Yanggen un nisisita espesiât na setbision, put fabot âgang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i primiponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guahan gi [www.guamlegislature.com](http://www.guamlegislature.com). Yanggen para un na hâlom testigu-mu, chule' para i ifisinan-mâmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuanton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi [senbenp@guam.net](mailto:senbenp@guam.net). Este na nutisiu inapâsi nu i fendon gubetamento.

If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at [senbenp@guam.net](mailto:senbenp@guam.net)

*Saina Ma'ase.*

--  
Lisa Cipollone  
Chief of Staff  
Office of Senator ben c. pangelinan  
(671) 473-4236  
[cipo@guamlegislature.org](mailto:cipo@guamlegislature.org)

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 Senator Vicente "ben" Cabrera Pangellinan  
 Office of the People  
 Website: www.senbenp.com

**INEKUNGOK PUPBLEKO**  
**(PUBLIC HEARING)**  
 gi Maltos, gi dila 29 gi Nobembre 2011  
 (Tuesday, November 29, 2011)  
 Kuarton Inekungok Pupleko gi Liheslaturan Guahan  
 (Guam Legislature Public Hearing Room)  
**TAREHA**  
**(AGENDA)**  
 ala unu gi despees di balo' lina  
 (1:00 PM)

**Prinsipal Siha**  
**(Bills)**

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**Santari Komunitati Chalan Pago**  
**(Chalan Pago Community Center)**  
**TAREHA**  
**(AGENDA)**  
 gi dila 6:30 gi piasangil  
 (6:30 pm)

**Bill No. 334-31 (COR):** An Act to Rezone Lot No. 3261-R4 in the Municipality of Chalan Pago from Residential "R-1" to Light Industrial "M1" Zone.

**Bill No. 335-31 (COR):** An Act to Rezone Lot No. 3261-1-R3 in the Municipality of Chalan Pago from Residential "R-1" to Light Industrial "M1" Zone.

Yannggen un nistisa espesit na setibision, put babot apang i ifinan Sinadot Vicente (ben) Cabrera Pangellinan gi 473-4236/7. Yannggen un nistisa kopian i prinsipal siha ginin este na tareha, halom gi i uepsait i Liheslaturan Guahan gi www.guamlegislature.com. Yannggen para un nahalom testigu-na, chul' para i ifinan-mami gi 324 West Soledad Avenue gi lya Hagahna, put guetto gi i Kuarton Katta gi i Liheslatura, put faks gi 473-4238, patine imel gi senbenp@guam.net. Este na nistisa inapal'si nu i fendon gobtonamento.

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Nov 27, 2011



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THIRTY-FIRST GUAM LEGISLATURE**

**Senator Vicente "ben" Cabrera Pangelinan  
Office of the People  
Website: www.senbenp.com**

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**INEKUNGOK PUPBLEKO  
(PUBLIC HEARING)**

***gi Måttes, gi diha 29 gi Nubembre 2011  
(Tuesday, November 29, 2011)***

***Kuåtton Inekungok Pupbleko gi I Liheslaturan Guahan  
(Guam Legislature Public Hearing Room)***

**TAREHA  
(AGENDA)**

***ala una gi despues di talo'ani  
(1:00 PM)***

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**Sentan Kumunidat Chalan Pago  
(Chalan Pago Community Center)**

**TAREHA  
(AGENDA)**

**gi alas 6:30 gi pipuengi  
(6:30 pm )**

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**DEDEDO MUNICIPAL PLANNING COUNCIL  
MUNICIPALITY OF DEDEDO**

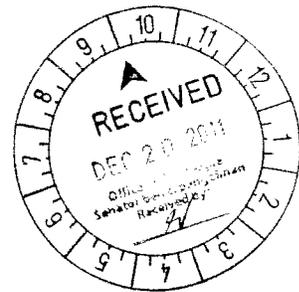
**RESOLUTION NO. 2011-16**

Introduced by:  
Melissa B. Savares, Chairperson  
Andrew Peter A. Benavente, Co-Chairperson

**MEMBERS**

Acda, Romy  
Artero, Pascual  
Chan, Jose Arthur Jr.  
Cruz, Ricardo P.  
Gines, Bernardo

Mafnas, Frank  
San Nicolas, Joseph  
San Nicolas, Laura  
Tainatongo, Carmen  
Wusstig, Ernie



Relative to the Dededo Municipal Planning Council's (DMPC) supports the rezoning of Lots 10060-REM-4-1-1; 10060 REM 3-R3; 10060 REM-3-1; 10060 REM-3-2; 10060 REM-3-3; 10060 REM-2-2NEW; 10060 REM2-1-R2; and 10060 REM-2-2-1-R1, from "R-1/2" Single/Multi-Family Dwelling to "C" Commercial located between Mepa Street and Route 3 in the Municipality of Dededo.

BE IT RESOLVED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL OF DEDEDO:

**WHEREAS**, Bill Nos. 352-31 through 359-31, to rezone the above lots were introduced by Frank Blas Jr., Senator of the 31<sup>st</sup> Guam Legislature; and

**WHEREAS**, a public hearing was held at the Guam Legislature on November 29, 2011 at 1:00 p.m. and on December 13, 2011, at the Dededo Senior Citizen Center with the Dededo Municipal Planning Council meeting was held at the with nine members present; and

**WHEREAS**, family representatives of the above lots were present to share future proposals for the use of these commercial properties at both public hearings; and

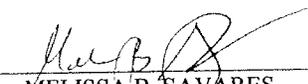
**WHEREAS**, members of the DMPC request to restrict any, and all adult entertainment operations, such as bars serving alcoholic beverages and game rooms operating games of chance, from operating in these commercial zones; and

**WHEREAS**, documents from regulating agencies such as Guam Waterworks Authority, Guam Environmental Protection Agency, Department of Public Works and Guam Power Authority, indicating that there will be no harm to existing infrastructure, must be included before the approval of the approving body; and

**BE IT RESOLVED** that the Dededo Municipal Planning Council approves and supports the rezoning of Lot No. 10060-REM-4-1-1; 10060 REM 3-R3; 10060 REM-3-1; 10060 REM-3-2; 10060 REM-3-3; 10060 REM-2-2NEW; 10060 REM2-1-R2; and 10060 REM-2-2-1-R1, located in the Municipality of Dededo and Bill Nos. 352-31 through 359-31.; and therefore be it

**FURTHER RESOLVED**, that the Chairperson of the Dededo Municipal Planning Council certify to and the secretary attest the adoption hereof and that copies of the same be therefore transmitted to the Senators of the 31<sup>st</sup> Guam Legislature, Department of Land Management and to Members of the Guam Land Use Commission.

DULY RECORDED AND REGULARLY ADOPTED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL ON THIS 13 DAY OF December 2011.

  
\_\_\_\_\_  
MELISSA B. SAVARES  
MAYOR & CHAIRMAN

  
\_\_\_\_\_  
Yvonne S. Acda, Secretary DMPC



# COMMITTEE ON RULES

*I Mina'trentai Unu na Libeslaturan 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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

**MAJORITY MEMBERS:**

Speaker  
Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

Senator  
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

January 31, 2012

MEMORANDUM

**To:** Patricia C. Santos  
Clerk of the Legislature

**From:** Rory J. Respicio 

**Subject:** Supplement to Committee Report  
Bill Nos. 352 thru 359, 369 & 371

*Hafa Adai!*

Transmitted herewith is a memo from Senator vicente (ben) c. pangelinan, Chairperson, Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land, forwarding additional testimony on Bill Nos. 352 thru 359, 369 and 371.

Please include this memo and the attachment as a "Supplement" to the Committee Report on Bill Nos. 352-31 (COR) thru 359-31 (COR), 369-31 (COR) and 371-31 (COR).

Please make the appropriate indication in your records; and forward to MIS for posting on our website.

*Si Yu'os ma'åse'!*

cc: Senator vicente c. pangelinan

2012 FEB 29 11 08 AM



## COMMITTEE ON RULES

*I Mina'trentai Unu na Liheslaturan Guahan* • 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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

### MAJORITY MEMBERS:

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Senator  
vicente c. pangelinan

### MINORITY MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

## Supplement to the Committee Report on Bill No. 352-31 (COR)

**"AN ACT TO REZONE LOT NO. 10060REM-4-1-1, IN THE MUNICIPALITY OF DEDEDO FROM SINGLE FAMILY/MULTI FAMILY DWELLING ("R1/R2") TO COMMERCIAL ("C") ZONE."**

\*NOTE: The original Committee Report on  
Bill No. 352-31 (COR)  
was filed on January 9, 2012.

Office of



the People

I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

January 31, 2012

Memorandum

To: Senator Rory Respicio  
Chairman, Committee on Rules

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Testimony

Chairman  
Committee on Appropriations,  
Taxation, Public Debt, Banking,  
Insurance, Retirement, and  
Land

Vice Chairman  
Committee on Education

Member  
Committee on Rules,  
Federal, Foreign &  
Micronesian Affairs and  
Human & Natural  
Resources

Member  
Committee on  
Municipal Affairs,  
Tourism, Housing, and  
Recreation

Member  
Committee on the Guam  
Military Buildup and  
Homeland Security

Member  
Committee on Health and  
Human Services, Senior  
Citizens, Economic  
Development, and Election  
Reform

Please find attached testimony from Mr. Thomas Morrison of the Bureau of Statistics and Plans received on January 26, 2012 for the following bills:

Bill No. 352 thru 359; committee reports filed on 1/9/12

Bill No. 369; committee report filed on 12/12/12

Bill No. 371; committee report filed on 1/4/12

Please note that the letter includes testimony for Bill No. 175, which has not yet been filed with COR.

We ask that Mr. Morrison's testimony be added to the committee reports for the aforementioned bills.

Thank you.

cc: All Senators  
Clerk's office

2012 JAN 31 AM 11:23

Eddie Baza Calvo  
Governor of Guam



Ray Tenorio  
Lieutenant Governor

P.O.Box 2950 Hagatna, Guam 96932  
Tel : (671) 472-4201/3  
Fax : (671) 477-1812

Thomas A. Morrison  
Director

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**TESTIMONY BEFORE THE COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,  
INSURANCE AND LAND  
BY THE BUREAU OF STATISTICS AND PLANS**

**Guam Legislature Public Hearing Room  
Tuesday, November 29, 2011**

Honorable Chairman and Committee Members:

This testimony is provided on behalf of the Bureau of Statistics and Plans in regards to the Bill Nos. 175-31(COR), 352 thru 359-31(COR), 369 thru 371-31(COR). We have reviewed the said bills and offer the following comments and concerns:

The Bureau has always had concerns with regard to the zoning and rezoning of properties by the Guam Legislature. We strongly believe that there is already a process that is in place that works and which affords the surrounding neighbors as well as the general public the opportunity to provide comments on proposed zone changes. As you are aware, the Guam Land Use Commission (GLUC) in conjunction with the Application Review Committee (ARC) is tasked with the responsibility for this process. With the technical assistance from the various government agencies and departments, the GLUC has the ability to come to a reasonable decision in the changing of zoning designations. Unlike the legislative zone change process, the GLUC guarantees that the affected registered landowners within 500 feet of the property proposed to be rezoned is informed by registered mail of the proposal and are invited to attend the GLUC Hearing to provide any comments or concerns. Not everybody has access to the printed media to see the public announcements of upcoming public hearings and they may be unaware of the proximity of their property to the property to be rezoned. Furthermore, unlike the legislative process, the GLUC receives technical comments from appropriate government agencies on the impacts the proposed zone change may have prior to arriving at a decision.

The Bureau has attempted to provide a comprehensive review of the proposed zone changes and properties to be assigned a zone. We appreciate the accompanying maps. However, more details on each of these bills would be helpful. Like we have mentioned in our previous testimonies, we strongly believe that the maps along with other pertinent information such as what is proposed on the site and justification for the zone change should be provided in the bills or attached with the bills. A map is just one of the most basic pieces of information needed to review legislative zoning proposals. Knowing the exact location of the subject parcel enables us to obtain information on the surrounding land uses and zones as well as other information that would assist us in formulating a recommendation on the appropriateness of the proposed activity and zone change.

With respect to the twelve bills under consideration, the Bureau offers the following comments:

Bill No. 175-31(COR) – Due to the limited information provided with this bill, our records show the surrounding land use is predominantly single-family residential. There is retail activity on the adjacent property. Infrastructures such as water, power, cable and telephone are available with the exception of sewer services along this stretch of Alageta Street. The Bureau is concerned with the impact more commercial activities may have on an area without sewer services. However, the zone change needs to justify public convenience, public necessity and general welfare. Without any information of what is proposed, a determination cannot be made.

Bill Nos. 352 thru 359-31(COR) - Due to the vagueness of this bill, our records show the surrounding land use is predominantly single-family dwellings. There is also a tire repair shop due southwest and a service station and a McDonald's Restaurant Due west. Infrastructures such as water, power and sewer are available along Route No. 3. A zone change of this magnitude to commercial activities, whatever they may be that encompasses 8 lots all in one general area is likely to have impacts to the surrounding neighborhood. Furthermore, there are fuel line easements running along Route No. 3 up north to Andersen Air Force Base/Northwest Field area. Increased activity along and perhaps on this easement will have negative effects and would require Federal Government input. However, the zone change needs to justify public convenience, public necessity and general welfare. Without any information of what is proposed, a determination cannot be made.

Bill Nos. 369 and 370-31(COR) – The area seems to be undeveloped at the moment. Given that the area does not have a zoning designation yet, "R-1" may be an appropriate zone **only** if the infrastructure is available to sustain the single-family residential activity.

Bill No. 371-31(COR) – The Bureau could not located the lot even with the assistance of the map provided. However, we believe that we located the general area. The area seems to be predominantly single-family dwellings. If the property were rezoned to "R-2" (multi-family residential), it may have an impact on the surrounding neighborhood by way of increased traffic, on-street parking and perhaps stress on the existing infrastructure.

The Bureau recognizes that the Guam Legislature has the authority to approve zone changes. The Bureau highly encourages the use of the GLUC process as it provides for public sector, private sector and community involvement and feedback. The Bureau further believes that the legislative process needs to include more input from all stakeholders and technical assistance from the ARC members for a thorough review. More importantly, the Bureau believes that immediate landowners and surrounding community deserves notification when proposed zone changes effect them directly and that they should have an opportunity to express their desires to the Legislature. Thank you for the opportunity to comment on the above mentioned bills.

  
THOMAS A. MORRISON

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

Bill No. 352-31 (cor)

Introduced by:

F. F. Blas, Jr.



2011 OCT 24 PM 3:15

**AN ACT TO REZONE LOT NO. 10060REM-4-1-1, IN  
THE MUNICIPALITY OF DEDEDO FROM SINGLE  
FAMILY/MULTI FAMILY DWELLING (“R1/R2”) TO  
COMMERCIAL (“C”) ZONE.**

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

**Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds that due to the increase of both civilian and military population along Route 3, especially in the Toguac – Gugogan area, a necessity for developing a complex that will house services and offices for businesses serving this area will be greatly needed. The rezoning of this property will be convenient to the residents and employees of the five (5) public schools. The owners of the subject property are seeking the assistance of *I Liheslatura* to rezone their property from Single Family/Multi-Family Dwelling (R1/R2) to Commercial (C) zone for the purpose of maximizing its potential use.

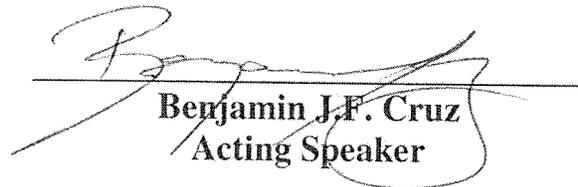
More importantly, *I Liheslatura* finds that the subject property is surrounded by other properties zoned Commercial.

**Section 2.** Lot No. 10060Rem-4-1-1, Municipality of Dededo, containing an area of approximately 11,752 ± square feet is hereby rezoned from Single Family/Multi-Residential "R1/R2" to Commercial "C" Zone.

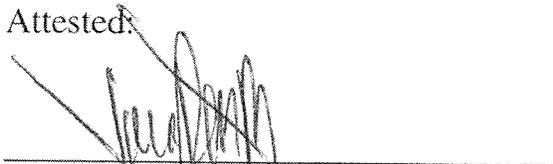
*I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
2012 (SECOND) Regular Session

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

This is to certify that **Bill No. 352-31 (COR)**, "AN ACT TO REZONE LOT NO. 10060REM-4-1-1, MUNICIPALITY OF *DEDEDO*, FROM ONE-FAMILY DWELLING ZONE/MULTIPLE DWELLING ZONE (R1/R2) TO COMMERCIAL ZONE (C)", was on the 14<sup>TH</sup> day of December, 2012, duly and regularly passed.

  
Benjamin J.F. Cruz  
Acting Speaker

Attested:

  
Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 17 day of Nov, Dec 2012, at 11:40 o'clock A.M. RBN

  
Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:

  
EDWARD J.B. CALVO  
*I Maga'lahaen Guåhan*

Date: DEC 26 2012

Public Law No. 31-258

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

**Bill No. 352-31 (COR)**

As amended on the Floor.

Introduced by:

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

**AN ACT TO REZONE LOT NO. 10060REM-4-1-1,  
MUNICIPALITY OF DEDEDO, FROM ONE-FAMILY  
DWELLING ZONE/MULTIPLE DWELLING ZONE  
(R1/R2) TO COMMERCIAL ZONE (C).**

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

**Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds that due to the increase of both civilian and military population along Route 3, especially in the *Toguaç – Gugogan* area, a necessity for developing a complex that will house services and offices for businesses serving this area will be greatly needed. The rezoning of

1 this property will be convenient to the residents and employees of the five (5) public  
2 schools. The owners of the subject property are seeking the assistance of *I*  
3 *Liheslatura* to rezone their property from One-Family Dwelling Zone/Multiple  
4 Dwelling Zone (R1/R2) to Commercial ZONE (C) for the purpose of maximizing its  
5 potential use.

6 More importantly, *I Liheslatura* finds that the subject property is surrounded by  
7 other properties zoned Commercial.

8 **Section 2.** Lot No. 10060Rem-4-1-1, municipality of Dededo, containing an  
9 area of approximately 11,752± square feet is hereby rezoned from One-Family  
10 Dwelling Zone/Multiple Dwelling Zone (R1/R2) to Commercial Zone (C), *except* that  
11 in light of the school and bus stop in the area, the property *shall not* be used for a bar,  
12 nightclub, or strip joint without the approval of the GLUC.