

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
15-32 (COR)	T.R. Muna Barnes	AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE-FAMILY DWELLING (R-2)	1/14/13	1/14/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land;	5/14/13, 2:00pm	8/12/13 2:05pm	Fiscal Note Requested 2/13/13; Fiscal Note Received 04/12/13



I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

AUG 01 2013

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Dos 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. 15-32 (COR), as introduced

2013 AUG 12 PM 2:05

Chairman
Committee on Appropriations,
Public Debt, Legal Affairs,
Retirement, Public Parks,
Recreation, Historic Preservation
and Land

Member
Committee on Education,
Public Libraries
and Women's Affairs

Member
Committee on General
Government Operations and
Cultural Affairs

Member
Committee on Municipal
Affairs, Tourism, Housing and
Hagåtña Restoration and
Development Authority

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

Member
Committee on Aviation, Ground
Transportation, Regulatory
Concerns and Future
Generations


Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 15-32 (COR), as introduced, "An Act to rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2)", which was referred to the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

- 1 TO PASS
- 0 NOT TO PASS
- 5 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 1 TO PLACE IN INACTIVE FILE

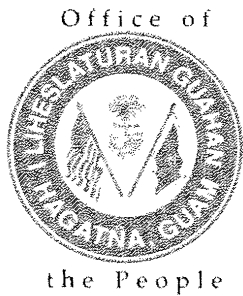
Si Yu'os Ma'åse',


Vicente (ben) Cabrera Pangelinan
Chairman

**COMMITTEE REPORT
ON**

**Bill No. 15-32 (COR), As Introduced
Sponsored by Senator Tina Muna Barnes**

**An Act to rezone Lot No. 3, Tract 1942, in the
Municipality of Barrigada from Single-
Family Dwelling (R-1) to Multiple-Family
Dwelling (R-2)**



Office of

the People

I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

AUG 01 2013

MEMORANDUM

To: All Members
Committee on Appropriations, Public Debt, Legal Affairs,
Retirement, Public Parks, Recreation, Historic Preservation and
Land.

Chairman
Committee on Appropriations,
Public Debt, Legal Affairs,
Retirement, Public Parks,
Recreation, Historic Preservation
and Land

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 15-32 (COR), as introduced

Member
Committee on Education,
Public Libraries
and Women's Affairs

Transmitted herewith for your consideration is the Committee Report on Bill No. 15-32 (COR), as introduced, "An Act to rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2), sponsored by Senator Tina Muna Barnes.

Member
Committee on General
Government Operations and
Cultural Affairs

This report includes the following:

Member
Committee on Municipal
Affairs, Tourism, Housing and
Hagåtña Restoration and
Development Authority

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 15-32 (COR) As Introduced
4. Public Hearing Sign-in Sheet
5. Copies of Written Testimonies
6. Copy of Fiscal Note
7. Copy of COR referral Bill No. 15-32 (COR)
8. Notices of Public Hearing
9. Copy of the Public Hearing Agenda

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

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.

Member
Committee on Aviation, Ground
Transportation, Regulatory
Concerns and Future
Generations

Si Yu'os Ma'åse',


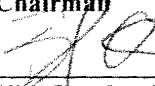


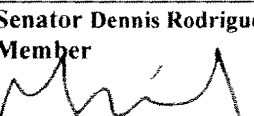

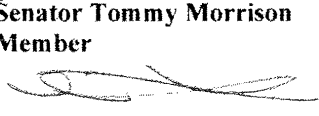
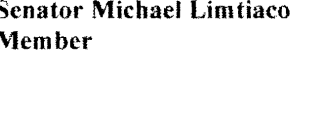
Vicente (ben) Cabrera Pangelinan
Chairman

I MINA' TRENTAI UNU NA LIHESLATURAN GUÁHAN

Committee Voting Sheet

Committee on Appropriations, Public Debt, Legal Affairs, Retirement,
Public Parks, Recreation, Historic Preservation and Land

Bill No. 15-32 (COR): An Act to rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2)

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	_____	_____	_____	_____	<input checked="" type="checkbox"/>
 Vice Speaker BJ Cruz Vice Chairperson	_____	_____	<input checked="" type="checkbox"/>	_____	_____
 Speaker Judith T. Won Pat Member	_____	_____	<input checked="" type="checkbox"/>	_____	_____
 Senator Tina Rose Muña-Barnes Member	<input checked="" type="checkbox"/>	_____	_____	_____	_____
 Senator Dennis Rodriguez, Jr. Member	_____	_____	<input checked="" type="checkbox"/>	_____	_____
 Senator Michael San Nicolas Member	_____	_____	<input checked="" type="checkbox"/>	_____	_____
 Senator Tommy Morrison Member	_____	_____	<input checked="" type="checkbox"/>	_____	_____
 Senator Michael Limtiaco Member	_____	_____	<input checked="" type="checkbox"/>	_____	_____



Committee Report

Bill No. 15-32 (COR): An Act to rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2)

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on May 14, 2013 at 2:00pm 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 May 7, 2013 (5-Day Notice), and again on May 10, 2013 and May 12, 2013 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente Pangelinan, Chairperson
Vice Speaker Benjamin J.F. Cruz, Vice Chairperson
Speaker Judith T. Won Pat, Member
Senator Tina Rose Muna Barnes, Member
Senator Dennis G. Rodriguez, Jr., Member
Senator Michael F.Q. San Nicolas, Member
Senator Michael Limtiaco, Member
Senator Thomas Morrison, Member
Senator Rory Respicio
Senator Frank Aguon, Jr.
Senator Aline Yamashita
Senator Tom Ada
Senator Tony Ada

(b) Appearing before the Committee

Mr. Robert L.G. Cruz

(c) Written Testimonies Submitted

Mr. Robert L.G. Cruz

Chairman
Committee on Appropriations,
Public Debt, Legal Affairs,
Retirement, Public Parks,
Recreation, Historic Preservation
and Land

Member
Committee on Education,
Public Libraries
and Women's Affairs

Member
Committee on General
Government Operations and
Cultural Affairs

Member
Committee on Municipal
Affairs, Tourism, Housing and
Hagåtña Restoration and
Development Authority

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

Member
Committee on Aviation, Ground
Transportation, Regulatory
Concerns and Future
Generations

Mr. Thomas A. Cruz, P.E., Chief Engineer of Guam Water Works Authority
Mr. John Benavente, P.E., General Manager of the Consolidated Utilities System
Mr. David V. Camacho, Acting Director of the Department of Land Management

II. COMMITTEE PROCEEDINGS

Chairman Pangelinan The next item on the agenda is Bill 15-32 (COR), An act to rezone Lot No. 3, Tract 1942, in the municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2), introduced by Senator Tina Muna Barnes.

I will recognize the author to give us a very short synopsis of the bill.

(a) Bill Sponsor Summary.

Senator Tina Muna Barnes. Sina ma'ase' Mr. Chairman. Thank you for giving me the opportunity to speak briefly on this bill. When Mr. Cruz came to us asking for assistance he shared with us what he had already built and even though the proper permits were afforded his way, the zoning application was not conforming; meaning the zoning perspective was not conforming.

This bill was introduced in the last term Mr. Speaker and I just want to say in an effort in supporting Mr. Cruz's desire to conform with the zoning perspective I believe I would give him that opportunity.

There were some concerns at Department of Land Management and I am hoping that some of those questions and inquiries would have been resolved. Mr. Cruz is asking to rezone his property from "A" zone – a residential unit to a multi-family unit, which he has already built on his property. Sina ma'ase'.

Chairman Pangelinan Thank you very much and Si Yu'os Ma'ase Senator Muna-Barnes. Mr. Cruz why don't you identify yourself for the record. Make sure the red light is on the microphone and present your testimony.

(b) Testimonies

Mr. Robert Cruz My name is Robert Cruz.

[Mr. Cruz read his testimony verbatim.]

Chairman Pangelinan. Thank you very much Mr. Cruz. Senator Muna-Barnes do you have any follow up questions?

Senator Tina Muna-Barnes. Yes, Mr. Chairman I do. He wants to build that extra unit to provide for his family who shares the same dwelling with him. In 1993 there was a letter from

Department of Land Management that didn't support the efforts. I want to know if communications with the Department of Land Management have been ongoing? Are there any updates in this effort in moving forward?

Chairman Pangelinan. The committee sent letters to the appropriate departments and agencies for this upcoming public hearing. We did receive testimony on Bill 15-32 from the Department of Land Management and they testified that they are not able to support this legislative proposal at this time.

That is the update with regards to information based upon his original application and their position at this time. This is included in your packet from Department of Land Management.

Senator Tina Muna-Barnes Thank you very much.

Chairman Vicente Pangelinan Speaker Won Pat, do you have a question?

Speaker Judith Won Pat Yes. Mr. Cruz you're saying that this structure that you have is non-conforming. Is it non-conforming because you already have a multi-dwelling there or because you want to now build an additional structure on the existing structure? I am trying to figure this out because there is no map and I am trying to visualize this. So, could you describe what you are talking about? You have a one level building and then you built a second single dwelling. Could you please explain it?

Mr. Robert Cruz When I built that second story there was a meter there already. So, that is the second unit. Right now I am in the process of building another one on the same floor – adding a third unit.

I have all the approval of all the agencies and according to Chairman Ben Pangelinan - regarding the two agencies, I spoke to David Camacho the Acting Director of Land Management and he stated that he is in support if Waterworks will identify that I have water pressure.

We've had problems with water pressure all over the island. So, it is hard for me to understand why Waterworks is making it complicated to support this bill.

Speaker Judith Won Pat. If I understand this correctly you have one structure. You built a second structure and now the third will be to the side of the first structure?

Mr. Robert Cruz .That is correct.

Speaker Judith Won Pat. Thank you.

Chairman Pangelinan Thank you very much. Senator Tom Ada?

Senator Tom Ada. Mr. Cruz, I noted that in reading the statement from the findings from the Department of Land Management that the disapproval of your request was a direct result of an agency response from Guam EPA and Guam Water Works. Are you aware of what Guam EPA is...

Mr. Robert Cruz. I am aware of what Guam EPA is stating; that if Water Works states that if water pressure is low then it does not agree for ...

Senator Tom Ada. You won't get water to the second floor.

Mr. Robert Cruz. Could you repeat that sir?

Senator Tom Ada. You won't get water to the second floor.

Mr. Robert Cruz. It does. Someone from Water Works came to my house because I wanted to know what is my water pressure. According to Martin from engineering, he stated that it tested 45 and was good. So, like I said, Land Management will support this bill if the water pressure is ok. But it is kind of late to support my bill because they already sent the testimony.

Senator Tom Ada. What was Guam EPA's reservation with the rezoning?

Mr. Robert Cruz. Guam EPA stated that they just want me to have ... a sewer line is not available in that area but was applied in 1993. The Mayor of Mangilao stated that there was a plan for that area and that all landowners would be hooked up to that sewer line.

Senator Tom Ada. Is there enough space on your property to be able to construct your septic tank and leeching field to support three units?

Mr. Robert Cruz. Yes, there is an existing septic tank and leeching field and is enough to handle all the water supply. The land that I have there is not a flood zone.

Senator Tom Ada. Guam EPA had no problem with the fact that you were going to service the three units with...

Mr. Robert Cruz. I won't have any problems Water Works is the one that instigated that problem due to low water pressure. But right now the water pressure was ok'd yesterday and I spoke to the Land Management Acting Director David Camacho and he said he is in support if Water Works states that the water pressure can handle the infrastructure.

Senator Tom Ada. Thank you very much.

Chairman Pangelinan. Thank you very much. Senator San Nicolas?

Senator Michael San Nicolas. Just some quick questions Mr. Cruz. You have gone to all the government agencies and gotten the necessary permits?

Mr. Robert Cruz. That is correct.

Senator Michael San Nicolas. I'll be honest with you Mr. Cruz I am not a big fan of spot zoning, but whenever a working man wants to use his own two hands to build a home for his family that is something I don't think that our government should be getting in the way of at all. When you are go through all the motions to get the necessary approvals from our agencies, which is a good thing - that needs to be commended and it's just a matter now to making sure we are changing the zone then that is something I can get behind. So, as long as we are ok on the government permitting side I think we always need to support a working man building home for his family.

Mr. Robert Cruz. Thank you very much. Like I said those things I've been doing has been self-construction.

Chairman Pangelinan. Thank you very much. Senator Duenas?

Senator Chris Duenas Thank you Mr. Chair. Mr. Cruz, I am a little confused, if you already had Water Works come back and say that it is ok why couldn't you just go back to the director because he has the authority under the summary zone change to do this.

Mr. Robert Cruz I did ask the engineering to...because that's what the director of Land Management wants - something in writing to state if the water pressure is adequate for the structure I built. He has no problem.

Senator Chris Duenas. Mr.Cruz, I am just saying personally that is one of the reasons why we approved of getting Land Management's concurrence on these types of issues even for our benefit is to as much as possible go through them. I would encourage that if you have already received that verbally and you just need paper work to get that signed off from GWA, just go back to the director and have him do it under his power to approve summary zone changes with concurrence of the Land Management.

Mr. Robert Cruz. I understand that, but I have never gotten support by the agencies: Department of Land Management, EPA and Water Works. This is the first time I heard Water Works come into the picture - it was kind of new to me.

Senator Chris Duenas. But the director gave you his assurance that if you cleared Water Works in writing he would do this for you.

Mr. Robert Cruz. He's not promising, but he is in support verbally. I don't have anything in writing. I asked him to call Chairman Pangelinan by phone and let him know. I've been doing this for over twenty years and I am doing my very best.

Senator Chris Duenas. I understand that Mr. Cruz. I just think it seems that you've cleared that hurdle and particularly with this director so I would like as much as possible - I will

make my personal communications with him, but if he has given those assurance and those are his only issues and the rest of the divisions have no problem moving forward if there is adequate water pressure, I think that's the better way to go because Land Management in almost every case should be.....

Mr. Robert Cruz. I am not buying that from them.

Senator Chris Duenas. Thank you Mr. Chair. Senator Aguon

Senator Frank Aguon. Thank you very much, Mr. Speaker. Just a quick question Mr. Cruz. You mentioned that the water pressure as of yesterday was working well. Now, you are looking at building an additional complex or building a duplex or a triplex.

Mr. Robert Cruz. No, a unit; a third unit, not a duplex.

Senator Frank Aguon. So, a third unit.

Mr. Robert Cruz. Yes.

Senator Frank Aguon. If the water pressure is an issue, how would you deal with it down the road? For example, if this legislation goes through and you are able to proceed with your building permit, how would you deal with the water pressure when it may be a persistent issue?

Senator Frank Aguon That's a good question. Throughout the island, there is low water pressure and it's impossible that I will have good pressure forever. Everybody on the island has low water pressure and this has been ongoing.

Senator Frank Aguon. I understand. I am just trying to be

Mr. Robert Cruz. Since I have been staying there, I have not had any water outage. I attest to this. They put in an 8" water line – they keep saying it's a 6" line. The bigger the pipe the better the water pressure.

Senator Frank Aguon. I will close with this, Mr. Cruz. I think that because it is a safety and a sanitary issue if in fact there is inadequate water pressure, but the response I was looking for is if you are able to build a triplex, an additional complex, then installing a water pump or water tank would be appropriate. That would address the short term immediate need. In terms of moving forward with this and endorsing this I would like to see that if it becomes an issue down the road that hopefully you keep in mind that this would be one of the possibilities. It really boils down to – you and I we can do without power. When it comes down to water, that's a safety issue, that's a health issue and that's a sanitary issue. That's a concern I have.

Mr. Robert Cruz. I will take full responsibility if anything happens.

Senator Frank Aguon. Thank you Mr. Cruz and thank you Mr. Speaker.

Chairman Pangelinan. Thank you Senator Aguon. Thank you very much, Mr. Cruz for your presence.

This concludes the testimony on Bill No. 15-32. 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 office@senbenp.com or through our website at senbenp.com.

This hearing is adjourned.

III. FINDINGS & RECOMMENDATIONS.


The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 15-32 (COR), as introduced with the recommendation To Report Out Only.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 15-32(COR)

Introduced By:

T.R. MUÑA BARNES

2013 JAN 14 PM 12:58


AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE-FAMILY DWELLING (R-2).

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Robert Cruz, property owner of Lot No. 3, Tract 1942, in the Municipality of
4 Barrigada, self-constructed a second story on his existing single-story home in
5 order to accommodate his family. This places the home in an approved and legal
6 structure but non-conforming zoning status, which prevents Mr. Cruz from
7 accessing his equity on his property. Mr. Cruz is a licensed general contractor and
8 prior to the construction of the second story, received all building permits and
9 complied with all applicable rules, regulations and laws by the proper government
10 officials.

11 In an effort to ensure that Mr. Cruz's home conforms to the proper zoning
12 status, it is the intent of *I Liheslaturan Guåhan* to resolve this problem by rezoning

1 Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family
2 Dwelling (R-1) to Multiple-Family Dwelling (R-2).

3 **Section 2. Lot Rezoning.** Notwithstanding any other provisions of law,
4 Lot No. 3, Tract 1942, in the Municipality of Barrigada, is hereby rezoned from
5 Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2) Zone.



Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,
PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

Tuesday May 14, 2013

Bill No. 15

SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Robert Cruz	P.O. Box 4190 Hagatna, Guam	969-75640		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes	

324 W. Soledad Ave. Hagatna, Guam 96910
Ph. 473-4236 Fax. 473-4238
Email: sehbenp@guam.net

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN
Bill No. 15-32 (COR)

The 32nd Guam Legislature

155 Hesler Place

Hagatna, Guam 96932

Subject:

To rezone Lot No.3, Tract 1942, Municipality of Mangilao from R-1 (single-family dwelling) to R-2 (Multiple family dwelling) zone.

Dear Honorable Senators:

I, respectfully request your support regarding a zone change from R-1 to R-2 by turning my property and to self-construct a third (3rd) unit concrete on the second story of my existing single story home in order to accommodate my family. This places the home in an approved and legal structure but non-conforming zoning status. The reason is to make it conforms to its current use.

Your favorable consideration of this request is greatly appreciated.

Sincerely,



Robert L.G. Cruz


Mangilao Resident

C: (671) 777-0462

H: (671) 969-7560

Date: 5-14-2013

5-2013



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

May 16, 2013

Senator Vicente C. Pangelinan
Thirty Second Legislature
324 West Soledad Avenue Suite 100
Hagatna, Guam 96932



SUBJECT: Bill No. 15-32 (COR): An Act to rezone Lot No. 3, Tract 1942 in the Municipality of Mangilao, from Single-Family (R-1) to Multiple-Family Dwelling (R-2).

Bill No. 92-32 (COR) – An act to add a new sub-item (1) to 21 GCA 51103(q), relative to defining a bed and breakfast; to amend 21 GCA 61305, 21 GCA 61306, and 21 GCA 61307, relative to adding a bed and breakfast to the list of uses permitted and conditional uses allowed in an R1, R2 and Commercial Zone.

Bill No. 104-32 (COR) – An act relative to transfer of the title of ownership of Lot No. 7 NEW, Block No. 1, Tract 1427 located in the municipalities of Tamuning, Tiyan from the Guam International Airport Authority to the Chamorro Land Trust Commission.

Honorable Senator Pangelinan:

This is in respond to your letter dated May 06, 2013 inviting 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 subject Bill No. 15-32 zone change request relative to availability of water and sewer infrastructures to serve the above subject lot. GWA has no objection to Bill Nos. 92-32 and 104-32.

GWA has conducted a site investigation to determine the existing water and sewer facilities adjacent to the subject property. GWA has verified that there is an existing six-inch (6") waterline located along the forty feet (40') public access and utility easement fronting the subject lot. There is no public sewer in the area. The applicant will have to get the approval of the Guam Environmental Protection Agency (GEPA) for the use of a septic system.

BILL 15-32
Lot 3, Tract 1942 Mangilao
Rezoning

Page 2

For additional information please contact Mr. Menglou Wang, Assistant Chief Engineer,
at 647-2612.

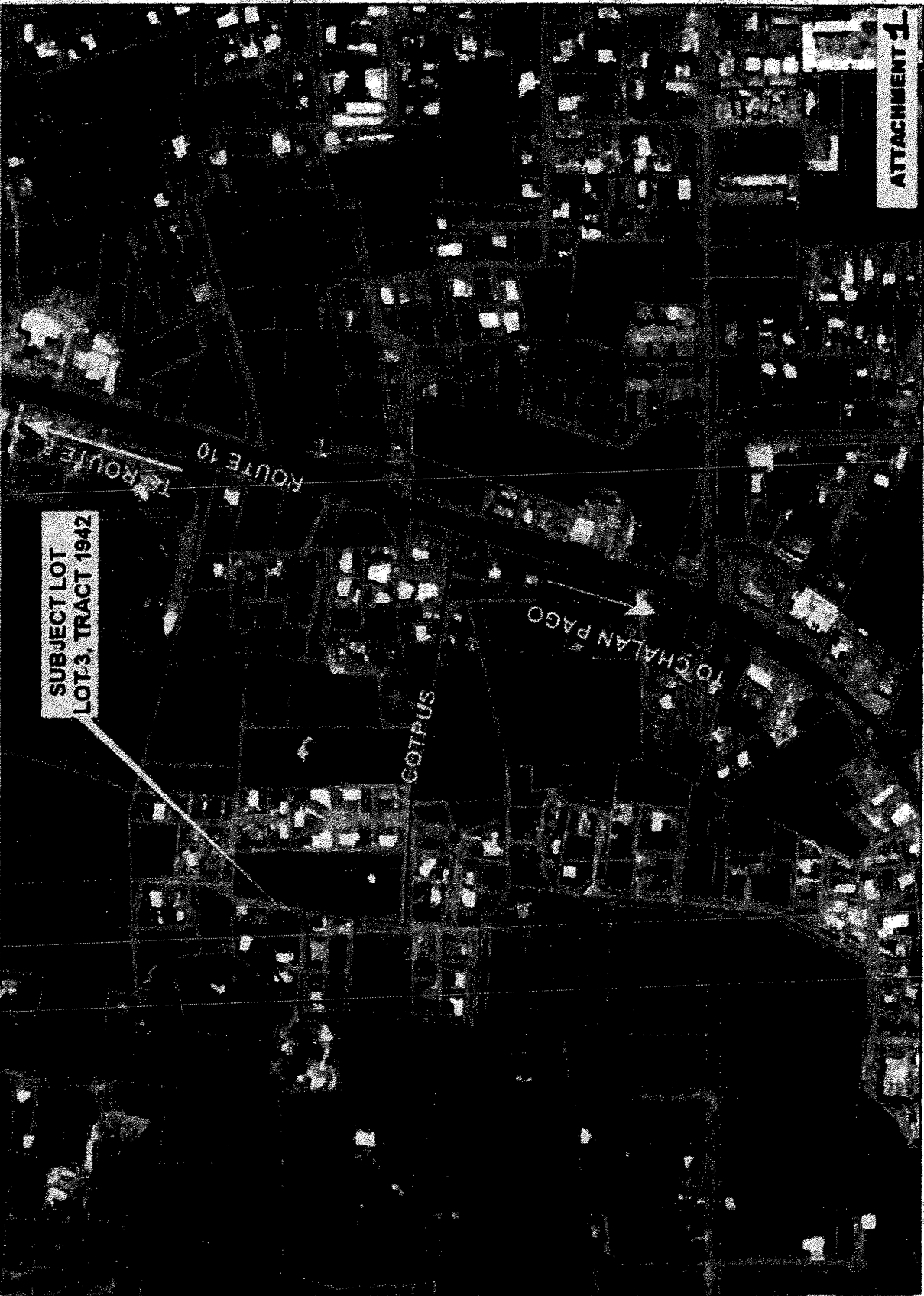
Respectfully,

A handwritten signature in black ink, appearing to read 'Thomas A. Cruz', written over a horizontal line.

Thomas A. Cruz, P.E.
Chief Engineer

LOCATION MAP - LOT 3, TRACT 1942-MANGILAO

SUBJECT LOT
LOT 3, TRACT 1942



ATTACHMENT 1

4/24/42

5-17-13,



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

May 10, 2013

Senator Vicente C. Pangelinan
Thirty Second Guam Legislature
324 W. Soledad Ave., Suite 100
Hagatna, Guam 96910



Subject: Written Testimony on Bill 15-32(COR)

Dear Senator Pangelinan:

GPA has completed its review of the proposed legislation and provides the following written testimony. GPA understands that this property rezoning is not through the established rezoning process with the Guam Land Use Commission. Through the Development Review Committee, GPA provides position statements to the GLUC on zoning and other land activities. The position statements are designed to ensure compliance with GPA standards, rules and polices and to evaluate the ability to support the proposed development and the impact, if any, to GPA's infrastructure.

Although the property owner has not submitted plans, GPA understands that electrical service is available to the property and that it is the intent of the owner to come into compliance with the zoning regulations of Guam and to access the equity on his property.

Consequently, GPA provides the following comments and recommendations concerning GPA requirements:

1. GPA has no objection, however customer is required to comply with the following pursuant to the National Electric Safety Code and GPA's Service Rules and Regulations:
 - Coordinate overhead/underground power requirements with GPA Engineering for new structures
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code
 - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements
 - Secure electric utility easements required
 - Provide scheduling and magnitude of project power demand requirements for new loads
 - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials

2. Primary distribution line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.

3. A "fair share" assessment for power generation, transmission and/or substation facilities may be required.

Based on a preliminary inspection of the site, the electrical facilities may require upgrading to meet the demand of the proposed project. GPA will be responsible for performing the work. The applicant will be responsible for the minimum cost of upgrading the line (less projected revenue) if submitted plans indicate additional capacity is required.

Thank you for the opportunity to provide our input and for your thoughtful and deliberate consideration. GPA remains committed in serving our island community in providing reliable and efficient electrical service.

Sincerely,


JOHN M. BENAVENTE, P.E.
General Manager, CUS

5-15-13 JMA



DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guam)



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

EDDIE BAZA CALVO
Governor

MONTE J. MAFNAS
Director

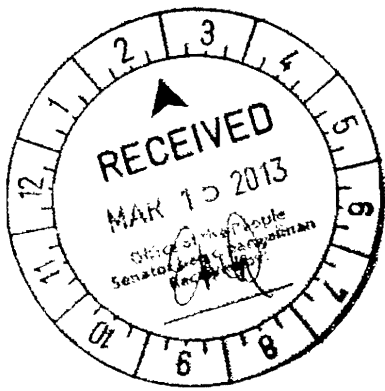
RAY TENORIO
Lieutenant Governor

DAVID V. CAMACHO
Deputy Director

March 12, 2013

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

Senator Vicente (ben) C. Pangelinan
32nd Guam Legislature
Chairman, Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and Land
324 W. Soledad Ave., Suite 100
Hagatna, GU 96932



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

SUBJECT: Testimony on Bill No. 15-32(COR)

Bueñas Yan Hafa Adai:

Submitted is our Testimony on Bill Number 15-32(COR) – **An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).** We provide the following Testimony:

E-mail Address:
vir@dlm.guam.gov

Telephone:
671-649-LAND (5263)

1. Point of Correction:

- a. Tract 1942 occurs within the municipal boundaries of Mangilao pursuant to the Revised Municipal Indices¹, as opposed to the municipality of Barrigada as described in the legislative intent.

2. Findings:

- a. On October 8, 1993 the Director of Land Management disapproved a Summary Zone Change² request by Mr. Robert L.G. Cruz for Lot 3, Tract 1942. Like this proposal Mr. Cruz attempted to re-zone said property from "R-1" to "R-2". The Summary Zone Change process requires a review and assessment of various agencies, most particularly with overseeing mandates on infrastructure. The disapproval of Mr. Cruz's request was in a direct result of agency response from both the Guam Environmental Protection Agency and Guam WaterWorks Authority. Both agencies indicated that neither

¹ See Section 403, Chapter 4, 1 GCA (Political Authority).

² See Title 21 GCA, Chapter 61, Part 3, Section 61639 (*Summary Procedure for Agricultural and Single-Family Residential Rezoning*) and Executive Order 92-08.



public sewer nor water was adequately available to support the requested change of zone (**Re: DLM Document No. 501238**).

Based on our findings of this proposal and with all due respect to the authority and powers granted to *I Liheslaturan Guahan* to consider such proposals, the Department of Land Management is **unable to support this legislative proposal**.

Notwithstanding, as the notice of disapproval occurred in 1993, we encourage Mr. Cruz to re-initiate contact with appropriate agencies that may otherwise provide an update on the availability and/or upgrade of said infrastructure in the area. Should adequate infrastructure be available, Mr. Cruz is further encouraged to re-submit his request through the appropriate Summary Zone Change process as noted. Otherwise, Mr. Cruz must maintain the residential structure for single-family dwelling purposes as originally approved.

We thank you for this opportunity to provide testimonies and submit to the wisdom of *I Liheslaturan Guahan* to avail through its actions, protection of our groundwater resources.

Senseramente,


DAVID V. CAMACHO
Acting Director

cc: Planning Division, DLM

Attachment: Notice of Action (DLM Document No. 501238)

501238

GOVERNMENT OF GUAM 39
DEPARTMENT OF LAND MANAGEMENT
LAND RECORDS SECTION

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT, OFFICE OF THE RECORDER

INSTRUMENT NUMBER 501238

TYPE OF INSTRUMENT Summary zone change

THIS INSTRUMENT WAS FILED FOR RECORD ON 10

DAY OF (JANUARY) 1994 AT 211 AM() PM(X)

AND DULY RECORDED IN BOOK _____ AT PAGE _____

RECORDED FEE \$ De Officio VOUCHER NUMBER _____

Juan
(FOR RECORDER)

Handwritten notes

- (1) COMPUTER LISTING _____ () (V)
- (2) NUMERICAL INDEX URBAN _____ (SUB _____ (VOL) _____ () ())
- (3) ALPHABETICAL GRANTOR (LAND) (MISC.) _____ () ())
- (4) ALPHABETICAL GRANTEE (LAND) (MISC.) _____ () ())
- (5) MARGINAL NOTATION C.T. NO. _____ G.C. NO. _____ () ())
- (6) ISSUANCE OF C.T. NO. _____ G.C. NO. _____ () ())
- (7) CANCELLATION OF C.T. _____ G.C. NO. _____ () ())
- (8) CHANGES PROPERTY LISTING DAILY SALES DATA NO. _____ () ())
- (9) GRANTORS SOCIAL SECURITY NO. _____ () ())
- (10) GRANTEES SOCIAL SECURITY NO. _____ () ())
- (11) MINOR'S SOCIAL SECURITY NO. _____ () ())

REMARKS: _____



Jan 1-4-94
RECEIVED

ACKNOWLEDGMENT OF RECEIPT

501238

SUMMARY ZONE CHANGE PACKET

for
Lot 3, 2311, Tract 1942, Municipality of Barrigada
(Robert L.G. Cruz)

SZC 93-039

RECORDS ORIGINAL

Legislative Secretary
Twenty-Second Guam Legislature

Building Official (Director's Office)
Department of Public Works

Signature: [Signature]

Signature: _____

Name (Print) Michael DC weakley

Name (Print) _____

Date: 11/03/93 Time: 3:13pm

Date: _____ Time: _____

FOR RECORDATION ONLY:
Deputy Civil Registrar

Department of Public Works (Building Permits)

Name (Print) PAUL L.G. Reyes

Signature [Signature]

Date 11/3/93 Time 2:00 PM

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT
OFFICE OF THE RECORDER
INSTRUMENT NUMBER 501238
This instrument was filed for record on 10
Day of JAN, 1994, at 2:11 PM
and duly recorded in Book 011610 at Page
Recording Fee De Voucher No.
[Signature]
Deputy Recorder

Applicant(s) Copy

Name (Print)

Signature

Date / Time



DEPARTMENT OF LAND MANAGEMENT
(DIPATTAMENTON TANO')

Government of Guam
P.O. Box 2950
Agana, Guam 96910

Tel: (671) 475-LAND • Fax: (671) 477-0883



JOSEPH F. ADA
Governor

FRANK F. BLAS
Lieutenant Governor

October 27, 1993

F. L. G. CASTRO
Director

JOAQUIN A. ACFALLE
Deputy Director

Honorable Pilar C. Lujan
Legislative Secretary
Twenty-Second Guam Legislature
155 Hessler Street
Agana, Guam M.I. 96910

501238

Re: Summary Zone Change - Case No. SZC 93-039
Lot 3, 2311, Municipality of Barrigada (Robert L.G. Cruz)

Pursuant to 21 GCA (*Real Property*), Chapter 61 (*Zoning Law*), Part 3 (*Changes of Zones*), § 61639 (*Summary Procedure for Agricultural and Single Family Residential Rezoning*) and Executive Order 92-08 (*Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes*), the Department of Land Management is herewith submitting to the Legislature a Zone Change Application for Lot 3, 2311, Tract 1942, Municipality of Barrigada, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to construct a duplex.

This Zone Change request was **DISAPPROVED WITH REASONS** on October 27, 1993.

Your attention to this matter is greatly appreciated.

Sincerely,


F. L. G. CASTRO
Director of Land Management

Attachments:

1. Zone Change Map F3-67S40, Amendment No. 26
2. Staff Report
3. Certifications of Utility Agencies
4. DRC Position Statements
5. Zone Change Application



October 8, 1993

Memorandum

To: Director, Department of Land Management
From: Territorial Planner
Subj: **Staff Report - Case No. SZC 93-039**
Ref: Summary Zone Change - Lot 3, 2311, Tract 1942, Municipality of Barrigada (Robert L.G. Cruz)

1. **PURPOSE:**

501238

- a. **Application Summary.** The Applicant, Robert L.G. Cruz, is requesting for a Zone Change on Lot 3, 2311, Tract 1942, Municipality of Barrigada, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to construct a duplex.
- b. **Legal Authority.** 21 GCA (*Real Property*), Chapter 61 (*Zoning Law*), Part 3 (*Changes of Zones*), §61639 (*Summary Procedure for Agricultural and Single-Family Residential Rezoning*) and Executive Order 92-08 (*Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes*).

2. **FACTS:**

- a. **Location.** The subject lot is located in Mangilao in Tract 1942 along Cotpus Street, approximately one-half mile from Route 10.
- b. **Field Description.** The lot has an existing one-storey dwelling unit connected to water, power, and telephone. The area is accessible via a coral base road.
- c. **Lot Area.** 1,050 square meters or 11,302 square feet.
- d. **Present Zoning.** "R-1" (*Single-Family Dwelling*)
- e. **1967 Master Plan.** Urban Residential: Low Density
- f. **Community Design Plan.** Residential: Low Density
- g. **Surrounding Area:** DLM field inspection conducted on July 14, 1993 reveals that the area within a 500-foot radius consists predominately of single-family dwelling units (houses).
- h. **Background Information:** As part of his justification for his zone change, the applicant has presented approved building plans for a 2-storey structure having four bedrooms, three full bathrooms, a kitchen, and living room. Building Permit No. 17674 is attached as part of this approval.

3. **APPLICATION CHRONOLOGICAL FACTS.**

- a. **Date Application Accepted.** June 7, 1993

b. **Certifications:**

- DPW: Based on the Flood Insurance Rate Map (FEMA) shown on Panel 75 of 125, the subject lot is not within a floodplain as designated. **501238**
- GEPA: Agency certifies that public sewer is not available. Public water is available but is not adequate for "R-2" Zoning. Agency position and additional comments reflected in official certification statement.
- PUAG: Certifies that there is an existing 6-inch public waterline in the area; there is no sewer. Applicant will have to obtain GEPA's approval for a septic tank/leaching field.
- GPA: Certifies that a public electrical power system is available and adequate to serve the proposed development. The proposed development will not adversely impact existing power infrastructure or the Authority's ability to provide basic services.

c. **Municipal Public Hearing Results.** The Department of Land Management (DLM) scheduled and conducted a public hearing on this application on September 27, 1993 at 6:30 p.m., in the office of the Mangilao Mayor. In attendance were five people, including Mayor Blas, Mr. Cruz, the applicant, and F. Dungca, Jr., DLM Staff Planner.

Mr. Dungca reported out the application request, including the four official certifications. He explained that the applicant was requesting for a zone change to build a second floor on an existing 1-storey building.

The applicant said that he had already secured all permitting agency/department requirements, including the issuance of a building permit (No. 17674, copy attached) to build a 2-storey structure with three full bathrooms and four bedrooms. He has already self-constructed the first floor and is proceeding to the second floor., He was advised that he needed to rezone his property to do that, and secure a second meter.

Mrs. Teresita A. Guerrero inquired into the status of the Government's plans to bring sewer into the area.

Mayor Blas went on to say that PUAG already has plans to bring in the sewer line into Cotpus Street for all surrounding landowners.

There being no further questions, comments, or concerns, Mr. Dungca closed the meeting by reminding Mayor Blas that DLM will need the MPC Resolution in order to finalize the official Staff Report.

The meeting adjourned at 8:00 p.m.

d. **Municipal Planning Council (MPC) Resolution:**

Mangilao MPC Resolution No. 93-11, dated September 3, 1993, supports and approves the zone change request as noted by a majority

MPC RESOLUTION, contd.

of the MPC members' signatures.

501938

5. **STAFF RECOMMENDATION:** Planning Staff recommends **DISAPPROVAL** of the Zone Change request for the following reasons:

1. Based on GEPA's certification dated June 25, 1993, public sewer is not available to the area. Other comments are reflected in the certification.
2. Pursuant to Public Law 21-82, Section A(1), the certifying agencies (GEPA, GPA, DPW, PUAG) must determine that there is adequate certification to the area to accommodate the zone change.
3. Pursuant to Section 8(b) Rules and Regulations, "...R-2 zone change request under this process shall require a hook-up to public sewer."
4. MPC Resolution No. 93-011, dated September 3, 1993, supports the zone change "...on the condition that adequate infrastructure is met." Based on items 1 to 3 above, adequate infrastructure for an "R-2" Zone Change to the subject lot is not available.
5. The applicant is requesting for a zone change to self-construct a duplex. This can be accomplished through a Conditional Use application pursuant to 21 GCA, Section 61305(b)(1), which allows for a duplex in the "R-1" Zone through a Conditional Use instead of an outright zone change, however, the applicant should take note that based on GEPA's certification, item 2, the applicant will need a density variance for a duplex since the area of 11,303 square feet is insufficient for a duplex, based on one unit for every 10,000 square feet.
6. Building Permit No. 17674, dated December 11, 1992, was issued for a residential unit, not a duplex.
7. This area is currently predominately an "R-1" Zone. An "R-2" Zone, in the absence of a public sewer line, would not be compatible with the surrounding area.

FINAL NOTE: Based on the above items 1 to 7, the Department cannot support a zone change from "R-1" to "R-2" on the subject lot, and recommends that the applicant limit construction to what was approved under Permit No. 17674.


JOHN T. ANDERSON
Territorial Planner

Attachments

=====
(Space above for Recordation)

DEPARTMENT OF LAND MANAGEMENT
Government of Guam
Agana, Guam 96910

NOTICE OF ACTION

October 8, 1993

To: Mr. Robert L.G. Cruz Case No. SZC No. 93-039
P.O. Box 4190
Agana, Guam 96910

The Department of Land Management, pursuant to Title 21 GCA, Chapter 61 (*Zoning Law*), Part 3 (*Changes of Zones*), Section 61639 (*Summary Procedure for Agricultural and Single-Family Residential Rezoning*), and Executive Order No. 92-08:

/ Approved
 / Disapproved with Reasons
 / Approved with Conditions

your request on Lot 3, 2311, Tract 1942, Municipality of Barrigada, for a Zone Change:

/ from "A" (*Rural*) to "R-1" (*Single-Family Dwelling*)
 / from "A" (*Rural*) to "R-2" (*Multi-Family Dwelling*)
 / from "R-1" (*Single-Family Dwelling*) to "R-2" (*Multi-Family Dwelling*)

Please submit this form with necessary plans to the appropriate agency. If request was tabled, approved with conditions or involved clarification, please see the conditions below for further details.

NOTATION: Zone Change on Lot 3, 2311, Tract 1942, Municipality of Barrigada, from an "R-1" (Single-Family Dwelling) Zone to an "R-2" (Multi-Family Dwelling) Zone in order to construct a duplex.

CONDITIONS: The Department of Land Management **disapproves** the application based on the following reasons:


1. Based on GEPA's certification dated June 25, 1993, public sewer is not available to the area. Other comments are reflected in the certification.
2. Pursuant to Public Law 21-82, Section A(1), the certifying agencies (GEPA, GPA, DPW, PUAG) must determine that there is adequate certification to the area to accommodate the zone change.
3. Pursuant to Section 8(b) Rules and Regulations, "...R-2 zone change request under this process shall require a hook-up to public sewer."

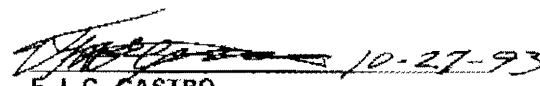
NOTICE OF ACTION - Case No. 93-039
Robert L.G. Cruz
Lot 3, 2311, Tract 1942, Municipality of Barrigada
October 8, 1993

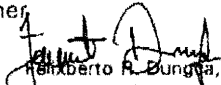
CONDITIONS, contd.

4. MPC Resolution No. 93-011, dated September 3, 1993, supports the zone change "...on the condition that adequate infrastructure is met." Based on items 1 to 3 above, adequate infrastructure for an "R-2" Zone Change to the subject lot is not available.
5. The applicant is requesting for a zone change to self-construct a duplex. This can be accomplished through a Conditional Use application pursuant to 21 GCA, Section 61305(b)(1), which allows for a duplex in the "R-1" Zone through a Conditional Use instead of an outright zone change, however, the applicant should take note that based on GEPA's certification, item 2, the applicant will need a density variance for a duplex since the area of 11,303 square feet is insufficient for a duplex, based on one unit for every 10,000 square feet.
6. Building Permit No. 17674, dated December 11, 1992, was issued for a residential unit, not a duplex.
7. This area is currently predominately an "R-1" Zone. An "R-2" Zone, in the absence of a public sewer line, would not be compatible with the surrounding area.

FINAL NOTE: Based on the above items 1 to 7, the Department cannot support a zone change from "R-1" to "R-2" on the subject lot, and recommends that the applicant limit construction to what was approved under Permit No. 17674.

 10/26/93
JOHN T. ANDERSON
Territorial Planner

 10-27-93
F. L.G. CASTRO
Director
Department of Land Management

Principal Planner:  Roberto R. Dunga, Jr.
Associate Planners: Benmer C. Gulac/Michael A. Aguon
Attachment: Certifications of Utility Agencies
Position Statements

cc: Building Permit Section, DPW

=====
CERTIFICATION OF UNDERSTANDING
=====

I, Robert L.G. Cruz, understand and accept the conditions above as a part of the Notice of Action, and further agree to adhere to any and all conditions made a part of and attached to this Notice of Action as mandated by the approval of the Department of Land Management.

Signature of Applicant
Date: _____

Signature of Applicant
Date: _____

NOTICE: This Notice of Action must be presented by the Applicant and/or his representative (engineer, contractor, etc.) to all permitting agencies/departments in securing permits for construction.

SZC93-039

Robert L.G. Cruz

501238

ZONE CHANGE October 8, 1993
From "R-1" (Single-Family Dwelling)
To "R-2" (Multi-Family Dwelling)
Lot No. 3, 2311, Tract 1942
Municipality of Barrigada

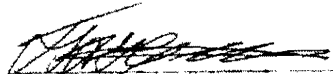
Scale: 1" = 400'-0"

Amendment No. 26

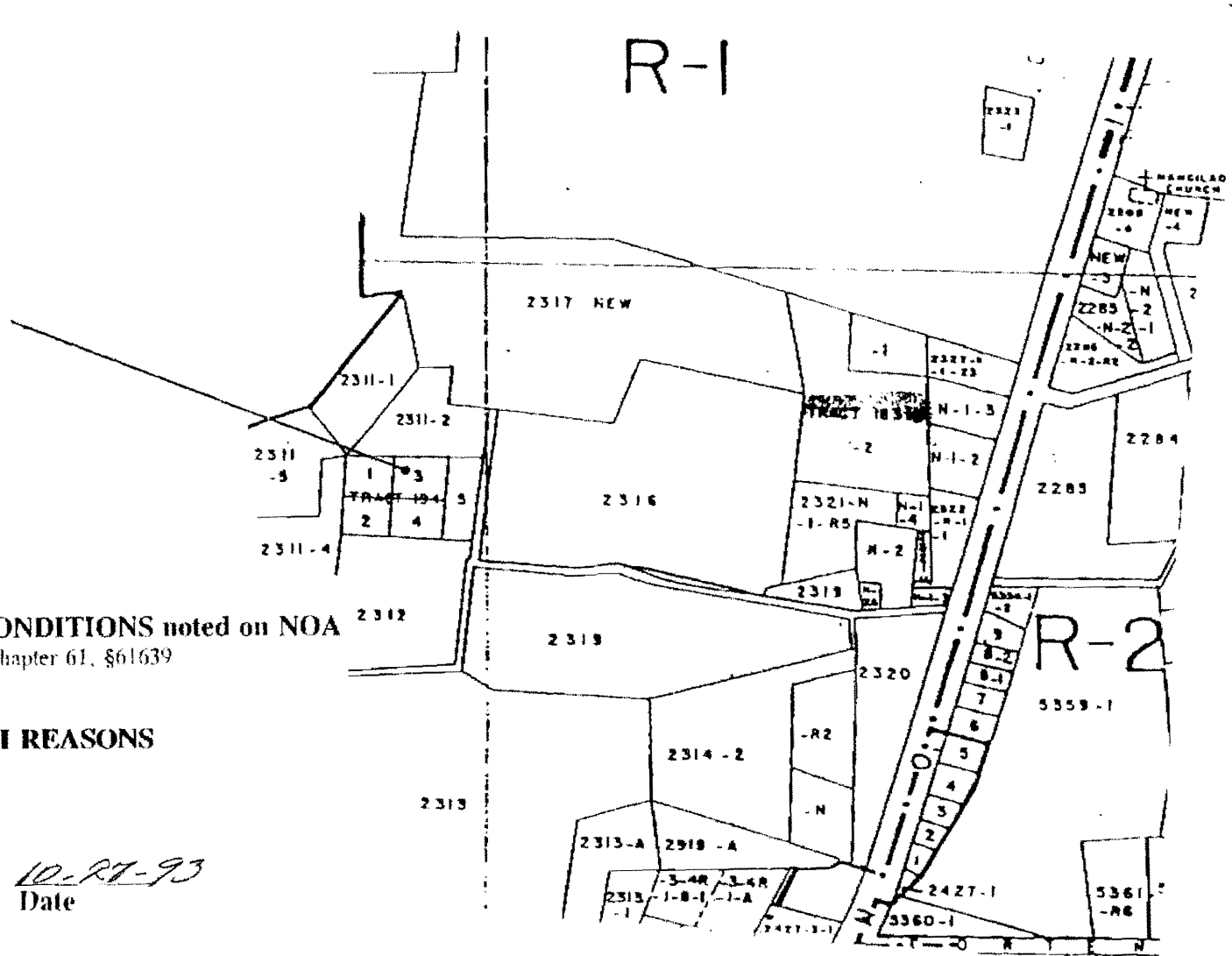
Zoning Map No. F3-67S40

() APPROVED WITH CONDITIONS noted on NOA
(Pursuant to Title 21 GCA, Chapter 61, §61639
and Executive Order 92-08)

(XX) DISAPPROVED WITH REASONS


F. L.G. CASTRO
Director

10-27-93
Date



Agreement

Summary Zone Change No. 93-039

501238

I/We, the undersigned, acknowledge that approval of our Zone Change request does not constitute automatic approval or guarantee the issuance of the Building Permit, for the construction of any dwelling. I/We further understand that the issuance of the necessary Building Permit will be dictated by the availability and/or adequacy of infrastructure in the area. This will be determine by the infrastructural agencies, i.e., Guam Environmental Protection Agency, Guam Power Authority, and Public Utility Agency of Guam.

Robert L.G. Cruz

Signature of Applicant

Signature of Applicant

Date: _____

Date: _____

ZONE CHANGE **ORIGINAL**
(Public Law 21-82:4 & Executive Order 92-08 - Short Form)

To: Director, Department of Land Management
c/o Division of Land Planning
Government of Guam
P.O. Box 2950
Agana, Guam 96910

Faunt J. J.
SZC 93-039
DLM ACCEPTED
06-01-93

The undersigned owner(s) of the following described property hereby request consideration for a Zone Change.

1. Information on Applicant:
Name of Applicant: Robert L.G. Cruz
Mailing Address: PO Box 4190 Agana, Guam 96910
Telephone No.: Business 477 9858/59/50 Home 734 5226

2. Property Location, Description, and Ownership: [NOTE: The maximum lot area must be two (2) acres or less]
Subdivision Name: _____
Municipality: Barrigada
Lot # 3 2311-3 Block _____ Tract 1942
Lot Area: Acre _____ Sq. Meters 1,050 Sq. Feet 11,302
Registered Owner: Same above
Certificate of Title No.: 73302 Recorded Document No.: 482325

3. Current and Proposed Land Use:
Current Use: single dwelling Current Zone: R-1
Propose Use: Need additional power meter for my propose construction concrete house. Propose Zone: R-2

4. Justification: Attach a typed, brief and concise justification (letter format) explaining your intentions and purpose of the zone change request justifying public necessity, public convenience and general welfare in accordance with 21 GCA, Chapter 61 (Zoning Law), Section 61630; Public Law 21-82, Section 4 and the Department of Land Management Rules.

5. Supporting Information. The following shall accompany this application:
 - a. A map, drawn to scale, showing existing zoning within 1000 feet radius, and all parcels and their uses within 750 feet radius from the subject lot's boundaries. The map shall also contained:
 - (1) Lot number of every parcel(s);
 - (2) Identify by name and use all existing activities on all parcel(s) through a legend/code reference;
 - (3) All adjacent inclusive and exclusive easements and roads to property, their widths, and condition of surfaces;
 - (4) The nearest location of all public utilities to the subject lot;
 - (5) All natural or topographic peculiarities.

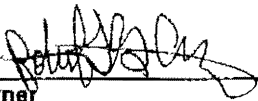
 - b. The most recent Department of Land Management recorded property map.

ORIGINAL

5. Supporting Information (continued):

- c. For R-1 zone change request: A proposed property map showing how many lots are to be subdivided.
 - d. For R-2 zone change request: Preliminary design drawings showing density, proposed use, and location of property.
 - e. Additional information as required by the Director.
- 6. Fees:** In accordance with 21 GCA, Chapter 61 (Zoning Law), §§61633 and 61660(c), and Public Law 21-14, Section 11.
- 7. Required Signatures:** All legal owners of designated parcel shall sign form with name(s) typed or handwritten, signed and dated:

CERTIFICATION: I/WE hereby certify that all information contained in this application and supplements is true and correct. I/WE also understand that any misrepresentation in this application shall void the entire submission.

 5-21-93
Owner Date Owner Date

Representative (if any) / Date

THIS FORM SHALL NOT BE MAILED. APPLICANT/REPRESENTATIVE SHALL SUBMIT IN PERSON, BY APPOINTMENT ONLY, TO THE PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT.

ORIGINAL

To: Director, Department of Land Management
c/o Division of Land Planning
Government of Guam
P. O. Box 2950
Agana, Guam 96910

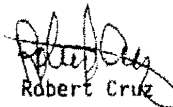
Subject: Request for Zone Change from R1 to R2

Under the provisions of the Zone Change Law, Public Law 21-82:4 and Executive Order #92-08, request for a zone change of my property, Lot #3, Tract 1942 from R1 to R2.

Originally, my house was designed for construction of a two (2) story house, but the second floor has not been constructed. Now, I am in the position to construct with the intent of turning the property into a duplex. By doing so, I would have the ability to rent my property, thus, providing some assistance in the islandwide housing shortage.

Your favorable consideration of this request is highly appreciated.
Thank You.

Sincerely,


Robert Cruz

REF 52C
93-039

SYMBOLS

- ▲ GGTN Triangulation station
- #4 Rebar set marked RLS 420
- Spike found, set by J.P. Mesa Doc. no 98953
- Conc. mon. fd. pre-war
- CONC. MON. FOUND, SET BY UNKNOWN.

NOTES

1. Survey was based on found corners as shown
2. All distances are in meters U.O.N.
3. Bearings in parentheses indicate record data, all others 1962

501238

REFERENCE

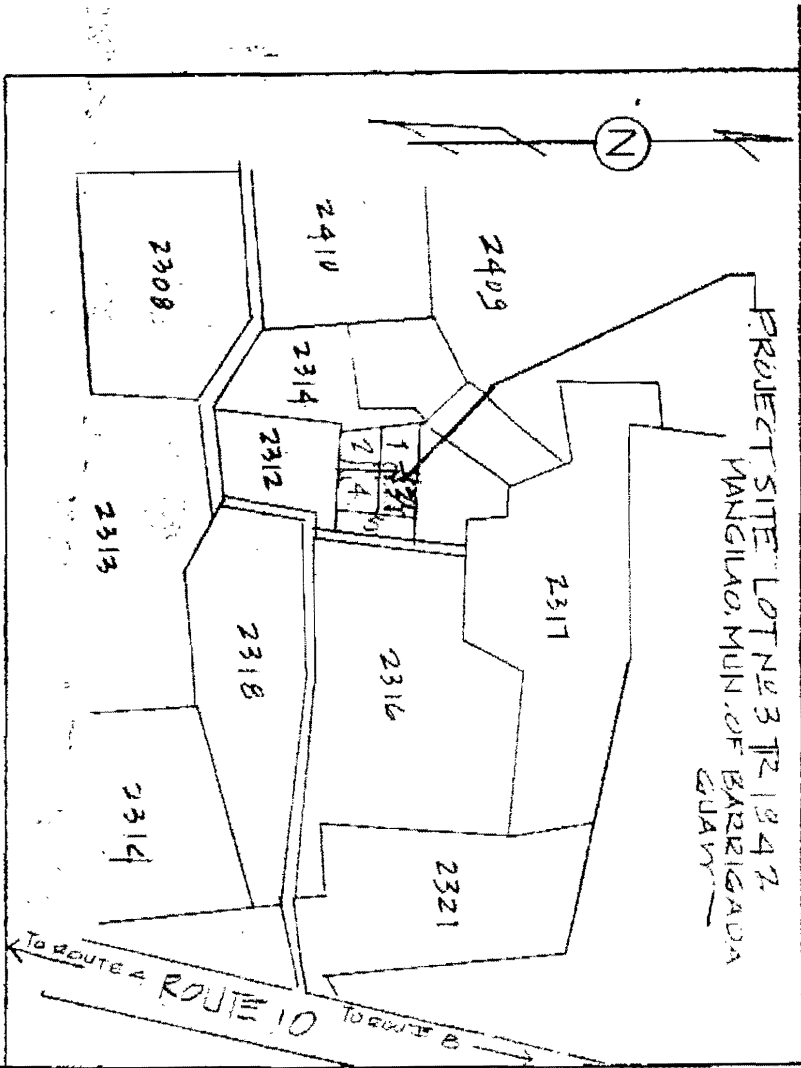
1. Dwg. no MSM 10-001-66D, Land registration and distribution map of Lot 2311, by J.R. Mesa, License # 88, dated 6/6/62

revision	by	brief description	approved	date
SURVEY DATA		MESA SURVEYING AND MAPPING CO.		
field	JM	P.O. BOX 1641	AGANA, GUAM 96910	
book no		PARENTAL DIVISION OF TRACT 1942 LOTS 1, 2, 3, 4, 5 (Former Lot No. 2311-10) MANGILAO, MUNICIPALITY OF DARRIGADA LAND SQUARE 19 SECTION 4		
researched	AI			
computed	J			
drawn	JJM			
checked	JRM	owner		
LAND MANAGEMENT DATA		basic lot no. 2311-10		
LM Checked	220	registered on 1-16-71		
024 - FY79		cert of title no. 28034		
		in name of JULIETA L.G. CRUZ		
Job order number	580	sheet 1 of 1	Drawing no.	
		scale 1:100	M 080-628	Expires 12-31-73



1254

501238



VICINITY MAP (NTS)
 LOT 3, 2311 TRACT 1412
 (FORMERLY LOT 2311-3)

PLATTING ENGINEER SHT. CONTENTS

REF S 20 93-039

LOT 2311-2
AREA= 5310.8 SQ. M.
DEMETRIO C. LEON GUERRERO
C.T. # 24053

(S 84° 27' 00" E) 20.50

40' PUBLIC ACCESS AND UTILITY EASEMENT.

LOT 2310
G.C.No. 4158

LOT 1
AREA= 1,060 ± Sq. M.

LOT 3
AREA= 1,050 ± Sq. M.

~~BASIC~~

~~LOT 2311-3~~

~~AREA= 5,254 SQ. M.~~

LOT 2
AREA= 1,050 ± Sq. M.

LOT 4
AREA= 1,060 ± Sq. M.

LOT 5
AREA= 1,034 SQ. M.

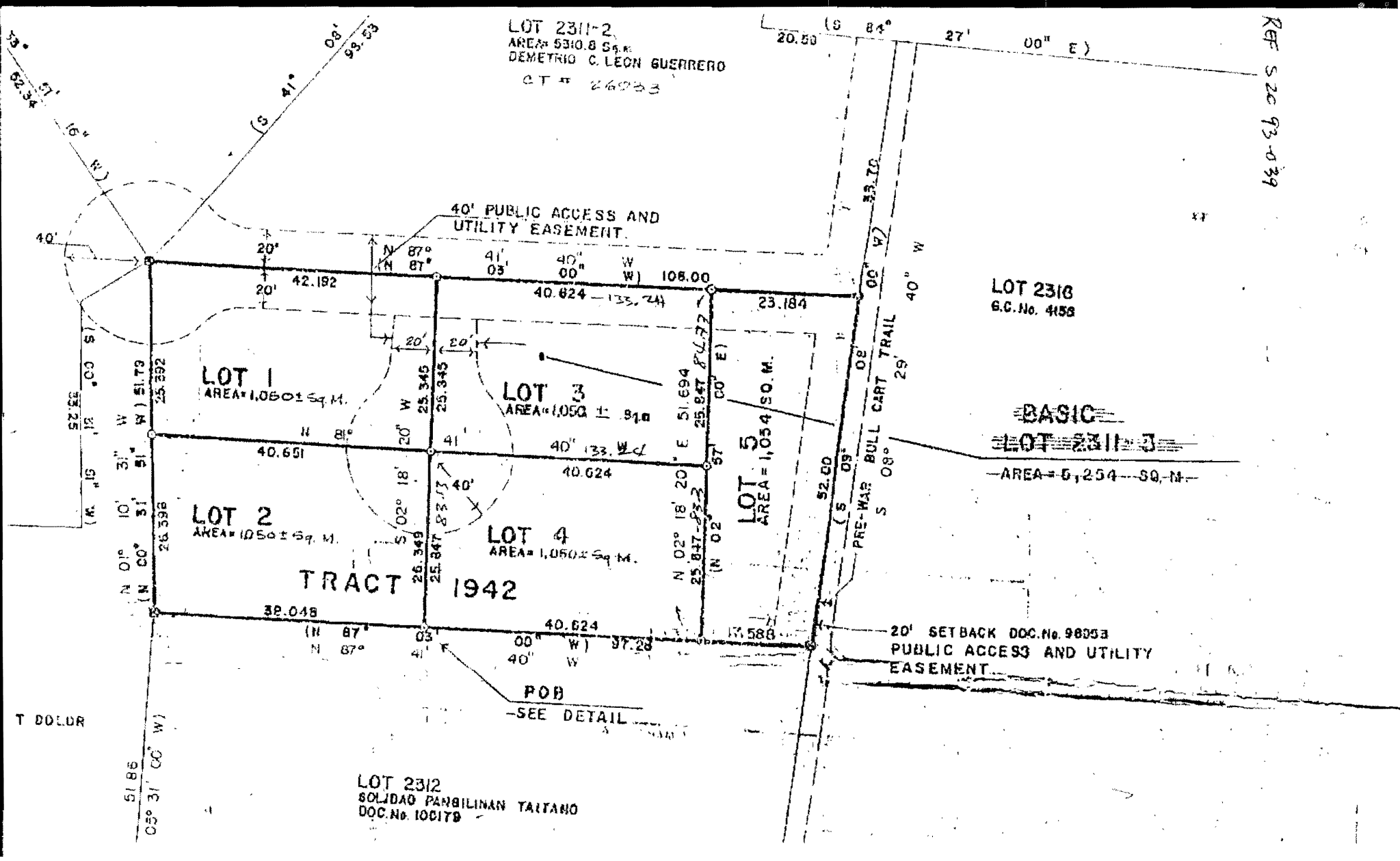
TRACT 1942

20' SETBACK DOC.No. 98353
PUBLIC ACCESS AND UTILITY EASEMENT.

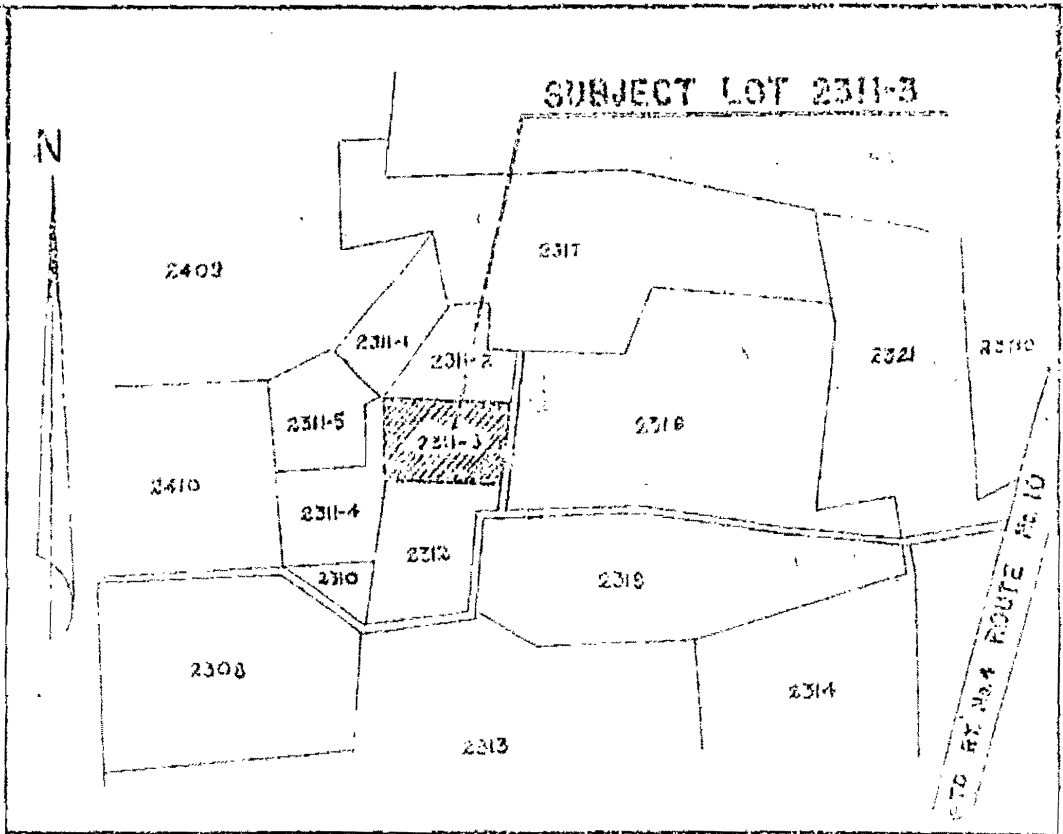
POB
-SEE DETAIL

LOT 2312
SOLIDAO PAMBILINAN TAITANO
DOC.No. 100179

T DOLOR



REF S2093-039



KEY MAP

SYMBOLS

- △ GGTN Trangulation station
- #4 Rebar set marked RLS 120
- Spike found, set by J.P. Mess Doc no 98053
- Conc. mon. fd. pre-war
- CONC. MON. FOUND, SET BY UNKNOWN.

SZC NUMBER: 93-039

DEPARTMENT OF LAND MANAGEMENT
DIVISION OF LAND PLANNING
SUMMARY ZONE CHANGE SECTION
FIELD INSPECTION REPORT FORM

Inspecting Planner(s): PENNER GULAC

Inspection Date: 7-14-93

Applicant Name: ROBERT L. G. CRUZ

Contact No.: 477-9858 / 59 | 734-5226

Representative: _____

Lot Number: 3 (2311-3) Block Number: - Tract: 1942

Municipality: MANGILAD

Location: SEE MAP / SKETCH

Location of Project (see sketch map back page): ATTACHED

Description of Project: TO COMPLETE PROPOSED SECOND FLOOR
ADDITION AS A SEPARATE DWELLING UNIT / SECURE ADDITIONAL
POWER METER

Findings: EXISTING CONCRETE SINGLE FAMILY DWELLING.
WATER, POWER & TELEPHONE AVAILABLE. SEWER NOT
AVAILABLE. AS PER CONVERSATION WITH OWNER, GEPA HAS
APPROVED HIS CONSTRUCTION PLANS FOR SECOND FLOOR WITH SEPTIC /
LEACHING FIELD WASTEWATER SYSTEM. RESIDENCE IS ACCESSIBLE
FROM RTE 10, WEST ON COTALL STREET.

Surrounding Land Use: WITHIN 150-500 FOOT RADUS
SINGLE FAMILY DWELLINGS. THERE IS INCREASED
DEVELOPMENT WITHIN THE 500 FOOT RADIUS.

IMPORTANT: Applicant must call 475-5246 to confirm inspection date. On your inspection you must arrange to meet staff to ensure location is found and described.

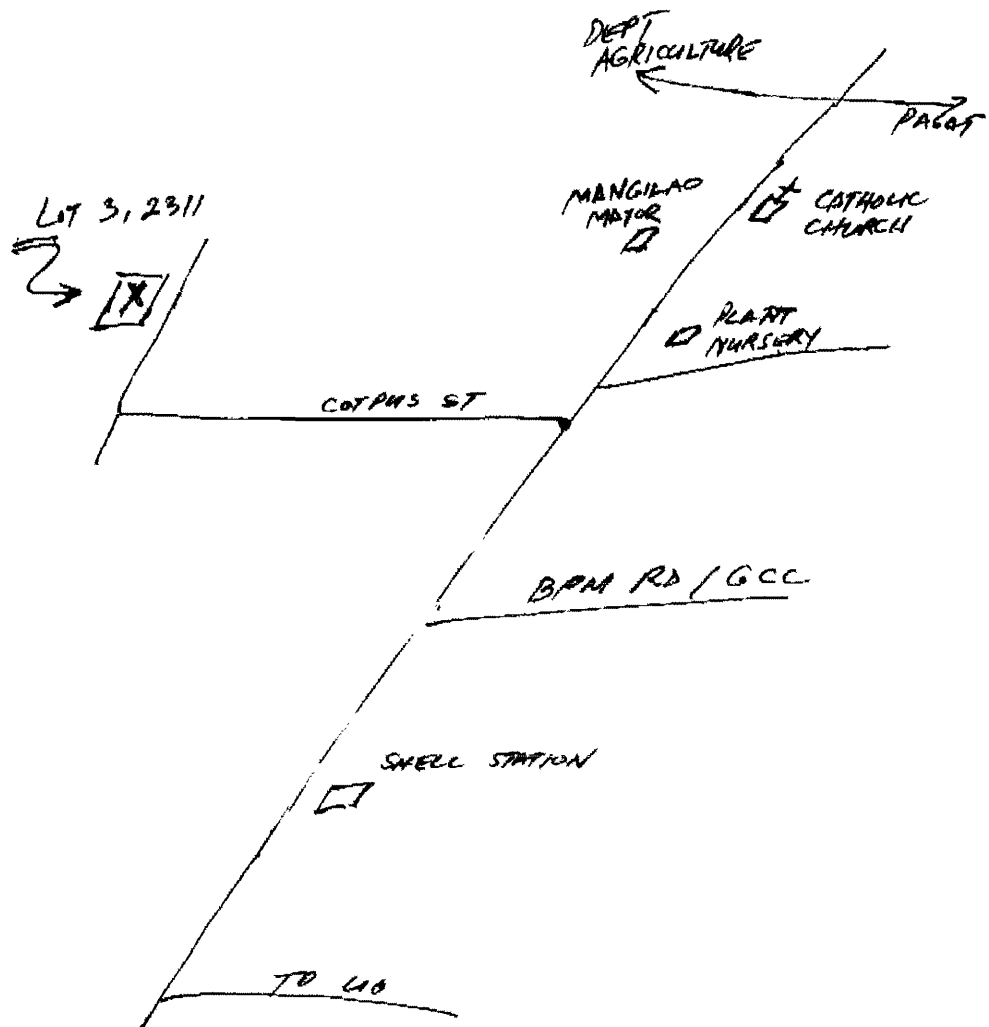
SZC 93-039
ATTACHMENT TO
INSPECTION REPORT
FORM

• INSPECTION DATE
OF 7-14-93

LOT 3, 2311, TRACT 1842

NORTH ↗

501238



FRED M. CASTRO
Administrator

JCANNE M. BROWN
Deputy Administrator

**GUAM ENVIRONMENTAL
PROTECTION AGENCY**



D-107 HARMON PLAZA, 130 ROJAS ST., HARMON, GUAM 96911 TEL. NO. 646-8863 5 FAX: 646-9402
AHENSIAN PRUTEKSION LINA'LA GUAHAN

INTER-AGENCY MEMORANDUM

JUN 21 1993

TO: Director, Department of Land Management *OL/OSM 1045*
ATTN: SZC Project Planner **RECEIVED JUN 25 1993**
FROM: Administrator
SUBJECT: Lot 3 2311, Tract 1942, Barrigada (Robert L.G. Cruz)
Infrastructure Certification and Agency Position in
Accordance with P.L. 21-82 and E.O. 92-08, Summary Zone
Change (SZC) 93-039.

The Agency has reviewed the subject application request for a zone change from "R-1" (Single Family Dwelling) to "R-2" (Multi-Family Dwelling) zone in order to construct a duplex. The total lot area is 11,303 square feet and maximum density at the proposed zoning category would be nine (9) dwelling units with the availability of sewer and adequate water supply.

Agency Certification of Infrastructure:

The Agency certifies that public sewer is not available at this location. Public water is available however, the supply is not adequate for "R-2" zoning. An Environmental Impact Assessment (EIA) is not required for the application request.

The Agency position follows:

Guam EPA recommends that the zone change request be disapproved for the following reasons:

1. Public sewer is not available. Because the lot is only 1/4 acre in size, it would not be feasible to construct an Individual Wastewater Disposal System (IWDS) or septic/leaching field system for 9 units.
2. The lot is also limited to 11,303 square feet due to a double front yard configuration. Development of the duplex or any other dwelling units as illustrated in the application would require a setback variance approval.



SZC 93-039, page 2.

3. A zone change request is not appropriate in this case because the applicant only requires approval for a duplex in an R-1 zone. This request is more appropriately qualified for conditional use permit issuance via the Territorial Land Use Commission (TLUC).

Thank you for the opportunity to comment.



Fred M. Castro

501238

John

*Public Use
7/8/93*



PUBLIC UTILITY AGENCY OF GUAM

Government of Guam
Post Office Box 3010, Agaña, Guam 96910
Phone: (671) 646-8891-6 / 649-7824
Fax: (671) 649-0158

RECEIVED
6/22/93

JUN 22 1993

*8:55 am
DLM-DLP-ABS*

MEMORANDUM

TO: Director, Department of Land Management **501238**

FROM: Chief Officer

SUBJECT: Certification of the Public Utility Agency of Guam in accordance with P.L. 21-82:4 and Executive Order No. 92-08, Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes.

Applicant: Robert L.G. Cruz

Application Number: SZC 93-039

Parcel: Lot No. 3, Tract 1942 (formerly 2311), Barrigada

This is to certify that there is an existing 6-inch public water line in the area; however, there is no public sewer. The applicant will have to obtain the Guam Environmental Protection Agency's (GEPA's) approval for a septic tank-leaching field.

Please call me if you have any questions.

Joseph F. Mesa
JOSEPH F. MESA



GÖVERNOR JOSEPH F. ADA
LT. GOVERNOR FRANK F. BLA...



JUN 28 1993

*revised by sec
7/8/93*

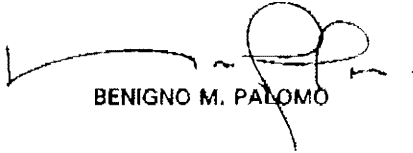


MEMORANDUM

To: Director, Department of Land Management
From: Director, Department of Public Works
Subject: Lot No. 3, Tract 1942, Mangilao (Robert L.G. Cruz)
Request: Zone Change (R-1 to R-2; P.L. 21-82/Sec. 4)
Application No.: **SZC #93-039**

Based on the available Flood Insurance Rate Map published by Federal Emergency Management Agency (FEMA) shown on Panel 75 of 125, the subject lot is not within a floodplain as designated.

If Zone Change has been approved, please inform applicant that detailed engineering plans, specifications and calculations must be submitted when applying for a building permit. The Department of Public Works may require additional information.


BENIGNO M. PALOMO



GUAM POWER AUTHORITY

ATURIDAT ILEKTRESEDAT GUAHAN
P.O. BOX 2977, AGANA, GUAM, USA 96910-2977

7/8/78

RECEIVED JUN 16 1993

June 8, 1993

MEMORANDUM

To: Director, Department of Land Management

From: General Manager

Subject: Certification of Public Utility Agencies in accordance with P.L. 21-82:4, and Rules and Regulations

Applicant: Robert L.G. Cruz

Parcel: Lot 3, Tract 1942, Mangilao
Municipality of Barrigada, Guam

Application No.: SZC 93-039

501238

This is to certify that a public electrical power system is available and is adequate to serve the proposed development. Furthermore, the proposed development will not adversely impact existing power infrastructure or the Authority's ability to provide basic services.

Public power is available within 100 feet of the subject lot.

John M. Benavente
JOHN M. BENAVENTE

VKZ/ad



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977, AGANA, GUAM, USA 96910-2977

June 8, 1993

June 7/8/93
RECEIVED JUN 16 1993

MEMORANDUM

To: Chairman, Territorial Land Use Commission

From: General Manager

Subject: Lot 3, Tract 1942, Mangilao, Municipality of Barrigada, Guam (Robert L.G. Cruz); Summary Zone Change from "R-1" (Single Family Dwelling) to "R-2" (Multi-Family Dwelling) to construct a second story addition to the existing structure.
Application No. : SZC 93-039

We have reviewed the application described above and submit the following statements:

A. Comments and Recommendation Concerning GPA requirements:

1. GPA has no objections, however customer is required to comply with the following.
 - Coordinate underground power facilities with GPA Engineering for new structures
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code
 - Maintain adequate clearance between any structures and electric utility easements
 - Secure electric utility easements required
 - Provide scheduling and magnitude of project power demand requirements for new loads
2. Primary distribution line extensions must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
3. A "fair share" assessment for power generation, transmission and/or substation facilities may be required.

B. General Comments

GPA has no objection to the request cited above.

John M. Benavente
JOHN M. BENAVENTE

VKZ/ad



DEPARTMENT OF LAND MANAGEMENT
(DIPATTAMENTON TANO)
P.O. Box 2950, Agana, Guam 96910
GOVERNMENT OF GUAM
AGANA, GUAM 96910
Tel: (671) 475-LAND * FAX: (671) 475-0883

August 6, 1993

LOT

Dear Sir/Madam:

An application has been filed with the Department of Land Management, Division of Land Planning by:

Robert L.G. Cruz, Lot 3, Tract 1942, Municipality of Mangilao, for a Zone Change from "R-1" (Single Family Dwelling) to "R-2" (Multi Family Dwelling) zone in order to construct a duplex. Application No. SZC93-039

For any ***Zone Change*** application, the Zoning Law mandates that a public hearing be conducted in the Municipality where the property is located. Accordingly, a public hearing on this application is scheduled to be held:

PLACE: ***Mangilao Mayor's Office***
DATE: ***September 27, 1993, Monday***
TIME: ***6:30 p.m.***

As a property owner identified within 500 feet of this proposed development, we invite you to attend this Public Hearing and participate in the decision-making process on this application. If you are unable to attend the Public Hearing, please submit written comments to our office on or before ***September 24, 1993, Friday***. Written comments should be addressed to:

Department of Land Management
Land Planning Division
P O Box 2950
Agana, Guam 96910



DEPARTMENT OF LAND MANAGEMENT
 (DIPATTAMENTON TANO)
 P.O. Box 2950, Agana, Guam 96910
 GOVERNMENT OF GUAM
 AGANA, GUAM 96910
 Tel: (671) 475-LAND * FAX: (671) 475-0883

August 6, 1993

Honorable Nito Blas
 Mayor of Mangilao
 c/o Mayor's Planning Council

Dear Mayor:

An application has been filed with the Department of Land Management, Division of Land Planning by:

*Robert L.G. Cruz, Lot 3, Tract 1942, Municipality of Mangilao,
 Application No. SZC93-039*

for a **Zone Change** from "R-1" (Single Family Dwelling) to "R-2" (Multi Family Dwelling) zone in order to construct a duplex.

Any **Zone Change** request(s) that may have adverse affects in the public's interest, a public hearing shall be conducted in the municipality where the subject lot is located as mandated by Zoning Law. Accordingly, we would like to schedule this public hearing to be held at your office on **Monday, September 27, 1993 at 6:30 p.m.**

To ensure that our recommendation is consistent with the desire of your community, we request that your Municipal Planning Council submit a Resolution stating its' position (i.e., support, object, concerns, conditions, etc...) on the Zone Change. The Resolution should be transmitted within 14 calendar days of the public hearing. Please fax at (472-9539) to Summary Zone Change Section, Division of Land Planning.

Please confirm the time, date and place requested. Thank you.

Si Yu'os Ma'ase,

Frank P. Taitano
 FRANK P. TAITANO
 Territorial Planner, Acting

Received
 By: *[Signature]*
 Date: *8/19/93*

Attachment:
 Application Packet

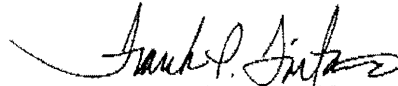
August 6, 1993
Public Hearing Notice for Residents
Robert L.G. Cruz - Application No. SZC93-039
Page 2

Should the public hearing be canceled due to unforeseen circumstances beyond our control, please consult with the village mayor's office.

You may view the development application at our office or your Mayor's Office.

Thank you for your interest.

Sincerely yours,



FRANK P. TAITANO
Territorial Planner
Acting

DEPARTMENT OF LAND MANAGEMENT - LAND PLANNING DIVISION
PUBLIC HEARING ATTENDANCE SHEET

PLACE: MANGILAO MAYOR'S OFFICE
 DATE: 9-27-93 TIME: 6:30 P.M.
 APPLICATION TYPE: ZONE CHANGE
 DESCRIPTION: ZONE CHANGE FROM R-1 TO R-2
 APPLICANT: ROBERT L.G. CRUZ LOT #: 3, 11942

PRINT NAME	MAILING ADDRESS/LOT #	TELEPHONE
1 <u>PENY DUNIGA</u>	<u>LAND. MGMT.</u>	<u>475-5224</u>
2 <u>Teresita A. Guendara</u>	<u>Mangilao Adj. owner</u>	<u>477-4246</u>
3 <u>Robert Cruz</u>	<u>Mangilao</u>	<u>734 5226</u>
4 <u>Joseph A. Devilla</u>	<u>Mangilao</u>	<u>734-1119</u>
5 <u>WILFRED C. BAYAN</u>	<u>MAYOR</u>	<u>734-2163</u>
6		
7		<u>501238</u>
8		
9		
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20		

PUBLIC HEARING MINUTES

MANGILAO MAYOR'S OFFICE
(Place)

9-27-93
(Date)

Request. Check Applicable

- Zone Change RL - R2
- Zone Variance _____
- Seasonal Clearance _____
- Subdivision _____
- Conditional Use _____
- Hotel Zone Conditional Use _____
- Wetland and Flood Hazards _____
- Other _____

Request Note: SZC 93-039

Lot No. LOT 3, TRACT 1942 Municipality MANGILAO

Staff Present: 1) FELIX DUNGCA
2) _____
3) _____

Meeting Called to Order: 6:30 PM Dismissed: 8: PM

I. Staff Representative F. DUNGCA explained the purpose of doing the necessity of the Public Hearing as required by law for a "see above" the advantages and disadvantages possible and how to will affect the adjacent lot owners, if approved, and the procedure for the Hearing.

II. Applicant, ROBERT L.G. CRUZ explained the purpose of his/her request: _____

III. Question and Answer Session:

1. A. Name of Attendant: TERESITA GUERAYO

B. Question: STATUS OF AVAILABILITY OF SCHOOL IN THE AREA

C. Name of Staff: F. DUNGCA

D. Answer: (MAYOR BLAS MENTIONED THAT PUAL HAS IT ON THEIR PLANS)

2. A. Name of Attendant: _____

B. Question: _____

C. Name of Staff: _____

D. Answer: _____

3. A. Name of Attendant: _____

B. Question: _____

C. Name of Staff: _____

D. Answer: _____

4. A. Name of Attendant: _____

B. Question: _____

C. Name of Staff: _____

D. Answer: _____

5. A. Name of Attendant: _____

B. Question: _____

C. Name of Staff: _____

D. Answer: _____

6. A. Name of Staff: _____

B. Question: _____

C. Name of Staff: _____

D. Answer: _____

ENCLOSURE 93-039

COPY

DEPARTMENT OF LAND MANAGEMENT
PUBLIC HEARING NOTICE
ZONE CHANGE (P.L. 21-82:4)

September 27, 1993
6:30 pm Monday
Mangilao
Mayor's Office

Robert L.G. Cruz, Lot 3, Tract 1942, Municipality of Mangilao, for a *Zone Change* from "R-1" (Single Family Dwelling) to "R-2" (Multi Family Dwelling) zone in order to construct a duplex. Application No. SZC93-039

September 28, 1993
6:30 pm Tuesday
Dededo
Mayor's Office

Catherine C. Torres, Lot 3, Block 17, Municipality of Dededo, for a *Zone Change* from "R-1" (Single Family Dwelling) to "R-2" (Multi Family Dwelling) zone in order to construct a 4-unit apartment building. Application No. SZC93-041

80/12/11 2:50
RECEIVED SEP 10 1993

MANGILAO MUNICIPAL PLANNING COUNCIL
GOVERNMENT OF GUAM
MANGILAO, GUAM 96910

ENC 522 93-039

RESOLUTION NO. 93-11

A resolution for a Zone Change from "R-1"
(Single Family Dwelling) to "R-2"
(Multi Family Dwelling) zone
in order to add additional floor on top of
the existing 2-bedroom house
on Lot #3 Tract 1942, Municipality of Mangilao.

WHEREAS, the Mangilao Municipal Planning Council is vested with the responsibility of assisting with the governance aspects of the village affairs; and

WHEREAS, the family of Mr. Robert L.G. Cruz is growing and the need to expand his house in order to accommodate his family; and

WHEREAS, the Municipal Planning Council is keenly aware of the need to set and provide orderly development within the village proper; and

WHEREAS, Mr. Robert L.G. Cruz has filed an application for a Zone Change from "R-1" to "R-2" zone in order to construct 2 additional rooms on top of the existing house on Lot #3 Tract 1942; and

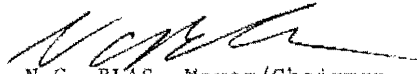
WHEREAS, Mr. Robert L.G. Cruz desire to apply for a separate utility meter to provide the additional structure; and

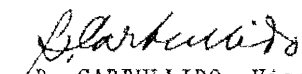
WHEREAS, Public Law 20-217 requires that all zone changes must be approved by the Municipal Planning Council of the affected village; and

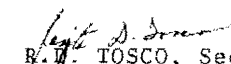
NOW, THEREFORE, BE IT RESOLVED THAT THE MUNICIPAL PLANNING COUNCIL AND THE MAYOR OF THE VILLAGE OF MANGILAO do hereby approve the Zone Change from "R-1" to "R-2" in order to construct 2 additional rooms on top of the existing house on Lot #3 Tract 1942, on the condition that adequate infrastructure is met; and

BE IT FURTHER RESOLVED that the Municipal Planning Council shall send copies of this resolution to the Governor of Guam, the Territorial Land Use Commission, the Guam Legislature, Mr. Robert L.G. Cruz and the Chief Planner of the Department of Land Management.

DULY ADOPTED THIS 3rd DAY OF SEPTEMBER, 1993, AT MANGILAO, GUAM 96923.


N.C. BLAS, Mayor/Chairman

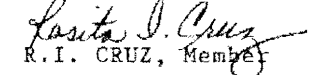

B. CARBULLIDO, Vice Chairman

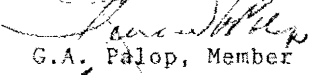

R.I. TOSCO, Secretary


J.D. ROBERTO, Treasurer


A.F. CAMPOS, Member


N.D. FRANCISCO, Member


R.I. CRUZ, Member


G.A. PALOP, Member

J.M. DEVILLE, Member


F.W. MENDIOLA, Member


A.E.G. SALAS, Member

J.G. CONCEPCION, Member



OFFICE OF BUILDING PERMITS & INSPECTION

TERRITORY OF GUAM BUILDING PERMIT

DATE December 11, 1992 PERMIT NO. 17674

Applicant ROBERT L.G. CRUZ Address P.O. BOX 4190, AGANA, GUAM 96910 SELF
(No.) (Street) (Contractor's License)

Permit To ADD () Story RESIDENTIAL Number of Dwelling Units _____
(Type of Improvement) No. (Proposed Use)

At (Location) MANGILAO Zoning District _____
(No.)

Between _____ And _____
(Cross Street) (Cross Street)

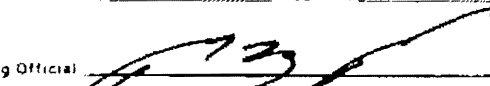
Tract No. 1942 Lot 3 Block _____
42'8" Ft. Wide By 49'4" Ft. Long By 16 Ft. In Height And Shall Conform In Construction

To Type II Use Group R-3 Basement Walls Or Foundation CONCRETE

Remarks CHANGE OF CONTRACTOR FROM LLAMADO CONSTRUCTION TO SELF CONSTRUCTION.

Area or Volume 2872.29 Estimated Cost \$ _____ Permit Fee \$20.00

Owner CRUZ, M/M ROBERT L.G.
P.O. BOX 4190
AGANA, GUAM 96910

Building Official 
 DIRECTOR OF PUBLIC WORKS

DEPARTMENT OF LAND MANAGEMENT
LAND USE PROPERTY RESEARCH ADMINISTRATION (LUPRA)

Scheduled Public Hearing Date: 27 SEPT 93 Total No. of Property Owners: _____
Application No. 93-039 57C Total No. Hand-Delivered: _____
Lot No. 3 TRACT 1942 Total No. Sent Certified Mail: _____
Municipality of MANGILAO Total No. without Address(es): _____

Researched by: WILLIE MCGEATHEY Date: 13 AUG 93

LANDOWNERS

(Note: Your signature is only to acknowledge receipt of Notice.)

Lot 1 Block _____
Tract 1942 Signature [Signature]
Owner JESSIE T./CARMEN I. FLORES
Address 284 CHALAN CANTON TITWAN
SW

Lot 2 Block _____
Tract 1942 Signature _____
Owner THOMAS C. PANGELINAN
Address _____

Lot 4 Block _____
Tract 1942 Signature [Signature]
Owner JOSE L G/ SOLEDAD P. TAITANO
Address _____

Lot 5 Block _____
Tract 1942 Signature [Signature]
Owner JAMES A L G/ LINDA R M CRUZ
Address _____

Lot 2308 Block _____
Tract _____ Signature [Signature]
Owner RAFAEL CHARGUALAP
Address _____

Lot 2310 Block _____
Tract _____ Signature [Signature]
Owner FRANK T. CHARGUALAP
Address _____

Lot 2311-1 Block _____
Tract _____ Signature _____
Owner PACIFIC SANKO INC
Address 472 2693

Lot 2311-2 Block _____
Tract _____ Signature [Signature]
Owner GRACE T. RUSSELL
Address _____

Lot 2311-4 Block _____
Tract _____ Signature _____
Owner BRUCE G. KAROLLE
Address _____

Lot 2311-5 Block _____
Tract _____ Signature [Signature]
Owner PHILIP U. ENCINA
Address _____

Lot 2312-1 Block _____
Tract _____ Signature [Signature]
Owner MANUEL P. TAITANO
Address _____

Lot 2312-R1 Block _____
Tract _____ Signature [Signature]
Owner SOLEDAD P. TAITANO
Address _____

Lot 2313-R1 Block _____
Tract _____ Signature [Signature]
Owner JOSEPHINE C./ WILLIAM P. HARA
Address _____

Lot 2315-1 Block _____
Tract _____ Signature [Signature]
Owner MARK G./ ESPER M. CEPEDA
Address _____

Application No. 93-39

Lot No. 3 TRACT 1942

LANDOWNERS (continued)

(Note: Your signature is only to acknowledge receipt of Notice.)

Lot 2315-2 NEW-1 Block _____
Tract _____ Signature [Signature]
Owner FRANK/ANNIE GUEVARA
Address 149 TAMBIO ST ORDOT
ITC OLL

Lot 2315-2NEW-2 Block _____
Tract _____ Signature [Signature]
Owner ANTONIO/TRINIDAD GUEVARA
Address 156 JUDGE SABLAN ORDOT

Lot 2315-2NEW-R2 Block _____
Tract _____ Signature [Signature]
Owner JOSEPH D. GUEVARA SR.
ISABEL J. GUEVARA-JANET GUEVARA
Address JEFFREY G. GUEVARA-JERRY G. GUEVARA
JOSEPH D. GUEVARA JR.

Lot 2315-4 Block _____
Tract _____ Signature _____
Owner JOHNNY C. GUEVARA
Address _____

Lot 2315-5 Block _____
Tract _____ Signature _____
Owner JOVITA G./JOSE M. MANIBUSAN
Address _____

Lot 2315-6 2410-2 Block _____
Tract _____ Signature _____
Owner GIL T. GUEVARA
Address _____

Lot 2315-7 Block _____
Tract _____ Signature [Signature]
Owner JESUS T./DOLORES Q. GUEVARA
Address _____

Lot 2315-R7 Block _____
Tract _____ Signature _____
Owner REMEDIOS T. CRUZ
Address _____

Lot 2318A-2 Block _____
Tract _____ Signature [Signature]
Owner CARLOS A. SHODA
Address _____

Lot 2318A-3 Block _____
Tract _____ Signature [Signature]
Owner NANCY AGUON PANGELINAN
Address _____

Lot 2318A-4 Block _____
Tract _____ Signature _____
Owner REMEDIOS Q. RAPOLLA
Address _____

Lot 3218A-5 Block _____
Tract _____ Signature [Signature]
Owner JULIE J. PANGELINAN
Address _____

Lot 2318A-6 Block _____
Tract _____ Signature [Signature]
Owner FRANCISCO T. PANGELINAN
Address _____

Lot 2318A-7-2 Block _____
Tract _____ Signature [Signature]
Owner MARISSA O. LACHOWICZ
Address CHRISTINE MARIE PANGELINAN

Lot 2318A-7-R2 Block _____
Tract _____ Signature [Signature]
Owner MARISSA O. LACHOWICZ
GREGORY GLEN PANGELINAN
Address _____

Lot 3218A-9-5 Block _____
Tract _____ Signature _____
Owner ROY S N/MELANIE M. AGUON
Address _____

Tract _____ Signature _____
Owner _____
Address _____

Tract _____ Signature _____
Owner _____
Address _____

Lot 2318-9-6 _____ Block _____
Tract _____ Signature *[Handwritten Signature]*
Owner PAUL S N/SONIA AGUON
Address _____

Lot 2318A-9-R6 _____ Block _____
Tract _____ Signature *[Handwritten Signature]*
Owner JOSE G. MAPNAS
Address _____

Lot 2409 _____ Block _____
Tract _____ Signature _____
Owner TERESITA AGUON GUERRERO
Address _____

Lot 2410-1, 2410-4 _____ Block _____
Tract _____ Signature _____
Owner CARLOS M. TENORIO et al
Address _____

Lot 2410-3 _____ Block _____
Tract _____ Signature _____
Owner AMELIA ANTOLIN SALAS
Address _____

Lot _____ Block _____
Tract _____ Signature _____
Owner _____
Address _____

Lot _____ Block _____
Tract _____ Signature _____
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Owner _____
Address _____

Lot _____ Block _____
Tract _____ Signature _____
Owner _____
Address _____

SZC 93-039

CRUZ, ROBERT LG.

Summary Zone Change Recording Procedures

1. ~~Take all copies to DPW Director office, have them stamp all copies on top left corner. Leave "DPW Copy #1" with them.~~
2. ~~Go to Building Permit. Have either Jesus Ninete, Eddie Borja or Paul Reyes sign all copies on space entitled "Building Official". Also they must date/time each copy. Leave "DPW Copy #2" with them.~~
3. ~~Go to Senator Pilar Lujan's Office with remaining copies. Have Marty Cruz or a staff member sign all copies on section entitled "Legislative Secretary". Also date/time. Leave:

 - a. Legislative Original #1
 - b. Legislative Copy #2
 - c. Legislative Copy #3... with them~~

was not provided w/ package
ALB

4. Return all remaining copies to Department of Land Management, Summary Zone Change Section... for now.

~~DO NOT RECORD YET!~~

-
5. On day #46 after filing with Legislature take the remaining 3 copies from Summary Zone Change Section Master File and record at Office of the Territorial Recorder.

FILED 11/3/93 ** End of Process **
 RECORD 01/03/94



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

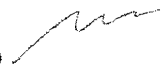
Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

April 12, 2013

Memorandum

To: **Rennae Meno**
Clerk of the Legislature

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

Subject: **Fiscal Notes**

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:

Bill Nos.: 15-32 (COR), 25-32 (COR), 68-32 (COR), and 71-32 (COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2013 APR 12 PM 4:45
Rennae

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 15-32 (COR)**

AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE-FAMILY DWELLING (R-2).

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Public Works	Dept./Agency Head: Carl V. Dominguez, Director
Department's General Fund (GF) appropriation(s) to date:	9,774,266
Department's Other Fund (Specify) appropriation(s) to date: Building and Design Fund & Guam Highway Fund	9,160,273
Total Department/Agency Appropriation(s) to date:	\$18,934,479

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Revenue and Taxation	Dept./Agency Head: Benedict Atoigue, Director
Department's General Fund (GF) appropriation(s) to date:	9,164,188
Department's Other Fund (Specify) appropriation(s) to date: Better Public Service Fund & Tax Collection Enhancement Fund	2,877,271
Total Department/Agency Appropriation(s) to date:	\$11,241,451

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance ¹		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

- 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? /X/ Yes // No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes // No
// Requested agency comments not received as of the due date // Other:

Analyst: Jason W. Bazz, BMA I Date: 4/1/13 Director: John A. Ries, Director APR 10 2013

Footnotes:
1/ See attached comments.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 15-32 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
DPW Building and Design Fund	\$500	\$0	\$0	\$0	\$0
Territorial Education Facilities Fund	<u>\$547</u>	<u>\$547</u>	<u>\$547</u>	<u>\$547</u>	<u>\$547</u>
Total	\$1,047	\$547	\$547	\$547	\$547

Comments:

1/ This proposed legislation is aimed at enabling Mr. Robert Cruz, property owner of Lot No. 3 Tract 1942 and a licensed general contractor, to build a second-story on his existing single-story home. However, the potential second-story of his existing single-story home is in violation with the conforming zoning status, as the Department of Land Management (DLM) disapproved a Summary Zone Change Request submitted by Mr. Cruz based on agency responses from the Guam Environmental Protection Agency (GEPA) and Guam Waterworks Authority (GWA). Both agencies indicated that neither public sewer nor water was adequately available to support the requested change of zone. Should the zoning be changed from single family dwelling (R-1) to multiple family dwelling (R-2) through legislation, the Bureau recognizes that revenues will be generated through building permits and real property taxes. Assuming that the second-story addition is the same amount of space as the existing first-story (1,050 sq. ft.), the Department of Public Works anticipates \$500 of revenues generated in the form of a building permit. This is the lowest estimated cost for the required building permit assuming the second-story addition is 1,050 square feet. If the second-story is built into the existing first-story (1,050 sq. ft.), the appraised value for his house will go from \$57,427 to \$114,854. This would impose a building tax rate (0.00388) of \$446.55 and a land tax rate (0.000875033) of \$100.50. With the given information, the Bureau estimates that \$547.05 will be received by the Department of Revenue and Taxation in additional real property taxes.



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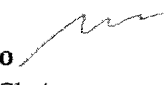
Senator
Aline Yamashita
Member

January 14, 2013

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Majority Leader & Rules Chair

Subject: **Referral of Bill No. 15-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 15-32(COR).

Please ensure that the subject bill is 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 Dos na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
15-32 (COR)	T.R. Muna Barnes	AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE-FAMILY DWELLING (R-2)	1/14/2013	1/14/2013		Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land;			



Public Hearing - First Notice

Lisa Dames <cipo@guamlegislature.org>
 To: PHrg Notice <phnotice@guamlegislature.org>

Tue, May 7, 2013 at 3:47 PM

See corrected date.

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Tuesday, May **14**, 2013 beginning at 2:00 pm in the Guam Legislature Public Hearing room. To review the bills, on the attached agenda please move your cursor over the bill number. The following is on the agenda.

Para Komfitmasion:

(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:

(Bills)

Bill No. 15-32 (COR) – Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

Bill No. 92-32 (COR) – Introduced by Senator Michael Limtiaco: An Act to Add a New Sub-Item (1) to 21 GCA §61103(q), Relative to Defining a Bed and Breakfast; to Amend 21 GCA §61305, 21 GCA §61306, and 21 GCA §61307, Relative to Adding a Bed and Breakfast to the list of Uses Permitted and Conditional Uses allowed in an R1, R2 and Commercial Zone.

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Bill No. 100-32 (LS) – Introduced by Speaker Judith Won Pat: An Act to Add a New Item (e) to §21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, Relative to Requiring the

Deposit of Unclaimed or Unpaid Tax Refund Checks into the Income Tax Refund Reserve Fund.

Bill No. 95-32 (COR) – Introduced by Speaker Judith T. Won Pat: An Act to appropriate the sum of Three Million One Hundred Thousand Dollars (\$3,100,000.00) Escheated to the General Fund, pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the Purpose of Supporting Unfunded Government of Guam obligations.

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Yanggen un nisisita spesiát na setbisio put fabot ágang i ifisinin Senadot ben pangelinan gi 473- Yanggen un nisisita spesiát na setbision, put fabot ágang i ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hálom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'háлом testigu-mu, chule' para i ifisinin-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kwatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi office@senbenp.com Este na nutisiu inapási nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at 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 [office @senbenp.com](mailto:office@senbenp.com)

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Office of

the People


I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

May 7, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – FIRST NOTICE

Chairman
Committee on Appropriations,
Public Debt, Legal Affairs,
Retirement, Public Parks,
Recreation, Historic Preservation
and Land

Member
Committee on Education,
Public Libraries
and Women's Affairs

Member
Committee on General
Government Operations and
Cultural Affairs

Member
Committee on Municipal
Affairs, Tourism, Housing and
Hagåtña Restoration and
Development Authority

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

Member
Committee on Aviation, Ground
Transportation, Regulatory
Concerns and Future
Generations

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **2:00m on Tuesday, May 14, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Para Komfirmasion:
(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:
(Bills)

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Memo to Senators
May 14, 2013
Page 2

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - First Notice

Lisa Dames <cipo@guamlegislature.org>

Tue, May 7, 2013 at 3:22 PM

To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, Jon Anderson <editor@mvguam.com>, joy@mvguam.com, louella@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, Oyaol Ngirairiki <odngirairiki@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

Hafa Adai,

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Lisa Dames

Chief of Staff

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN

Senator Vicente (ben) Cabrera Pangelinan


Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land.

(671) 473-4236 (office)

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As of April 23, 2013

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As of April 23, 2013**

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zita@mvguam.com



I Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs,
Retirement, Public Parks, Recreation, Historic
Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

*gi Måttes, gi diha 14 gi Måyu, 2013
Tuesday, May 14, 2013*

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

*alas dos gi despues di talo'ani
(2:00 PM)*

**TAREHA
(AGENDA)**

*Para Konfirmasion:
(Confirmation Hearing)*

Mr. John Z. Arroyo, Member, Guam Land Use Commission

*Prinsipal Saha
(Bills)*

Bill No. 15-32 (COR) - Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

Bill No. 82-32 (COR) - Introduced by Senator Michael Limbaco: An Act to Add a New Sub-Item (1) to 21 GCA §6116(a), Relative to Defining a Bed and Breakfast; to Amend 21 GCA §61305, 21 GCA §61306 and 21 GCA §61307, Relative to Adding a Bed and Breakfast to the list of Uses Permitted and Conditional Uses allowed in an R1, R2 and Commercial Zone.

Bill No. 55-32 (COR) - Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. 1NEW-1, Block No. 2, Tract 1427 located in the Municipalities of Barrigada and Gededa from the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 104-32 (COR) - Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. 7, NEW, Block No. 1, Tract 1427 Located in the Municipalities of Tamuning, Tiyon From the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 89-32 (COR) - Introduced by Speaker Michael San Nicolas: An Act to Add a New Article 17 to Chapter 22, Title 5, Guam Code Annotated, Relative to the Responsible Reserve Fund.

Bill No. 100-32 (LS) - Introduced by Speaker Judith Won Pat: An Act to Add a New Item (e) to §21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, Relative to Requiring the Deposit of Unclaimed or Unpaid Tax Refund Checks into the Income Tax Refund Reserve Fund.

Bill No. 95-32 (COR) - Introduced by Speaker Judith T. Won Pat: An Act to appropriate the sum of Three Million One Hundred Thousand Dollars (\$3,100,000.00) Escheated to the General Fund, pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the Purpose of Supporting Unfunded Government of Guam obligations.

Bill No. 87-32 (LS) - Introduced by Senator Dennis Rodriguez: An Act to appropriate Available Funds from the Guam/Territorial Highway Fund to Designate and Prioritize Certain Capital Improvement Projects, Purchase Heavy Equipment Needed by the Department of Public Works for Flood Mitigation and Fund the Department of Revenue and Taxation's Transaction Processing System.

Bill No. 79-32 (COR) - Introduced by Speaker Judith Won Pat: An Act to Amend §106119(K) of Chapter 106, Title 41, Guam Code Annotated, Relative to Authorizing the Transfer of Dormant and Unclaimed Bank Account Funds from the Treasurer of Guam to the Guam Housing Corporation's Housing Trust Fund.

*Sanpin on asista request, na seakto put labol Agang / Ilistan Senado han pangimian gi 473-
Bantun on masina request na seakto put labol Agang / Ilistan Senado Vicente (ben) Cabrera
Pangelinan gi 473-42067. Pangimian on masina request / prinsipal saha ginen este na tareha, ad 5:00 pm
mapat / Liheslaturan Guahan gi http://www.guamlegislature.com/*

*If you require any special accommodations, auxiliary aids or other special services or for further information
please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-42067. For copies of any of the bills
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Responses may be submitted directly to our office at 324 West Spanish Avenue in Hagåtña or at the Staff
Room of the Guam Legislature via fax at 473-42067 or via email at info@guamlegislature.com*



1 Muna treto: Desna Liheslaturan Guahan
2nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement,
Public Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

**gi Måttes, gi día 14 gi Máu, 2013
Tuesday, May 14, 2013**

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

**alas dos gi despues di talo'ani
(2:00 PM)**

**TAREHA
(AGENDA)**

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(Confirmation Hearing)**

Mr. John Z. Arroyo, Member, Guam Land Use Commission

**Priniponi Siha:
(Bills)**

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Bill No. 55-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. 1NEW 1, Block No. 2, Tract 1427 located in the Municipalities of Barrigada and Dededo from the Guam International Airport Authority to the Chamorro Land Trust Commission.

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Bill No. 97-32 (LS) – Introduced by Senator Dennis Rodriguez: An Act to Appropriate Available Funds from the Guam/Territorial Highway Fund to Designate and Prioritize Certain Capital Improvement Projects, Purchase Heavy Equipment Needed by the Department of Public Works for Flood Mitigation and Fund the Department of Revenue and Taxation's Transaction Processing System.

Bill No. 79-32 (COR) – Introduced by Speaker Judith Won Pat. An Act to Amend 5106119(K) of Chapter 106, Title 11, Guam Code Annotated, Relative to Authorizing the Transfer of Dormant and Unclaimed Bank Account Funds from the Treasurer of Guam to the Guam Housing Corporation's Housing Trust Fund.

Yanggen un nisisita espesiat na setbisio put fabot agang i ifsinan Senadot ben pangelinan gi 473. Yanggen un nisisita espesiat na setbisio, put fabot agang i ifsinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha gimen este na tareha, hálom gi i uepsait i Liheslaturan Guahan gi www.guamlegislature.com Yanggen para un na'híom testigu nu, chule' para i ifsinan-mámi 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. Este na nutisio inapási nu i fendon gubetnamento.

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Lisa Dames <cipo@guamlegislature.org>

PUBLIC HEARING - SECOND NOTICE

Lisa Dames <cipo@guamlegislature.org>
To: PHrg Notice <phnotice@guamlegislature.org>

Fri, May 10, 2013 at 2:12 PM

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Tuesday, May 7, 2013 beginning at 2:00 pm in the Guam Legislature Public Hearing room. To review the bill number, please move your cursor over the bill number. The following is on the agenda.

Para Komfitmasion:**(Confirmation Hearing)**

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:**(Bills)**

Bill No. 15-32 (COR) – Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

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Bill No. 89-32 (COR) – Introduced by Senator Michael San Nicolas: An Act to Add a New Article 17 to Chapter 22, Title 5, Guam Code Annotated, Relative to the Responsible Reserve Fund.

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Yanggen un nisisita espesiât na setbisio put fabot âgang i Ifisinan Senadot ben pangelinan gi 473- Yanggen un nisisita espesiât na setbisio, put fabot âgang i Ifisinan 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 Guáhan gi www.guamlegislature.com Yanggen para un na'hâlom testigu-mu, chule' para i ifisinan-mâmi gi 324 West Soledad Avenue gi iya Hagátña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi office@senbenp.com Este na nutisiu inapâsi nu i fendon gubetnamento.

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Lisa Dames
Chief of Staff
I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN
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Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
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PUBLIC HEARING - SECOND NOTICE

Lisa Dames <cipo@guamlegislature.org>

Fri, May 10, 2013 at 2:10 PM

To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <editor@mvguam.com>, gerry@mvguam.com, joy@mvguam.com, louella@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, Oyaol Ngirairiki <odngirairiki@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

Hafa Adai,

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Para Komfitmasion:

(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:

(Bills)

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Lisa Dames

Chief of Staff

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN

Senator Vicente (ben) Cabrera Pangelinan


Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land.

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I Mina'trentar Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement,
Public Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

**gi Måttes, gi diha 14 gi Máyu, 2013
Tuesday, May 14, 2013**

**Kuåtton Inekungok Pubbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)**

alas dos gi despues di talo'ani

(2:00 PM)

TAREHA

(AGENDA)

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(Confirmation Hearing)**

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(Bills)**

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Yanggen un nisisita espesiåt na sethisiõ put fabot ågang i ifisinan Senadot ben pangelinan gi 473- Yanggen un nisisita espesiåt na sethisiõ, 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 Yanggen para un na'hålom testigu-mu, chule' para i ifisinan-måmi gi 324 West Soledad Avenue gi Iya Hagåtña, pat guatto gi i Kuåtton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi office@senbenp.com Este na nutisio inapåsi nu i fendon gubetnamento.

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I Mina'trentar Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs,
Retirement, Public Parks, Recreation, Historic
Preservation, and Land

INGENBOK PUPLERO
(PUBLIC HEARING)

of Mates, gi dina 14 gi Mayo, 2013
Tuesday, May 14, 2013

Kuaiton Inkingok Pupleko gi Liheslaturan Guahan
(Guam Legislature Public Hearing Room)

alos dos gi despues di lalo'an
(2:00 PM)

TAREHA
(AGENDA)

Pura Konfirmasion
(Confirmation Hearing)

Mr. John L. Arroyo, Member, Guam Land Use Commission

Prinsipal Sita
(Bills)

Bill No. 45-32 (COR) - Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 9, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

Bill No. 92-32 (COR) - Introduced by Senator Michael Limfaco: An Act to Add a New Sub-Item (H) to 21 GCA §61103(g), Relative to Defining a Bed and Breakfast; to Amend 21 GCA §61305, 21 GCA §61306, and 21 GCA §61307, Relative to Adding a Bed and Breakfast to the list of Uses Permitted and Conditional Uses allowed in an R1, R2 and Commercial Zone.

Bill No. 55-32 (COR) - Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. INEW-1, Block No. 2, Tract 1427 located in the Municipality of Barrigada and Dedado from the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 104-32 (COR) - Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. 7, NEW, Block No. 1, Tract 1427

Located in the Municipality of Tamuning, Tiyar From the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 88-32 (COR) - Introduced by Senator Michael San Nicolas: An Act to Add a New Article 17 to Chapter 22, Title 5, Guam Code Annotated, Relative to the Responsible Reserve Fund.

Bill No. 100-32 (LS) - Introduced by Speaker Judith T. Won Pat: An Act to Add a New Item (e) to §21113 of Chapter 21, Division 2, Title 5, Guam Code Annotated, Relative to Requiring the Deposit of Unclaimed or Unpaid Tax Refund Checks into the Income Tax Refund Reserve Fund.

Bill No. 95-32 (COR) - Introduced by Speaker Judith T. Won Pat: An Act to appropriate the sum of Three Million One Hundred Thousand Dollars (\$3,100,000.00) Escheated to the General Fund, pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the Purpose of Supporting Unfunded Government of Guam obligations.

Bill No. 97-32 (LS) - Introduced by Senator Dennis Rodriguez: An Act to appropriate Available Funds from the Guam Territorial Highway Fund to Designate and Prioritize Certain Capital Improvement Projects, Purchase Heavy Equipment Needed by the Department of Public Works for Flood Mitigation and Fund the Department of Revenue and Taxation's Transaction Processing System.

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Yanggen un niasita espesial na seteban, put label ingan i lhaswan Soriodet ben pangelinan gi 473-4236/4237. Yanggen un niasita espesial na seteban, put label ingan i lhaswan Soriodet ben pangelinan gi 473-4236/4237. Yanggen un niasita kopian yemiponi sika ginen wate na tareha, hafon gi lhaswan i Liheslaturan Guahan gi <http://www.guamlegislature.com>. Yanggen un niasita kopian ingan, chulo, para i kopian na me gi 324 West Soledad Avenue gi lhaswan, put guano gi i Kuaiton Katto gi Liheslaturan, put loko gi 473-4238, patsino imel gi <mailto:info@senbenp.com>. Esta na niasita kopian gi nu i lhaswan gubamamta.

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

gi Måttes, gi diha 14 gi Måyu, 2013
Tuesday, May 14, 2013

Kuåtton Inekungok Pubbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas dos gi despues di talo'áni
(2:00 PM)

**TAREHA
(AGENDA)**

Para Komfütmasion:
(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:
(Bills)

Bill No. 15-32 (COR) – Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

Bill No. 92-32 (COR) – Introduced by Senator Michael Limtiaco: An Act to Add a New Sub-Item (1) to 21 GCA §61103(q), Relative to Defining a Bed and Breakfast; to Amend 21 GCA §61305, 21 GCA §61306, and 21 GCA §61307, Relative to Adding a Bed and Breakfast to the list of Uses Permitted and Conditional Uses allowed in an R1, R2 and Commercial Zone.

Bill No. 55-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. 1NEW-1, Block No. 2, Tract 1427 located in the Municipalities of Barrigada and Dededo from the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 104-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No 7, NEW, Block No. 1, Tract 1427

324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

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Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

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324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net
www.senbenp.com

5-15-13 JMA



DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guam)



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

EDDIE BAZA CALVO
Governor

MONTE J. MAFNAS
Director

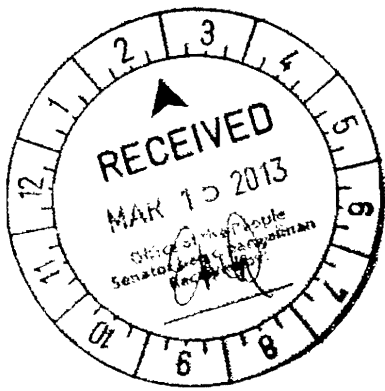
RAY TENORIO
Lieutenant Governor

DAVID V. CAMACHO
Deputy Director

March 12, 2013

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

Senator Vicente (ben) C. Pangelinan
32nd Guam Legislature
Chairman, Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and Land
324 W. Soledad Ave., Suite 100
Hagatna, GU 96932



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

SUBJECT: Testimony on Bill No. 15-32(COR)

Bueñas Yan Hafa Adai:

Submitted is our Testimony on Bill Number 15-32(COR) – **An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).** We provide the following Testimony:

E-mail Address:
vir@dlm.guam.gov

Telephone:
671-649-LAND (5263)

1. Point of Correction:

- a. Tract 1942 occurs within the municipal boundaries of Mangilao pursuant to the Revised Municipal Indices¹, as opposed to the municipality of Barrigada as described in the legislative intent.

2. Findings:

- a. On October 8, 1993 the Director of Land Management disapproved a Summary Zone Change² request by Mr. Robert L.G. Cruz for Lot 3, Tract 1942. Like this proposal Mr. Cruz attempted to re-zone said property from "R-1" to "R-2". The Summary Zone Change process requires a review and assessment of various agencies, most particularly with overseeing mandates on infrastructure. The disapproval of Mr. Cruz's request was in a direct result of agency response from both the Guam Environmental Protection Agency and Guam WaterWorks Authority. Both agencies indicated that neither

¹ See Section 403, Chapter 4, 1 GCA (Political Authority).

² See Title 21 GCA, Chapter 61, Part 3, Section 61639 (*Summary Procedure for Agricultural and Single-Family Residential Rezoning*) and Executive Order 92-08.



public sewer nor water was adequately available to support the requested change of zone (**Re: DLM Document No. 501238**).

Based on our findings of this proposal and with all due respect to the authority and powers granted to *I Liheslaturan Guahan* to consider such proposals, the Department of Land Management is **unable to support this legislative proposal**.

Notwithstanding, as the notice of disapproval occurred in 1993, we encourage Mr. Cruz to re-initiate contact with appropriate agencies that may otherwise provide an update on the availability and/or upgrade of said infrastructure in the area. Should adequate infrastructure be available, Mr. Cruz is further encouraged to re-submit his request through the appropriate Summary Zone Change process as noted. Otherwise, Mr. Cruz must maintain the residential structure for single-family dwelling purposes as originally approved.

We thank you for this opportunity to provide testimonies and submit to the wisdom of *I Liheslaturan Guahan* to avail through its actions, protection of our groundwater resources.

Senseramente,



DAVID V. CAMACHO
Acting Director

cc: Planning Division, DLM

Attachment: Notice of Action (DLM Document No. 501238)

501238

GOVERNMENT OF GUAM 39
DEPARTMENT OF LAND MANAGEMENT
LAND RECORDS SECTION

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT, OFFICE OF THE RECORDER

INSTRUMENT NUMBER 501238
TYPE OF INSTRUMENT Summary zone change
THIS INSTRUMENT WAS FILED FOR RECORD ON 10
DAY OF (JANUARY) 1994 AT 211 AM() PM(X)
AND DULY RECORDED IN BOOK _____ AT PAGE _____
RECORDED FEE \$ De Officio VOUCHER NUMBER _____

[Signature]
(FOR RECORDER)

[Handwritten notes]

- (1) COMPUTER LISTING _____ () (✓)
- (2) NUMERICAL INDEX URBAN _____ (SUB _____ (VOL) _____ () ()
- (3) ALPHABETICAL GRANTOR (LAND) (MISC.) _____ () ()
- (4) ALPHABETICAL GRANTEE (LAND) (MISC.) _____ () ()
- (5) MARGINAL NOTATION C.T. NO. _____ G.C. NO. _____ () ()
- (6) ISSUANCE OF C.T. NO. _____ G.C. NO. _____ () ()
- (7) CANCELLATION OF C.T. _____ G.C. NO. _____ () ()
- (8) CHANGES PROPERTY LISTING DAILY SALES DATA NO. _____ () ()
- (9) GRANTORS SOCIAL SECURITY NO. _____ () ()
- (10) GRANTEES SOCIAL SECURITY NO. _____ () ()
- (11) MINOR'S SOCIAL SECURITY NO. _____ () ()

REMARKS: _____



Jan 1-4-94
RECEIVED

ACKNOWLEDGMENT OF RECEIPT

501238

SUMMARY ZONE CHANGE PACKET

for

Lot 3, 2311, Tract 1942, Municipality of Barrigada
(Robert L.G. Cruz)

SZC 93-039

RECORDS ORIGINAL 1

Legislative Secretary
Twenty-Second Guam Legislature

Building Official (Director's Office)
Department of Public Works

Signature: [Signature]

Signature: _____

Name (Print) Michael DC weakley

Name (Print) _____

Date: 11/03/93 Time: 3:13pm

Date: _____ Time: _____

FOR RECORDATION ONLY:
Deputy Civil Registrar

Department of Public Works (Building Permits)

Name (Print) PAUL L.G. Reyes

Signature [Signature]

Date 11/3/93 Time 2:00 PM

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT
OFFICE OF THE RECORDER
INSTRUMENT NUMBER 501238
This instrument was filed for record on 10
Day of JAN, 1994, at 2:11 PM
and duly recorded in Book 011610 at Page
Recording Fee De Voucher No.
[Signature]
Deputy Recorder

Applicant(s) Copy

Name (Print)

Signature

Date / Time



DEPARTMENT OF LAND MANAGEMENT
(DIPATTAMENTON TANO')

Government of Guam
P.O. Box 2950
Agana, Guam 96910

Tel: (671) 475-LAND • Fax: (671) 477-0883



JOSEPH F. ADA
Governor

FRANK F. BLAS
Lieutenant Governor

October 27, 1993

F. L. G. CASTRO
Director

JOAQUIN A. ACFALLE
Deputy Director

Honorable Pilar C. Lujan
Legislative Secretary
Twenty-Second Guam Legislature
155 Hessler Street
Agana, Guam M.I. 96910

501238

Re: Summary Zone Change - Case No. SZC 93-039
Lot 3, 2311, Municipality of Barrigada (Robert L.G. Cruz)

Pursuant to 21 GCA (*Real Property*), Chapter 61 (*Zoning Law*), Part 3 (*Changes of Zones*), § 61639 (*Summary Procedure for Agricultural and Single Family Residential Rezoning*) and Executive Order 92-08 (*Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes*), the Department of Land Management is herewith submitting to the Legislature a Zone Change Application for Lot 3, 2311, Tract 1942, Municipality of Barrigada, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to construct a duplex.

This Zone Change request was **DISAPPROVED WITH REASONS** on October 27, 1993.

Your attention to this matter is greatly appreciated.

Sincerely,


F. L. G. CASTRO
Director of Land Management

Attachments:

1. Zone Change Map F3-67S40, Amendment No. 26
2. Staff Report
3. Certifications of Utility Agencies
4. DRC Position Statements
5. Zone Change Application



October 8, 1993

Memorandum

To: Director, Department of Land Management
From: Territorial Planner
Subj: **Staff Report - Case No. SZC 93-039**
Ref: Summary Zone Change - Lot 3, 2311, Tract 1942, Municipality of Barrigada (Robert L.G. Cruz)

1. **PURPOSE:**

501238

- a. **Application Summary.** The Applicant, Robert L.G. Cruz, is requesting for a Zone Change on Lot 3, 2311, Tract 1942, Municipality of Barrigada, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to construct a duplex.
- b. **Legal Authority.** 21 GCA (*Real Property*), Chapter 61 (*Zoning Law*), Part 3 (*Changes of Zones*), §61639 (*Summary Procedure for Agricultural and Single-Family Residential Rezoning*) and Executive Order 92-08 (*Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes*).

2. **FACTS:**

- a. **Location.** The subject lot is located in Mangilao in Tract 1942 along Cotpus Street, approximately one-half mile from Route 10.
- b. **Field Description.** The lot has an existing one-storey dwelling unit connected to water, power, and telephone. The area is accessible via a coral base road.
- c. **Lot Area.** 1,050 square meters or 11,302 square feet.
- d. **Present Zoning.** "R-1" (*Single-Family Dwelling*)
- e. **1967 Master Plan.** Urban Residential: Low Density
- f. **Community Design Plan.** Residential: Low Density
- g. **Surrounding Area:** DLM field inspection conducted on July 14, 1993 reveals that the area within a 500-foot radius consists predominately of single-family dwelling units (houses).
- h. **Background Information:** As part of his justification for his zone change, the applicant has presented approved building plans for a 2-storey structure having four bedrooms, three full bathrooms, a kitchen, and living room. Building Permit No. 17674 is attached as part of this approval.

3. **APPLICATION CHRONOLOGICAL FACTS.**

- a. **Date Application Accepted.** June 7, 1993

b. **Certifications:**

- DPW: Based on the Flood Insurance Rate Map (FEMA) shown on Panel 75 of 125, the subject lot is not within a floodplain as designated. **501238**
- GEPA: Agency certifies that public sewer is not available. Public water is available but is not adequate for "R-2" Zoning. Agency position and additional comments reflected in official certification statement.
- PUAG: Certifies that there is an existing 6-inch public waterline in the area; there is no sewer. Applicant will have to obtain GEPA's approval for a septic tank/leaching field.
- GPA: Certifies that a public electrical power system is available and adequate to serve the proposed development. The proposed development will not adversely impact existing power infrastructure or the Authority's ability to provide basic services.

c. **Municipal Public Hearing Results.** The Department of Land Management (DLM) scheduled and conducted a public hearing on this application on September 27, 1993 at 6:30 p.m., in the office of the Mangilao Mayor. In attendance were five people, including Mayor Blas, Mr. Cruz, the applicant, and F. Dungca, Jr., DLM Staff Planner.

Mr. Dungca reported out the application request, including the four official certifications. He explained that the applicant was requesting for a zone change to build a second floor on an existing 1-storey building.

The applicant said that he had already secured all permitting agency/department requirements, including the issuance of a building permit (No. 17674, copy attached) to build a 2-storey structure with three full bathrooms and four bedrooms. He has already self-constructed the first floor and is proceeding to the second floor., He was advised that he needed to rezone his property to do that, and secure a second meter.

Mrs. Teresita A. Guerrero inquired into the status of the Government's plans to bring sewer into the area.

Mayor Blas went on to say that PUAG already has plans to bring in the sewer line into Cotpus Street for all surrounding landowners.

There being no further questions, comments, or concerns, Mr. Dungca closed the meeting by reminding Mayor Blas that DLM will need the MPC Resolution in order to finalize the official Staff Report.

The meeting adjourned at 8:00 p.m.

d. **Municipal Planning Council (MPC) Resolution:**

Mangilao MPC Resolution No. 93-11, dated September 3, 1993, supports and approves the zone change request as noted by a majority

MPC RESOLUTION, contd.

of the MPC members' signatures.

501938

5. **STAFF RECOMMENDATION:** Planning Staff recommends **DISAPPROVAL** of the Zone Change request for the following reasons:

1. Based on GEPA's certification dated June 25, 1993, public sewer is not available to the area. Other comments are reflected in the certification.
2. Pursuant to Public Law 21-82, Section A(1), the certifying agencies (GEPA, GPA, DPW, PUAG) must determine that there is adequate certification to the area to accommodate the zone change.
3. Pursuant to Section 8(b) Rules and Regulations, "...R-2 zone change request under this process shall require a hook-up to public sewer."
4. MPC Resolution No. 93-011, dated September 3, 1993, supports the zone change "...on the condition that adequate infrastructure is met." Based on items 1 to 3 above, adequate infrastructure for an "R-2" Zone Change to the subject lot is not available.
5. The applicant is requesting for a zone change to self-construct a duplex. This can be accomplished through a Conditional Use application pursuant to 21 GCA, Section 61305(b)(1), which allows for a duplex in the "R-1" Zone through a Conditional Use instead of an outright zone change, however, the applicant should take note that based on GEPA's certification, item 2, the applicant will need a density variance for a duplex since the area of 11,303 square feet is insufficient for a duplex, based on one unit for every 10,000 square feet.
6. Building Permit No. 17674, dated December 11, 1992, was issued for a residential unit, not a duplex.
7. This area is currently predominately an "R-1" Zone. An "R-2" Zone, in the absence of a public sewer line, would not be compatible with the surrounding area.

FINAL NOTE: Based on the above items 1 to 7, the Department cannot support a zone change from "R-1" to "R-2" on the subject lot, and recommends that the applicant limit construction to what was approved under Permit No. 17674.


JOHN T. ANDERSON
Territorial Planner

Attachments

=====
(Space above for Recordation)

DEPARTMENT OF LAND MANAGEMENT
Government of Guam
Agana, Guam 96910

NOTICE OF ACTION

October 8, 1993

To: Mr. Robert L.G. Cruz Case No. SZC No. 93-039
P.O. Box 4190
Agana, Guam 96910

The Department of Land Management, pursuant to Title 21 GCA, Chapter 61 (*Zoning Law*), Part 3 (*Changes of Zones*), Section 61639 (*Summary Procedure for Agricultural and Single-Family Residential Rezoning*), and Executive Order No. 92-08:

/ Approved
 / Disapproved with Reasons
 / Approved with Conditions

your request on Lot 3, 2311, Tract 1942, Municipality of Barrigada, for a Zone Change:

/ from "A" (*Rural*) to "R-1" (*Single-Family Dwelling*)
 / from "A" (*Rural*) to "R-2" (*Multi-Family Dwelling*)
 / from "R-1" (*Single-Family Dwelling*) to "R-2" (*Multi-Family Dwelling*)

Please submit this form with necessary plans to the appropriate agency. If request was tabled, approved with conditions or involved clarification, please see the conditions below for further details.

NOTATION: Zone Change on Lot 3, 2311, Tract 1942, Municipality of Barrigada, from an "R-1" (Single-Family Dwelling) Zone to an "R-2" (Multi-Family Dwelling) Zone in order to construct a duplex.

CONDITIONS: The Department of Land Management **disapproves** the application based on the following reasons:


1. Based on GEPA's certification dated June 25, 1993, public sewer is not available to the area. Other comments are reflected in the certification.
2. Pursuant to Public Law 21-82, Section A(1), the certifying agencies (GEPA, GPA, DPW, PUAG) must determine that there is adequate certification to the area to accommodate the zone change.
3. Pursuant to Section 8(b) Rules and Regulations, "...R-2 zone change request under this process shall require a hook-up to public sewer."

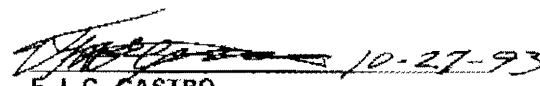
NOTICE OF ACTION - Case No. 93-039
Robert L.G. Cruz
Lot 3, 2311, Tract 1942, Municipality of Barrigada
October 8, 1993

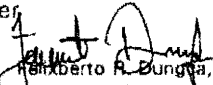
CONDITIONS, contd.

4. MPC Resolution No. 93-011, dated September 3, 1993, supports the zone change "...on the condition that adequate infrastructure is met." Based on items 1 to 3 above, adequate infrastructure for an "R-2" Zone Change to the subject lot is not available.
5. The applicant is requesting for a zone change to self-construct a duplex. This can be accomplished through a Conditional Use application pursuant to 21 GCA, Section 61305(b)(1), which allows for a duplex in the "R-1" Zone through a Conditional Use instead of an outright zone change, however, the applicant should take note that based on GEPA's certification, item 2, the applicant will need a density variance for a duplex since the area of 11,303 square feet is insufficient for a duplex, based on one unit for every 10,000 square feet.
6. Building Permit No. 17674, dated December 11, 1992, was issued for a residential unit, not a duplex.
7. This area is currently predominately an "R-1" Zone. An "R-2" Zone, in the absence of a public sewer line, would not be compatible with the surrounding area.

FINAL NOTE: Based on the above items 1 to 7, the Department cannot support a zone change from "R-1" to "R-2" on the subject lot, and recommends that the applicant limit construction to what was approved under Permit No. 17674.

 10/26/93
JOHN T. ANDERSON
Territorial Planner

 10-27-93
F. L. G. CASTRO
Director
Department of Land Management

Principal Planner:  Roberto R. Dunga, Jr.
Associate Planners: Benmer C. Gulac/Michael A. Aguon
Attachment: Certifications of Utility Agencies
Position Statements

cc: Building Permit Section, DPW

=====
CERTIFICATION OF UNDERSTANDING

I, Robert L.G. Cruz, understand and accept the conditions above as a part of the Notice of Action, and further agree to adhere to any and all conditions made a part of and attached to this Notice of Action as mandated by the approval of the Department of Land Management.

Signature of Applicant
Date: _____

Signature of Applicant
Date: _____

NOTICE: This Notice of Action must be presented by the Applicant and/or his representative (engineer, contractor, etc.) to all permitting agencies/departments in securing permits for construction.

SZC93-039

Robert L.G. Cruz

501238

ZONE CHANGE October 8, 1993
From "R-1" (Single-Family Dwelling)
To "R-2" (Multi-Family Dwelling)
Lot No. 3, 2311, Tract 1942
Municipality of Barrigada

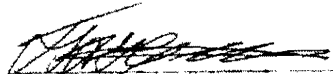
Scale: 1" = 400'-0"

Amendment No. 26

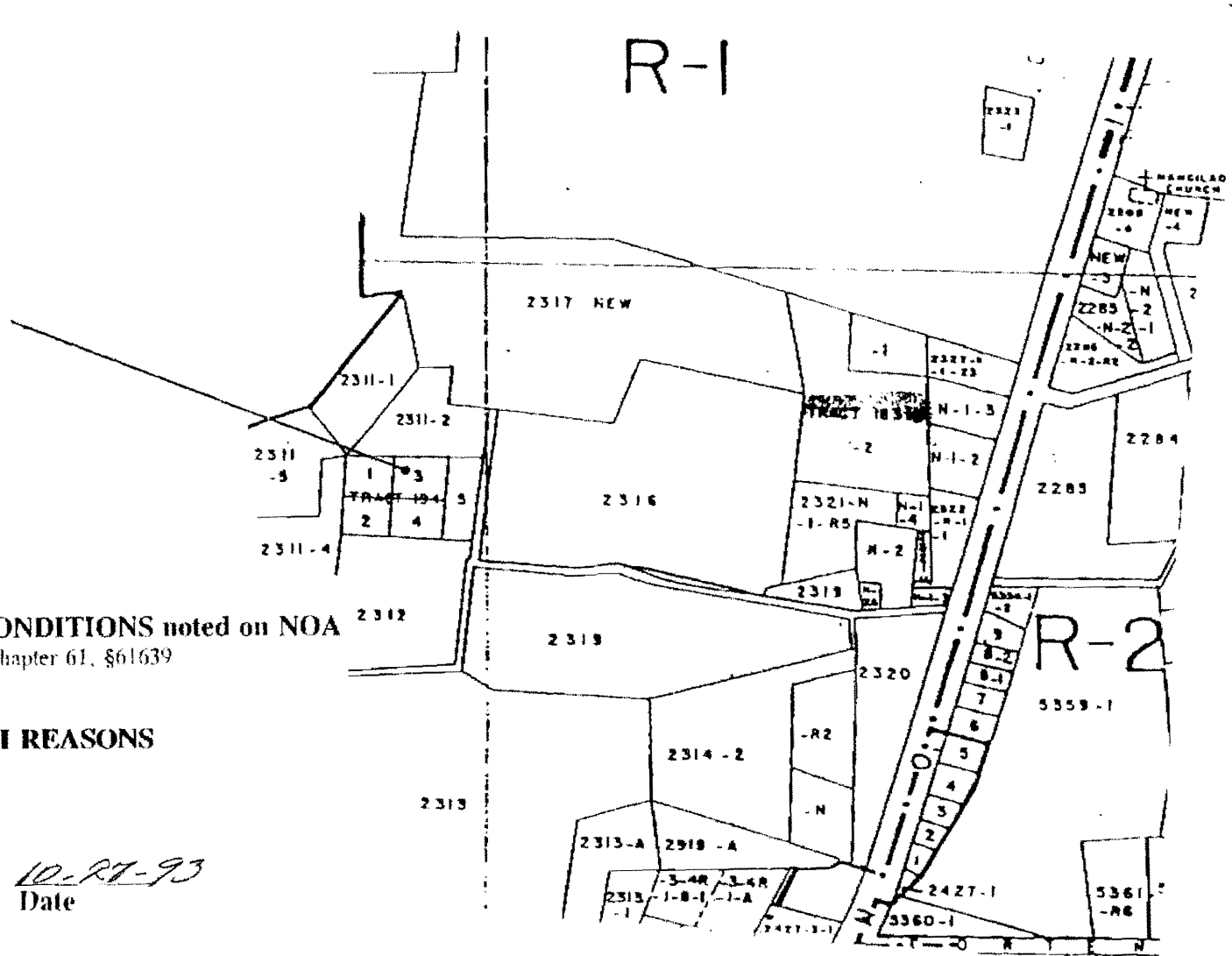
Zoning Map No. F3-67S40

() APPROVED WITH CONDITIONS noted on NOA
(Pursuant to Title 21 GCA, Chapter 61, §61639
and Executive Order 92-08)

(XX) DISAPPROVED WITH REASONS


F. L.G. CASTRO
Director

10-27-93
Date



Agreement

Summary Zone Change No. 93-039

501238

I/We, the undersigned, acknowledge that approval of our Zone Change request does not constitute automatic approval or guarantee the issuance of the Building Permit, for the construction of any dwelling. I/We further understand that the issuance of the necessary Building Permit will be dictated by the availability and/or adequacy of infrastructure in the area. This will be determine by the infrastructural agencies, i.e., Guam Environmental Protection Agency, Guam Power Authority, and Public Utility Agency of Guam.

Robert L.G. Cruz

Signature of Applicant

Signature of Applicant

Date: _____

Date: _____

ZONE CHANGE **ORIGINAL**
(Public Law 21-82:4 & Executive Order 92-08 - Short Form)

To: Director, Department of Land Management
c/o Division of Land Planning
Government of Guam
P.O. Box 2950
Agana, Guam 96910

Faunt J. J.
SZC 93-039
DLM ACCEPTED
06-01-93

The undersigned owner(s) of the following described property hereby request consideration for a Zone Change.

1. Information on Applicant:
Name of Applicant: Robert L.G. Cruz
Mailing Address: PO Box 4190 Agana, Guam 96910
Telephone No.: Business 477 9858/59/50 Home 734 5226

2. Property Location, Description, and Ownership: [NOTE: The maximum lot area must be two (2) acres or less]
Subdivision Name: _____
Municipality: Barrigada
Lot # 3 2311-3 Block _____ Tract 1942
Lot Area: Acre _____ Sq. Meters 1,050 Sq. Feet 11,302
Registered Owner: Same above
Certificate of Title No.: 73302 Recorded Document No.: 482325

3. Current and Proposed Land Use:
Current Use: single dwelling Current Zone: R-1
Propose Use: Need additional power meter for my proposed construction concrete house. Propose Zone: R-2

4. Justification: Attach a typed, brief and concise justification (letter format) explaining your intentions and purpose of the zone change request justifying public necessity, public convenience and general welfare in accordance with 21 GCA, Chapter 61 (Zoning Law), Section 61630; Public Law 21-82, Section 4 and the Department of Land Management Rules.

5. Supporting Information. The following shall accompany this application:
 - a. A map, drawn to scale, showing existing zoning within 1000 feet radius, and all parcels and their uses within 750 feet radius from the subject lot's boundaries. The map shall also contained:
 - (1) Lot number of every parcel(s);
 - (2) Identify by name and use all existing activities on all parcel(s) through a legend/code reference;
 - (3) All adjacent inclusive and exclusive easements and roads to property, their widths, and condition of surfaces;
 - (4) The nearest location of all public utilities to the subject lot;
 - (5) All natural or topographic peculiarities.

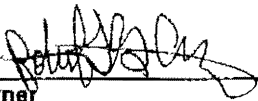
 - b. The most recent Department of Land Management recorded property map.

ORIGINAL

5. Supporting Information (continued):

- c. For R-1 zone change request: A proposed property map showing how many lots are to be subdivided.
 - d. For R-2 zone change request: Preliminary design drawings showing density, proposed use, and location of property.
 - e. Additional information as required by the Director.
- 6. Fees:** In accordance with 21 GCA, Chapter 61 (Zoning Law), §§61633 and 61660(c), and Public Law 21-14, Section 11.
- 7. Required Signatures:** All legal owners of designated parcel shall sign form with name(s) typed or handwritten, signed and dated:

CERTIFICATION: I/WE hereby certify that all information contained in this application and supplements is true and correct. I/WE also understand that any misrepresentation in this application shall void the entire submission.

	5-21-93	_____	_____
Owner	Date	Owner	Date

Representative (if any) / Date

THIS FORM SHALL NOT BE MAILED. APPLICANT/REPRESENTATIVE SHALL SUBMIT IN PERSON, BY APPOINTMENT ONLY, TO THE PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT.

ORIGINAL

To: Director, Department of Land Management
c/o Division of Land Planning
Government of Guam
P. O. Box 2950
Agana, Guam 96910

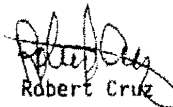
Subject: Request for Zone Change from R1 to R2

Under the provisions of the Zone Change Law, Public Law 21-82:4 and Executive Order #92-08, request for a zone change of my property, Lot #3, Tract 1942 from R1 to R2.

Originally, my house was designed for construction of a two (2) story house, but the second floor has not been constructed. Now, I am in the position to construct with the intent of turning the property into a duplex. By doing so, I would have the ability to rent my property, thus, providing some assistance in the islandwide housing shortage.

Your favorable consideration of this request is highly appreciated.
Thank You.

Sincerely,


Robert Cruz

REF 52C
93-039

SYMBOLS

- ▲ GGTN Triangulation station
- #4 Rebar set marked RLS 420
- Spike found, set by J.P. Mesa Doc. no 98953
- Conc. mon. fd. pre-war
- CONC. MON. FOUND, SET BY UNKNOWN.


NOTES

1. Survey was based on found corners as shown
2. All distances are in meters U.O.N.
3. Bearings in parentheses indicate record data, all others 1962

501238

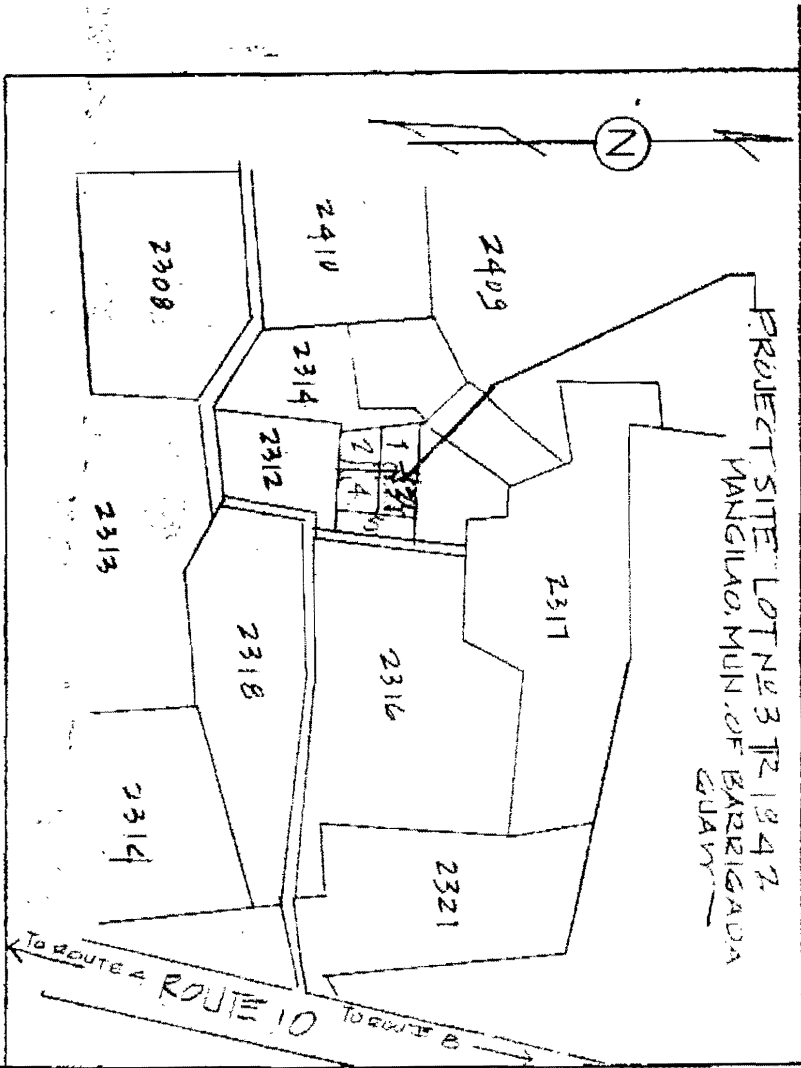
REFERENCE

1. Dwg. no MSM 10-001-66D, Land registration and distribution map of Lot 2311, by J.R. Mesa, License # 88, dated 6/6/62

revision	by	brief description	approved	date
SURVEY DATA		MESA SURVEYING AND MAPPING CO.		
field	JM	P.O. BOX 1641	AGANA, GUAM 96910	
book no		PARENTAL DIVISION OF TRACT 1942 LOTS 1, 2, 3, 4, 5 (Former Lot No. 2311-10) MANGILAO, MUNICIPALITY OF DARRIGADA LAND SQUARE 19 SECTION 4		
researched	AI			
computed	J			
drawn	JJM			
checked	JRM	owner		
LAND MANAGEMENT DATA		basic lot no. 2311-10 registered on 1-16-71 cert. of title no. 28934 in name of JULIETA L.G. CRUZ		
LM Checked	024 - FY79			
Job order number	580			
		sheet 1 of 1	Drawing no.	
		scale 1/100	M 080-628	

1254

501238



VICINITY MAP (NTS)
 LOT 3, 2311 TRACT 1412
 (FORMERLY LOT 2311-3)

PLATTING ENGINEER
 SHEET CONTENTS

REF S 20 93-039

LOT 2311-2
AREA= 5310.8 SQ. M.
DEMETRIO C. LEON GUERRERO
CT # 24053

(S 84° 27' 00" E) 20.50

40' PUBLIC ACCESS AND UTILITY EASEMENT.

LOT 2310
G.C.No. 4158

LOT 1
AREA= 1,060 ± Sq. M.

LOT 3
AREA= 1,050 ± Sq. M.

~~BASIC~~

~~LOT 2311-3~~

~~AREA= 5,254 SQ. M.~~

LOT 2
AREA= 1,050 ± Sq. M.

LOT 4
AREA= 1,060 ± Sq. M.

LOT 5
AREA= 1,034 SQ. M.

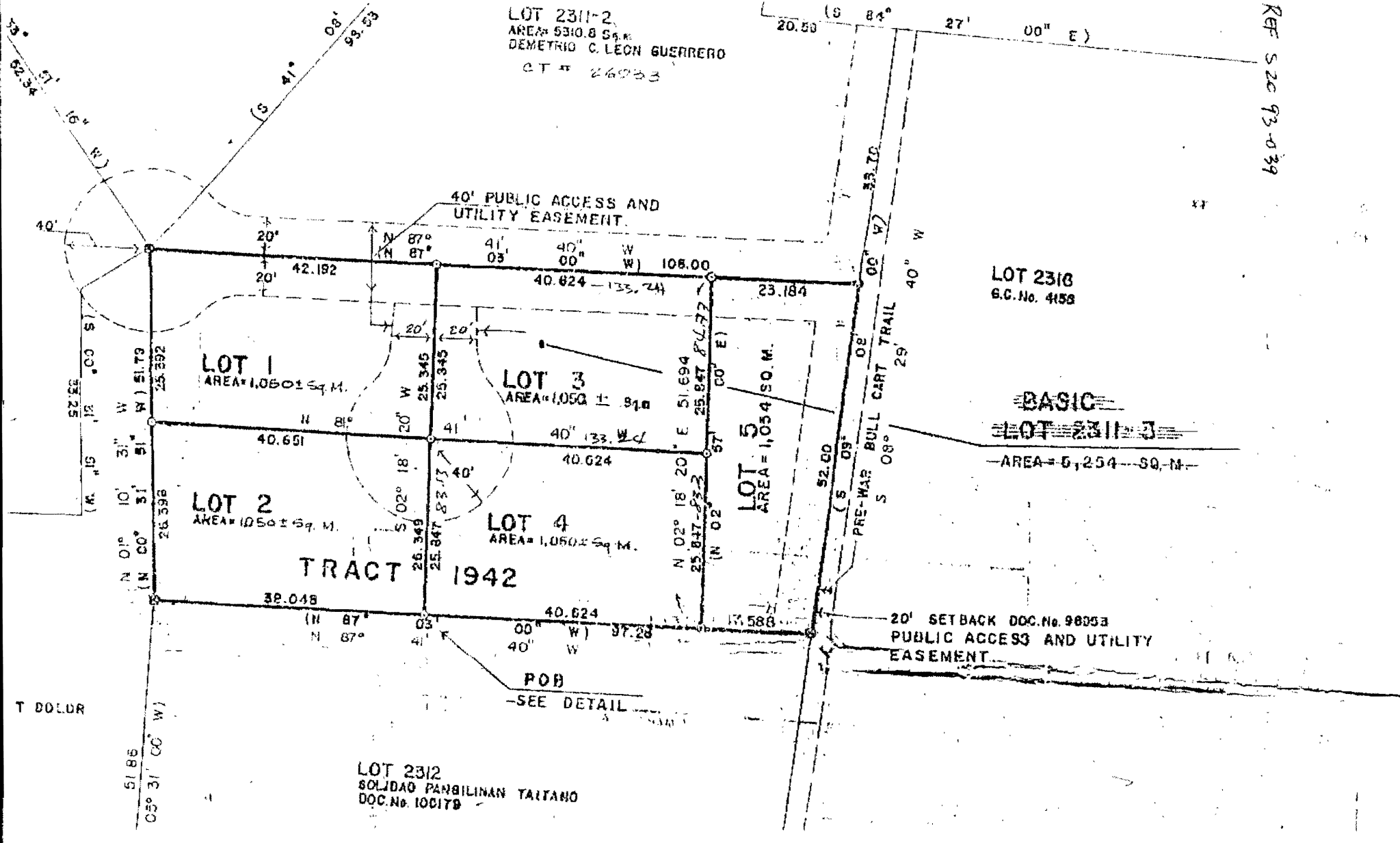
TRACT 1942

20' SETBACK DOC.No. 98353
PUBLIC ACCESS AND UTILITY EASEMENT.

POB
-SEE DETAIL

LOT 2312
SOLDADO PAMBILINAN TAITANO
DOC.No. 100179

T DOLOR



SZC NUMBER: 93-039

DEPARTMENT OF LAND MANAGEMENT
DIVISION OF LAND PLANNING
SUMMARY ZONE CHANGE SECTION
FIELD INSPECTION REPORT FORM

Inspecting Planner(s): PENNER GULAC

Inspection Date: 7-14-93

Applicant Name: ROBERT L. G. CRUZ

Contact No.: 477-9858 / 59 | 734-5226

Representative: _____

Lot Number: 3 (2311-3) Block Number: - Tract: 1942

Municipality: MANGILAD

Location: SEE MAP / SKETCH

Location of Project (see sketch map back page): ATTACHED

Description of Project: TO COMPLETE PROPOSED SECOND FLOOR
ADDITION AS A SEPARATE DWELLING UNIT / SECURE ADDITIONAL
POWER METER

Findings: EXISTING CONCRETE SINGLE FAMILY DWELLING.
WATER, POWER & TELEPHONE AVAILABLE. SEWER NOT
AVAILABLE. AS PER CONVERSATION WITH OWNER, GEPA HAS
APPROVED HIS CONSTRUCTION PLANS FOR SECOND FLOOR WITH SEPTIC/
LEACHING FIELD WASTEWATER SYSTEM. RESIDENCE IS ACCESSIBLE
FROM RTE 10, WEST ON COTALL STREET.

Surrounding Land Use: WITHIN 150-500 FOOT RADII
SINGLE FAMILY DWELLINGS. THERE IS INCREASED
DEVELOPMENT WITHIN THE 500 FOOT RADIUS.

IMPORTANT: Applicant must call 475-5246 to confirm inspection date. On your inspection you must arrange to meet staff to ensure location is found and described.

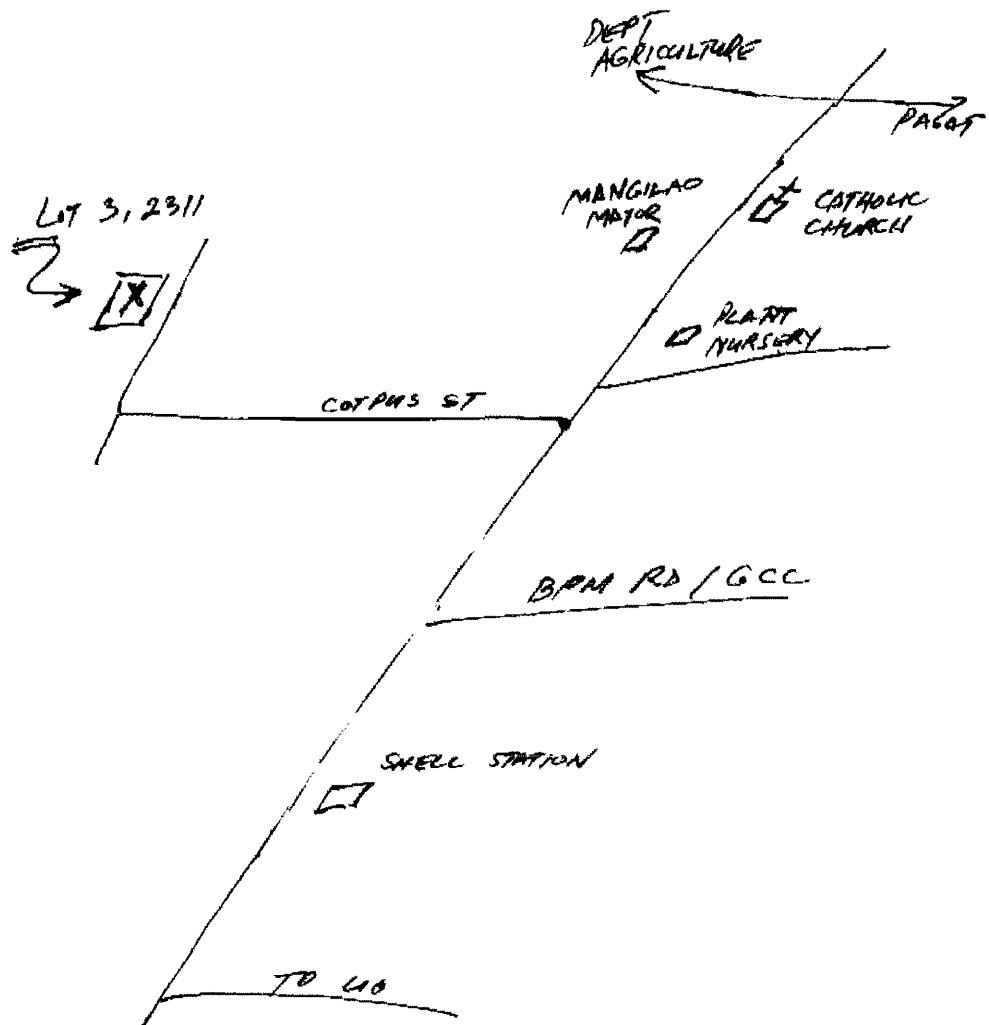
SZC 93-039
ATTACHMENT TO
INSPECTION REPORT
FORM

• INSPECTION DATE
OF 7-14-93

LOT 3, 2311, TRACT 1842

NORTH ↗

501238



FRED M. CASTRO
Administrator

JCANNE M. BROWN
Deputy Administrator

**GUAM ENVIRONMENTAL
PROTECTION AGENCY**



D-107 HARMON PLAZA, 130 ROJAS ST., HARMON, GUAM 96911 TEL. NO. 646-8863 5 FAX: 646-9402
AHENSIAN PRUTEKSION LINA'LA GUAHAN

INTER-AGENCY MEMORANDUM

JUN 21 1993

TO: Director, Department of Land Management *OL/OSM 1045*
ATTN: SZC Project Planner RECEIVED JUN 25 1993
FROM: Administrator
SUBJECT: Lot 3 2311, Tract 1942, Barrigada (Robert L.G. Cruz)
Infrastructure Certification and Agency Position in
Accordance with P.L. 21-82 and E.O. 92-08, Summary Zone
Change (SZC) 93-039.

The Agency has reviewed the subject application request for a zone change from "R-1" (Single Family Dwelling) to "R-2" (Multi-Family Dwelling) zone in order to construct a duplex. The total lot area is 11,303 square feet and maximum density at the proposed zoning category would be nine (9) dwelling units with the availability of sewer and adequate water supply.

Agency Certification of Infrastructure:

The Agency certifies that public sewer is not available at this location. Public water is available however, the supply is not adequate for "R-2" zoning. An Environmental Impact Assessment (EIA) is not required for the application request.

The Agency position follows:

Guam EPA recommends that the zone change request be disapproved for the following reasons:

1. Public sewer is not available. Because the lot is only 1/4 acre in size, it would not be feasible to construct an Individual Wastewater Disposal System (IWDS) or septic/leaching field system for 9 units.
2. The lot is also limited to 11,303 square feet due to a double front yard configuration. Development of the duplex or any other dwelling units as illustrated in the application would require a setback variance approval.



SZC 93-039, page 2.

3. A zone change request is not appropriate in this case because the applicant only requires approval for a duplex in an R-1 zone. This request is more appropriately qualified for conditional use permit issuance via the Territorial Land Use Commission (TLUC).

Thank you for the opportunity to comment.



Fred M. Castro

501238

John

*Public Use
7/8/93*



PUBLIC UTILITY AGENCY OF GUAM

Government of Guam
Post Office Box 3010, Agaña, Guam 96910
Phone: (671) 646-8891-6 / 649-7824
Fax: (671) 649-0158

RECEIVED
6/22/93

JUN 22 1993

*8:55 am
D.M.-DLP-ABS*

MEMORANDUM

TO: Director, Department of Land Management **501238**

FROM: Chief Officer

SUBJECT: Certification of the Public Utility Agency of Guam in accordance with P.L. 21-82:4 and Executive Order No. 92-08, Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes.

Applicant: Robert L.G. Cruz

Application Number: SZC 93-039

Parcel: Lot No. 3, Tract 1942 (formerly 2311), Barrigada

This is to certify that there is an existing 6-inch public water line in the area; however, there is no public sewer. The applicant will have to obtain the Guam Environmental Protection Agency's (GEPA's) approval for a septic tank-leaching field.

Please call me if you have any questions.

Joseph F. Mesa
JOSEPH F. MESA



GÖVERNOR JOSEPH F. ADA
LT. GOVERNOR FRANK F. BLA...



JUN 28 1993

*revised by sec
7/8/93*

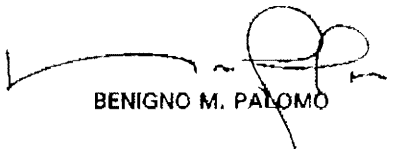


MEMORANDUM

To: Director, Department of Land Management
From: Director, Department of Public Works
Subject: Lot No. 3, Tract 1942, Mangilao (Robert L.G. Cruz)
Request: Zone Change (R-1 to R-2; P.L. 21-82/Sec. 4)
Application No.: **SZC #93-039**

Based on the available Flood Insurance Rate Map published by Federal Emergency Management Agency (FEMA) shown on Panel 75 of 125, the subject lot is not within a floodplain as designated.

If Zone Change has been approved, please inform applicant that detailed engineering plans, specifications and calculations must be submitted when applying for a building permit. The Department of Public Works may require additional information.


BENIGNO M. PALOMO



GUAM POWER AUTHORITY

ATURIDAT ILEKTRESEDAT GUAHAN
P.O. BOX 2977, AGANA, GUAM, USA 96910-2977

7/8/78

RECEIVED JUN 16 1993

June 8, 1993

MEMORANDUM

To: Director, Department of Land Management

From: General Manager

Subject: Certification of Public Utility Agencies in accordance with P.L. 21-82:4, and Rules and Regulations

Applicant: Robert L.G. Cruz

Parcel: Lot 3, Tract 1942, Mangilao
Municipality of Barrigada, Guam

Application No.: SZC 93-039

501238

This is to certify that a public electrical power system is available and is adequate to serve the proposed development. Furthermore, the proposed development will not adversely impact existing power infrastructure or the Authority's ability to provide basic services.

Public power is available within 100 feet of the subject lot.

John M. Benavente
JOHN M. BENAVENTE

VKZ/ad



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977, AGANA, GUAM, USA 96910-2977

June 8, 1993

June 7/8/93
RECEIVED JUN 16 1993

MEMORANDUM

To: Chairman, Territorial Land Use Commission

From: General Manager

Subject: Lot 3, Tract 1942, Mangilao, Municipality of Barrigada, Guam (Robert L.G. Cruz); Summary Zone Change from "R-1" (Single Family Dwelling) to "R-2" (Multi-Family Dwelling) to construct a second story addition to the existing structure.
Application No. : SZC 93-039

We have reviewed the application described above and submit the following statements:

A. Comments and Recommendation Concerning GPA requirements:

1. GPA has no objections, however customer is required to comply with the following.
 - Coordinate underground power facilities with GPA Engineering for new structures
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code
 - Maintain adequate clearance between any structures and electric utility easements
 - Secure electric utility easements required
 - Provide scheduling and magnitude of project power demand requirements for new loads
2. Primary distribution line extensions must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
3. A "fair share" assessment for power generation, transmission and/or substation facilities may be required.

B. General Comments

GPA has no objection to the request cited above.

John M. Benavente
JOHN M. BENAVENTE

VKZ/ad



DEPARTMENT OF LAND MANAGEMENT
(DIPATTAMENTON TANO)
P.O. Box 2950, Agana, Guam 96910
GOVERNMENT OF GUAM
AGANA, GUAM 96910
Tel: (671) 475-LAND * FAX: (671) 475-0883

August 6, 1993

LOT

Dear Sir/Madam:

An application has been filed with the Department of Land Management, Division of Land Planning by:

Robert L.G. Cruz, Lot 3, Tract 1942, Municipality of Mangilao, for a Zone Change from "R-1" (Single Family Dwelling) to "R-2" (Multi Family Dwelling) zone in order to construct a duplex. Application No. SZC93-039

For any ***Zone Change*** application, the Zoning Law mandates that a public hearing be conducted in the Municipality where the property is located. Accordingly, a public hearing on this application is scheduled to be held:

PLACE: ***Mangilao Mayor's Office***
DATE: ***September 27, 1993, Monday***
TIME: ***6:30 p.m.***

As a property owner identified within 500 feet of this proposed development, we invite you to attend this Public Hearing and participate in the decision-making process on this application. If you are unable to attend the Public Hearing, please submit written comments to our office on or before ***September 24, 1993, Friday***. Written comments should be addressed to:

Department of Land Management
Land Planning Division
P O Box 2950
Agana, Guam 96910



DEPARTMENT OF LAND MANAGEMENT
 (DIPATTAMENTON TANO)
 P.O. Box 2950, Agaña, Guam 96910
 GOVERNMENT OF GUAM
 AGAÑA, GUAM 96910
 Tel: (671) 475-LAND * FAX: (671) 475-0883

August 6, 1993

Honorable Nito Blas
 Mayor of Mangilao
 c/o Mayor's Planning Council

Dear Mayor:

An application has been filed with the Department of Land Management, Division of Land Planning by:

*Robert L.G. Cruz, Lot 3, Tract 1942, Municipality of Mangilao,
 Application No. SZC93-039*

for a **Zone Change** from "R-1" (Single Family Dwelling) to "R-2" (Multi Family Dwelling) zone in order to construct a duplex.

Any **Zone Change** request(s) that may have adverse affects in the public's interest, a public hearing shall be conducted in the municipality where the subject lot is located as mandated by Zoning Law. Accordingly, we would like to schedule this public hearing to be held at your office on **Monday, September 27, 1993 at 6:30 p.m.**

To ensure that our recommendation is consistent with the desire of your community, we request that your Municipal Planning Council submit a Resolution stating its' position (i.e., support, object, concerns, conditions, etc...) on the Zone Change. The Resolution should be transmitted within 14 calendar days of the public hearing. Please fax at (472-9539) to Summary Zone Change Section, Division of Land Planning.

Please confirm the time, date and place requested. Thank you.

Si Yu'os Ma'ase,

Frank P. Taitano
 FRANK P. TAITANO
 Territorial Planner, Acting

Received
 By: *[Signature]*
 Date: *8/19/93*

Attachment:
 Application Packet

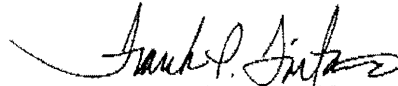
August 6, 1993
Public Hearing Notice for Residents
Robert L.G. Cruz - Application No. SZC93-039
Page 2

Should the public hearing be canceled due to unforeseen circumstances beyond our control, please consult with the village mayor's office.

You may view the development application at our office or your Mayor's Office.

Thank you for your interest.

Sincerely yours,



FRANK P. TAITANO
Territorial Planner
Acting

DEPARTMENT OF LAND MANAGEMENT - LAND PLANNING DIVISION
PUBLIC HEARING ATTENDANCE SHEET

PLACE: MANGILAO MAYOR'S OFFICE
 DATE: 9-27-93 TIME: 6:30 P.M.
 APPLICATION TYPE: ZONE CHANGE
 DESCRIPTION: ZONE CHANGE FROM R-1 TO R-2
 APPLICANT: ROBERT L.G. CRUZ LOT #: 3, 11942

PRINT NAME	MAILING ADDRESS/LOT #	TELEPHONE
1 <u>PENY DUNIGA</u>	<u>LAND. MGMT.</u>	<u>475-5224</u>
2 <u>Teresita A. Guendara</u>	<u>Mangilao Adj. owner</u>	<u>477-4246</u>
3 <u>Robert Cruz</u>	<u>Mangilao</u>	<u>734 5226</u>
4 <u>Joseph A. Deville</u>	<u>Mangilao</u>	<u>734-1119</u>
5 <u>WALTER C. BAYAN</u>	<u>MAYOR</u>	<u>734-2163</u>
6		
7		<u>501238</u>
8		
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16		
17		
18		
19		
20		

PUBLIC HEARING MINUTES

MANGILAO MAYOR'S OFFICE
(Place)

9-27-93
(Date)

Request. Check Applicable

- Zone Change RL - R2
- Zone Variance _____
- Seasonal Clearance _____
- Subdivision _____
- Conditional Use _____
- Hotel Zone Conditional Use _____
- Wetland and Flood Hazards _____
- Other _____

Request Note: SZC 93-039

Lot No. LOT 3, TRACT 1942 Municipality MANGILAO

Staff Present: 1) FELIX DUNGCA
2) _____
3) _____

Meeting Called to Order: 6:30 PM Dismissed: 8: PM

I. Staff Representative F. DUNGCA explained the purpose of doing the necessity of the Public Hearing as required by law for a "see above" the advantages and disadvantages possible and how to will affect the adjacent lot owners, if approved, and the procedure for the Hearing.

II. Applicant, ROBERT L.G. CRUZ explained the purpose of his/her request: _____

III. Question and Answer Session:

- | | |
|---|---|
| <p>1. A. Name of Attendant:
<u>TERESITA GUERAYO</u></p> <p>C. Name of Staff:
<u>F. DUNGCA</u></p> | <p>B. Question: <u>STATUS OF AVAILABILITY OF SCHOOL IN THE AREA</u></p> <p>D. Answer: <u>(MAYOR BLAS MENTIONED THAT PUAL HAS IT ON THEIR PLANS)</u></p> |
| 2. A. Name of Attendant: _____ | B. Question: _____ |
| C. Name of Staff: _____ | D. Answer: _____ |
| 3. A. Name of Attendant: _____ | B. Question: _____ |
| C. Name of Staff: _____ | D. Answer: _____ |
| 4. A. Name of Attendant: _____ | B. Question: _____ |
| C. Name of Staff: _____ | D. Answer: _____ |
| 5. A. Name of Attendant: _____ | B. Question: _____ |
| C. Name of Staff: _____ | D. Answer: _____ |
| 6. A. Name of Staff: _____ | B. Question: _____ |
| C. Name of Staff: _____ | D. Answer: _____ |

ENCLOSURE 93-039

COPY

DEPARTMENT OF LAND MANAGEMENT
PUBLIC HEARING NOTICE
ZONE CHANGE (P.L. 21-82:4)

September 27, 1993
6:30 pm Monday
Mangilao
Mayor's Office

Robert L.G. Cruz, Lot 3, Tract 1942, Municipality of Mangilao, for a *Zone Change* from "R-1" (Single Family Dwelling) to "R-2" (Multi Family Dwelling) zone in order to construct a duplex. Application No. SZC93-039

September 28, 1993
6:30 pm Tuesday
Dededo
Mayor's Office

Catherine C. Torres, Lot 3, Block 17, Municipality of Dededo, for a *Zone Change* from "R-1" (Single Family Dwelling) to "R-2" (Multi Family Dwelling) zone in order to construct a 4-unit apartment building. Application No. SZC93-041

80/12/11 2:50
RECEIVED SEP 10 1993

MANGILAO MUNICIPAL PLANNING COUNCIL
GOVERNMENT OF GUAM
MANGILAO, GUAM 96910

ENC 522 93-039

RESOLUTION NO. 93-11

A resolution for a Zone Change from "R-1"
(Single Family Dwelling) to "R-2"
(Multi Family Dwelling) zone
in order to add additional floor on top of
the existing 2-bedroom house
on Lot #3 Tract 1942, Municipality of Mangilao.

WHEREAS, the Mangilao Municipal Planning Council is vested with the responsibility of assisting with the governance aspects of the village affairs; and

WHEREAS, the family of Mr. Robert L.G. Cruz is growing and the need to expand his house in order to accommodate his family; and

WHEREAS, the Municipal Planning Council is keenly aware of the need to set and provide orderly development within the village proper; and

WHEREAS, Mr. Robert L.G. Cruz has filed an application for a Zone Change from "R-1" to "R-2" zone in order to construct 2 additional rooms on top of the existing house on Lot #3 Tract 1942; and

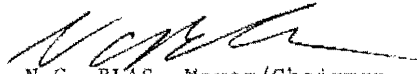
WHEREAS, Mr. Robert L.G. Cruz desire to apply for a separate utility meter to provide the additional structure; and

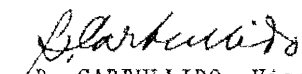
WHEREAS, Public Law 20-217 requires that all zone changes must be approved by the Municipal Planning Council of the affected village; and

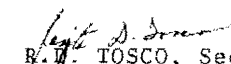
NOW, THEREFORE, BE IT RESOLVED THAT THE MUNICIPAL PLANNING COUNCIL AND THE MAYOR OF THE VILLAGE OF MANGILAO do hereby approve the Zone Change from "R-1" to "R-2" in order to construct 2 additional rooms on top of the existing house on Lot #3 Tract 1942, on the condition that adequate infrastructure is met; and


BE IT FURTHER RESOLVED that the Municipal Planning Council shall send copies of this resolution to the Governor of Guam, the Territorial Land Use Commission, the Guam Legislature, Mr. Robert L.G. Cruz and the Chief Planner of the Department of Land Management.

DULY ADOPTED THIS 3rd DAY OF SEPTEMBER, 1993, AT MANGILAO, GUAM 96923.


N.C. BLAS, Mayor/Chairman

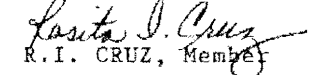

B. CARBULLIDO, Vice Chairman

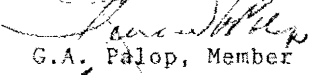

R.I. TOSCO, Secretary


J.D. ROBERTO, Treasurer


A.F. CAMPOS, Member


N.D. FRANCISCO, Member


R.I. CRUZ, Member


G.A. Palop, Member

J.M. DEVILLE, Member


F.W. MENDIOLA, Member


A.E.G. SALAS, Member

J.G. CONCEPCION, Member



OFFICE OF BUILDING PERMITS & INSPECTION

TERRITORY OF GUAM BUILDING PERMIT

DATE December 11, 1992 PERMIT NO. 17674

Applicant ROBERT L.G. CRUZ Address P.O. BOX 4190, AGANA, GUAM 96910 SELF
(No.) (Street) (Contractor's License)

Permit To ADD () Story RESIDENTIAL Number of Dwelling Units _____
(Type of Improvement) No. (Proposed Use)

At (Location) MANGILAO Zoning District _____
(No.)

Between _____ And _____
(Cross Street) (Cross Street)

Tract No. 1942 Lot 3 Block _____
42'8" Ft. Wide By 49'4" Ft. Long By 16 Ft. In Height And Shall Conform In Construction

To Type II Use Group R-3 Basement Walls Or Foundation CONCRETE

Remarks CHANGE OF CONTRACTOR FROM LLAMADO CONSTRUCTION TO SELF CONSTRUCTION.

Area or Volume 3872.29 Estimated Cost \$ _____ Permit Fee \$20.00

Owner CRUZ, M/M ROBERT L.G.
P.O. BOX 4190
AGANA, GUAM 96910 Building Official _____
 DIRECTOR OF PUBLIC WORKS

DEPARTMENT OF LAND MANAGEMENT
LAND USE PROPERTY RESEARCH ADMINISTRATION (LUPRA)

Scheduled Public Hearing Date: 27 SEPT 93 Total No. of Property Owners: _____
Application No. 93-039 57C Total No. Hand-Delivered: _____
Lot No. 3 TRACT 1942 Total No. Sent Certified Mail: _____
Municipality of MANGILAO Total No. without Address(es): _____

Researched by: WILLIE MCGEATHEY Date: 13 AUG 93

LANDOWNERS

(Note: Your signature is only to acknowledge receipt of Notice.)

Lot 1 Block _____
Tract 1942 Signature [Signature]
Owner JESSIE T./CARMEN L. FLORES
Address 284 CHALAN CANTON TITUAN
SW

Lot 2 Block _____
Tract 1942 Signature _____
Owner THOMAS C. PANGELINAN
Address _____

Lot 4 Block _____
Tract 1942 Signature [Signature]
Owner JOSE L G/ SOLEDAD P. TAITANO
Address _____

Lot 5 Block _____
Tract 1942 Signature [Signature]
Owner JAMES A L G/ LINDA R M CRUZ
Address _____

Lot 2308 Block _____
Tract _____ Signature [Signature]
Owner RAFAEL CHARGUALAP
Address _____

Lot 2310 Block _____
Tract _____ Signature [Signature]
Owner FRANK T. CHARGUALAP
Address _____

Lot 2311-1 Block _____
Tract _____ Signature _____
Owner PACIFIC SANKO INC
Address 472 2693

Lot 2311-2 Block _____
Tract _____ Signature [Signature]
Owner GRACE T. RUSSELL
Address _____

Lot 2311-4 Block _____
Tract _____ Signature _____
Owner BRUCE G. KAROLLE
Address _____

Lot 2311-5 Block _____
Tract _____ Signature [Signature]
Owner PHILIP U. ENCINA
Address _____

Lot 2312-1 Block _____
Tract _____ Signature [Signature]
Owner MANUEL P. TAITANO
Address _____

Lot 2312-R1 Block _____
Tract _____ Signature [Signature]
Owner SOLEDAD P. TAITANO
Address _____

Lot 2313-R1 Block _____
Tract _____ Signature [Signature]
Owner JOSEPHINE C./ WILLIAM P. HARA
Address _____

Lot 2315-1 Block _____
Tract _____ Signature [Signature]
Owner MARK G./ ESPER M. CEPEDA
Address _____

Application No. 93-39

Lot No. 3 TRACT 1942

LANDOWNERS (continued)

(Note: Your signature is only to acknowledge receipt of Notice.)

Lot 2315-2 NEW-1 Block _____
Tract _____ Signature [Signature]
Owner FRANK/ANNIE GUEVARA
Address 149 TAMBIO ST ORDOT
ITC OLL

Lot 2315-2NEW-2 Block _____
Tract _____ Signature [Signature]
Owner ANTONIO/TRINIDAD GUEVARA
Address 156 JUDGE SABLAN ORDOT

Lot 2315-2NEW-R2 Block _____
Tract _____ Signature [Signature]
Owner JOSEPH D. GUEVARA SR.
ISABEL J. GUEVARA-JANET GUEVARA
Address JEFFREY G. GUEVARA-JERRY G. GUEVARA
JOSEPH D. GUEVARA JR.

Lot 2315-4 Block _____
Tract _____ Signature _____
Owner JOHNNY C. GUEVARA
Address _____

Lot 2315-5 Block _____
Tract _____ Signature _____
Owner JOVITA G./JOSE M. MANIBUSAN
Address _____

Lot 2315-6 2410-2 Block _____
Tract _____ Signature _____
Owner GIL T. GUEVARA
Address _____

Lot 2315-7 Block _____
Tract _____ Signature [Signature]
Owner JESUS T./DOLORES Q. GUEVARA
Address _____

Lot 2315-R7 Block _____
Tract _____ Signature _____
Owner REMEDIOS T. CRUZ
Address _____

Lot 2318A-2 Block _____
Tract _____ Signature [Signature]
Owner CARLOS A. SHODA
Address _____

Lot 2318A-3 Block _____
Tract _____ Signature [Signature]
Owner NANCY AGUON PANGELINAN
Address _____

Lot 2318A-4 Block _____
Tract _____ Signature _____
Owner REMEDIOS Q. RAPOLLA
Address _____

Lot 3218A-5 Block _____
Tract _____ Signature [Signature]
Owner JULIE J. PANGELINAN
Address _____

Lot 2318A-6 Block _____
Tract _____ Signature [Signature]
Owner FRANCISCO T. PANGELINAN
Address _____

Lot 2318A-7-2 Block _____
Tract _____ Signature [Signature]
Owner MARISSA O. LACHOWICZ
Address CHRISTINE MARIE PANGELINAN

Lot 2318A-7-R2 Block _____
Tract _____ Signature [Signature]
Owner MARISSA O. LACHOWICZ
GREGORY GLEN PANGELINAN
Address _____

Lot 3218A-9-5 Block _____
Tract _____ Signature _____
Owner ROY S N/MELANIE M. AGUON
Address _____

Tract _____ Signature _____
Owner _____
Address _____

Tract _____ Signature _____
Owner _____
Address _____

Lot 2318-9-6 _____ Block _____
Tract _____ Signature *[Handwritten Signature]*
Owner PAUL S N/SONIA AGUON
Address _____

Lot 2318A-9-R6 _____ Block _____
Tract _____ Signature *[Handwritten Signature]*
Owner JOSE G. MAPNAS
Address _____

Lot 2409 _____ Block _____
Tract _____ Signature _____
Owner TERESITA AGUON GUERRERO
Address _____

Lot 2410-1, 2410-4 _____ Block _____
Tract _____ Signature _____
Owner CARLOS M. TENORIO et al
Address _____

Lot 2410-3 _____ Block _____
Tract _____ Signature _____
Owner AMELIA ANTOLIN SALAS
Address _____

Lot _____ Block _____
Tract _____ Signature _____
Owner _____
Address _____

Lot _____ Block _____
Tract _____ Signature _____
Owner _____
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Address _____

Lot _____ Block _____
Tract _____ Signature _____
Owner _____
Address _____

Lot _____ Block _____
Tract _____ Signature _____
Owner _____
Address _____

SZC 93-039

CRUZ, ROBERT LG.

Summary Zone Change Recording Procedures

1. ~~Take all copies to DPW Director office, have them stamp all copies on top left corner. Leave "DPW Copy #1" with them.~~
2. ~~Go to Building Permit. Have either Jesus Ninete, Eddie Borja or Paul Reyes sign all copies on space entitled "Building Official". Also they must date/time each copy. Leave "DPW Copy #2" with them.~~
3. ~~Go to Senator Pilar Lujan's Office with remaining copies. Have Marty Cruz or a staff member sign all copies on section entitled "Legislative Secretary". Also date/time. Leave:

 - a. Legislative Original #1
 - b. Legislative Copy #2
 - c. Legislative Copy #3... with them~~

was not provided w/ package
ALB

4. Return all remaining copies to Department of Land Management, Summary Zone Change Section... for now.

~~DO NOT RECORD YET!~~



5. On day #46 after filing with Legislature take the remaining 3 copies from Summary Zone Change Section Master File and record at Office of the Territorial Recorder.

FILED 11/3/93 ** End of Process **
RECORD 01/03/94



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
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Dennis G. Rodriguez, Jr.
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Vice-Speaker
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Legislative Secretary
Tina Rose Muña Barnes
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Senator
Frank Blas Aguon, Jr.
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Senator
Michael F.Q. San Nicolas
Member

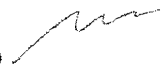
Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

April 12, 2013

Memorandum

To: **Rennae Meno**
Clerk of the Legislature

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

Subject: **Fiscal Notes**

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:

Bill Nos.: 15-32 (COR), 25-32 (COR), 68-32 (COR), and 71-32 (COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2013 APR 12 PM 4:45
Rennae

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 15-32 (COR)**

AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE-FAMILY DWELLING (R-2).

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Public Works	Dept./Agency Head: Carl V. Dominguez, Director
Department's General Fund (GF) appropriation(s) to date:	9,774,266
Department's Other Fund (Specify) appropriation(s) to date: Building and Design Fund & Guam Highway Fund	9,160,273
Total Department/Agency Appropriation(s) to date:	\$18,934,479

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Revenue and Taxation	Dept./Agency Head: Benedict Atoigue, Director
Department's General Fund (GF) appropriation(s) to date:	9,164,188
Department's Other Fund (Specify) appropriation(s) to date: Better Public Service Fund & Tax Collection Enhancement Fund	2,877,271
Total Department/Agency Appropriation(s) to date:	\$11,241,451

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance ¹		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

- 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? /X/ Yes // No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes // No
// Requested agency comments not received as of the due date // Other:

Analyst: Jason W. Bazz, BMA I Date: 4/1/13 Director: John A. Ries, Director APR 10 2013

Footnotes:
1/ See attached comments.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 15-32 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
DPW Building and Design Fund	\$500	\$0	\$0	\$0	\$0
Territorial Education Facilities Fund	<u>\$547</u>	<u>\$547</u>	<u>\$547</u>	<u>\$547</u>	<u>\$547</u>
Total	\$1,047	\$547	\$547	\$547	\$547

Comments:

1/ This proposed legislation is aimed at enabling Mr. Robert Cruz, property owner of Lot No. 3 Tract 1942 and a licensed general contractor, to build a second-story on his existing single-story home. However, the potential second-story of his existing single-story home is in violation with the conforming zoning status, as the Department of Land Management (DLM) disapproved a Summary Zone Change Request submitted by Mr. Cruz based on agency responses from the Guam Environmental Protection Agency (GEPA) and Guam Waterworks Authority (GWA). Both agencies indicated that neither public sewer nor water was adequately available to support the requested change of zone. Should the zoning be changed from single family dwelling (R-1) to multiple family dwelling (R-2) through legislation, the Bureau recognizes that revenues will be generated through building permits and real property taxes. Assuming that the second-story addition is the same amount of space as the existing first-story (1,050 sq. ft.), the Department of Public Works anticipates \$500 of revenues generated in the form of a building permit. This is the lowest estimated cost for the required building permit assuming the second-story addition is 1,050 square feet. If the second-story is built into the existing first-story (1,050 sq. ft.), the appraised value for his house will go from \$57,427 to \$114,854. This would impose a building tax rate (0.00388) of \$446.55 and a land tax rate (0.000875033) of \$100.50. With the given information, the Bureau estimates that \$547.05 will be received by the Department of Revenue and Taxation in additional real property taxes.



COMMITTEE ON RULES

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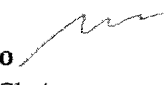
Senator
Aline Yamashita
Member

January 14, 2013

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Majority Leader & Rules Chair

Subject: **Referral of Bill No. 15-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 15-32(COR).

Please ensure that the subject bill is 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 Dos na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
15-32 (COR)	T.R. Muna Barnes	AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE-FAMILY DWELLING (R-2)	1/14/2013	1/14/2013		Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land;			



Public Hearing - First Notice

Lisa Dames <cipo@guamlegislature.org>
 To: PHrg Notice <phnotice@guamlegislature.org>

Tue, May 7, 2013 at 3:47 PM

See corrected date.

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Tuesday, May **14**, 2013 beginning at 2:00 pm in the Guam Legislature Public Hearing room. To review the bills, on the attached agenda please move your cursor over the bill number. The following is on the agenda.

Para Komfitmasion:

(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:

(Bills)

Bill No. 15-32 (COR) – Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

Bill No. 92-32 (COR) – Introduced by Senator Michael Limtiaco: An Act to Add a New Sub-Item (1) to 21 GCA §61103(q), Relative to Defining a Bed and Breakfast; to Amend 21 GCA §61305, 21 GCA §61306, and 21 GCA §61307, Relative to Adding a Bed and Breakfast to the list of Uses Permitted and Conditional Uses allowed in an R1, R2 and Commercial Zone.

Bill No. 55-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. 1NEW-1, Block No. 2, Tract 1427 located in the Municipalities of Barrigada and Dededo from the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 104-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No 7, NEW, Block No. 1, Tract 1427 Located in the Municipalities of Tamuning, Tiyan From the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 89-32 (COR) – Introduced by Senator Michael San Nicolas: An Act to Add a New Article 17 to Chapter 22, Title 5, Guam Code Annotated, Relative to the Responsible Reserve Fund.

Bill No. 100-32 (LS) – Introduced by Speaker Judith Won Pat: An Act to Add a New Item (e) to §21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, Relative to Requiring the

Deposit of Unclaimed or Unpaid Tax Refund Checks into the Income Tax Refund Reserve Fund.

Bill No. 95-32 (COR) – Introduced by Speaker Judith T. Won Pat: An Act to appropriate the sum of Three Million One Hundred Thousand Dollars (\$3,100,000.00) Escheated to the General Fund, pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the Purpose of Supporting Unfunded Government of Guam obligations.

Bill No. 97-32 (LS) – Introduced by Senator Dennis Rodriguez: An Act to appropriate Available Funds from the Guam/Territorial Highway Fund to Designate and Prioritize Certain Capital Improvement Projects, Purchase Heavy Equipment Needed by the Department of Public Works for Flood Mitigation and Fund the Department of Revenue and Taxation's Transaction Processing System.

Bill No. 79-32 (COR) – Introduced by Speaker Judith Won Pat: An Act to Amend §106119(K) of Chapter 106, Title 11, Guam Code Annotated, Relative to Authorizing the Transfer of Dormant and Unclaimed Bank Account Funds from the Treasurer of Guam to the Guam Housing Corporation's Housing Trust Fund.

Yanggen un nisisita spesiát na setbisio put fabot ágang i ifisinin Senadot ben pangelinan gi 473- Yanggen un nisisita spesiát na setbisio, put fabot ágang i ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hálom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'hálom testigu-mu, chule' para i ifisinin-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kwatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi office@senbenp.com Este na nutisiu inapási nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at 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 office @senbenp.com

[Quoted text hidden]



Office of

the People


I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

May 7, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – FIRST NOTICE

Chairman
Committee on Appropriations,
Public Debt, Legal Affairs,
Retirement, Public Parks,
Recreation, Historic Preservation
and Land

Member
Committee on Education,
Public Libraries
and Women's Affairs

Member
Committee on General
Government Operations and
Cultural Affairs

Member
Committee on Municipal
Affairs, Tourism, Housing and
Hagåtña Restoration and
Development Authority

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

Member
Committee on Aviation, Ground
Transportation, Regulatory
Concerns and Future
Generations

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **2:00m on Tuesday, May 14, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Para Komfirmasion:
(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:
(Bills)

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Memo to Senators
May 14, 2013
Page 2

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Yanggen un nisisita espesiât na setbision put fabot âgang i Ifisinin Senadot ben pangelinan gi 473-4236/7. Yanggen un nisisita espesiât na setbision, put fabot âgang i Ifisinin 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 Guåhan gi www.guamlegislature.com Yanggen para un na'hâlom testigu-mu, chule' para i ifisinin-mâmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuantton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi office@senbenp.com Este na nutisio inapâsi nu i fendon gubetnamento.

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - First Notice

Lisa Dames <cipo@guamlegislature.org>

Tue, May 7, 2013 at 3:22 PM

To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, Jon Anderson <editor@mvguam.com>, joy@mvguam.com, louella@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, Oyaol Ngirairiki <odngirairiki@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Tuesday, May 7, 2013 beginning at 2:00 pm in the Guam Legislature Public Hearing room. To review the bill number, please move your cursor over the bill number. The following is on the agenda.

Para Komfitmasion:

(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:

(Bills)

Bill No. 15-32 (COR) – Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

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Lisa Dames

Chief of Staff

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN

Senator Vicente (ben) Cabrera Pangelinan


Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land.

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As of April 23, 2013

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As of April 23, 2013**

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I Mina'trentai Dos na Liheslaturan Guáhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs,
Retirement, Public Parks, Recreation, Historic
Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

*gi Måttes, gi diha 14 gi Måyu, 2013
Tuesday, May 14, 2013*

*Kuáston Inekungok Pubbleko gi I Liheslaturan Guáhan
(Guam Legislature Public Hearing Room)*

*alas dos gi despues di talo'ani
(2:00 PM)*

**TAREHA
(AGENDA)**

**Para Konfirmasion:
(Confirmation Hearing)**

Mr. John Z. Arroyo, Member, Guam Land Use Commission

**Prinsipal Síha
(Bills)**

Bill No. 15-32 (COR) - Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

Bill No. 82-32 (COR) - Introduced by Senator Michael Limbaco: An Act to Add a New Sub-Item (1) to 21 GCA §6116(a), Relative to Defining a Bed and Breakfast; to Amend 21 GCA §61305, 21 GCA §61306 and 21 GCA §61307, Relative to Adding a Bed and Breakfast to the list of Uses Permitted and Conditional Uses allowed in an R1, R2 and Commercial Zone.

Bill No. 55-32 (COR) - Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. 1NEW-1, Block No. 2, Tract 1427 located in the Municipalities of Barrigada and Gedede from the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 104-32 (COR) - Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. 7, NEW, Block No. 1, Tract 1427 Located in the Municipalities of Tamuning, Tayan From the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 89-32 (COR) - Introduced by Speaker Michael San Nicolas: An Act to Add a New Article 17 to Chapter 22, Title 5, Guam Code Annotated, Relative to the Responsible Reserve Fund.

Bill No. 100-32 (L.S.) - Introduced by Speaker Judith Won Pat: An Act to Add a New Item (e) to §21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, Relative to Requiring the Deposit of Unclaimed or Unpaid Tax Refund Checks into the Income Tax Refund Reserve Fund.

Bill No. 95-32 (COR) - Introduced by Speaker Judith T. Won Pat: An Act to appropriate the sum of Three Million One Hundred Thousand Dollars (\$3,100,000.00) Escheated to the General Fund, pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the Purpose of Supporting Unfunded Government of Guam obligations.

Bill No. 87-32 (L.S.) - Introduced by Senator Dennis Rodriguez: An Act to appropriate Available Funds from the Guam/Territorial Highway Fund to Designate and Prioritize Certain Capital Improvement Projects, Purchase Heavy Equipment Needed by the Department of Public Works for Flood Mitigation and Fund the Department of Revenue and Taxation's Transaction Processing System.

Bill No. 79-32 (COR) - Introduced by Speaker Judith Won Pat: An Act to Amend §106119(K) of Chapter 106, Title 41, Guam Code Annotated, Relative to Authorizing the Transfer of Dormant and Unclaimed Bank Account Funds from the Treasurer of Guam to the Guam Housing Corporation's Housing Trust Fund.

*Sanpinen on asistida requesta, na se abito put labol Agang / Ilistran Senado ben pangelinan gi 473-
Eangpin on asistida requesta na se abito put labol Agang / Ilistran Senado Vicente (ben) Cabrera
Pangelinan gi 473-42067. Koligam na masista koligam / prinsipal síha ginen este na tareha, ad 5:00 pm gi
mapalil (Liheslaturan Guáhan) gi <http://www.guamlegislature.com/>*

*If you require any special accommodations, auxiliary aids or other special services or for further information
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Responses may be submitted directly to our office at 324 West Spanish Avenue in Hagåtña or at the Staff
Room of the Guam Legislature via fax at 473-42067 or via email at legis@guamlegislature.com*



1 Muna treto: Desna Liheslaturan Guahan
22nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement,
Public Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

**gi Måttes, gi día 14 gi Måyu, 2013
Tuesday, May 14, 2013**

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

**alas dos gi despues di talo'ani
(2:00 PM)**

**TAREHA
(AGENDA)**

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Lisa Dames <cipo@guamlegislature.org>

PUBLIC HEARING - SECOND NOTICE

Lisa Dames <cipo@guamlegislature.org>
To: PHrg Notice <phnotice@guamlegislature.org>

Fri, May 10, 2013 at 2:12 PM

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Tuesday, May 7, 2013 beginning at 2:00 pm in the Guam Legislature Public Hearing room. To review the bill number, please move your cursor over the bill number. The following is on the agenda.

Para Komfitmasion:**(Confirmation Hearing)**

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:**(Bills)**

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Guam/Territorial Highway Fund to Designate and Prioritize Certain Capital Improvement Projects, Purchase Heavy Equipment Needed by the Department of Public Works for Flood Mitigation and Fund the Department of Revenue and Taxation's Transaction Processing System.

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Lisa Dames
Chief of Staff
I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
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Lisa Dames <cipo@guamlegislature.org>

PUBLIC HEARING - SECOND NOTICE

Lisa Dames <cipo@guamlegislature.org>

Fri, May 10, 2013 at 2:10 PM

To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <editor@mvguam.com>, gerry@mvguam.com, joy@mvguam.com, louella@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, Oyaol Ngirairiki <odngirairiki@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Tuesday, May 7, 2013 beginning at 2:00 pm in the Guam Legislature Public Hearing room. To review the bill number, please move your cursor over the bill number. The following is on the agenda.

Para Komfitmasion:

(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:

(Bills)

Bill No. 15-32 (COR) – Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

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Lisa Dames

Chief of Staff

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN

Senator Vicente (ben) Cabrera Pangelinan


Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land.

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I Mina'trentar Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement,
Public Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

**gi Måttes, gi diha 14 gi Máyu, 2013
Tuesday, May 14, 2013**

**Kuåtton Inekungok Pubbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)**

alas dos gi despues di talo'ani

(2:00 PM)

TAREHA

(AGENDA)

**Para Komfitmasion:
(Confirmation Hearing)**

Mr. John Z. Arroyo, Member, Guam Land Use Commission

**Priniponi Siha:
(Bills)**

Bill No. 15-32 (COR) – Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

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Bill No. 104-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No 7, NEW, Block No. 1, Tract 1427 Located in the Municipalities of Tamuning, Tiyán From the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 89-32 (COR) – Introduced by Senator Michael San Nicolas: An Act to Add a New Article 17 to Chapter 22, Title 5, Guam Code Annotated, Relative to the Responsible Reserve Fund.

Bill No. 100-32 (LS) – Introduced by Speaker Judith Won Pat: An Act to Add a New Item (e) to §21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, Relative to Requiring the Deposit of Unclaimed or Unpaid Tax Refund Checks into the Income Tax Refund Reserve Fund.

Bill No. 95-32 (COR) – Introduced by Speaker Judith T. Won Pat: An Act to Appropriate the sum of Three Million One Hundred Thousand Dollars (\$3,100,000.00) Escheated to the General Fund, pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the Purpose of Supporting Unfunded Government of Guam obligations.

Bill No. 97-32 (LS) – Introduced by Senator Dennis Rodriguez: An Act to Appropriate Available Funds from the Guam/Territorial Highway Fund to Designate and Prioritize Certain Capital Improvement Projects, Purchase Heavy Equipment Needed by the Department of Public Works for Flood Mitigation and Fund the Department of Revenue and Taxation's Transaction Processing System.

Bill No. 79-32 (COR) – Introduced by Speaker Judith Won Pat: An Act to Amend §106119(K) of Chapter 106, Title 11, Guam Code Annotated, Relative to Authorizing the Transfer of Dormant and Unclaimed Bank Account Funds from the Treasurer of Guam to the Guam Housing Corporation's Housing Trust Fund.

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I Mina'trentar Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs,
Retirement, Public Parks, Recreation, Historic
Preservation, and Land

INGENBOK PUPLERO
(PUBLIC HEARING)

of Mates, gi dina 14 gi Mayo, 2013
Tuesday, May 14, 2013

Kuaiton Inkingok Pupleko gi Liheslaturan Guahan
(Guam Legislature Public Hearing Room)

alos dos gi despues di lalo'an
(2:00 PM)

TAREHA
(AGENDA)

Pura Konfirmasion
(Confirmation Hearing)

Mr. John L. Arroyo, Member, Guam Land Use Commission

Prinsipal Sita
(Bills)

Bill No. 45-32 (COR) - Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 9, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

Bill No. 92-32 (COR) - Introduced by Senator Michael Limfaco: An Act to Add a New Sub-Item (H) to 21 GCA §61103(g), Relative to Defining a Bed and Breakfast; to Amend 21 GCA §61305, 21 GCA §61306, and 21 GCA §61307, Relative to Adding a Bed and Breakfast to the list of Uses Permitted and Conditional Uses allowed in an R1, R2 and Commercial Zone.

Bill No. 55-32 (COR) - Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. INEW-1, Block No. 2, Tract 1427 located in the Municipality of Barrigada and Dedado from the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 104-32 (COR) - Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. 7, NEW, Block No. 1, Tract 1427

Located in the Municipality of Tamuning, Tiyon From the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 88-32 (COR) - Introduced by Senator Michael San Nicolas: An Act to Add a New Article 17 to Chapter 22, Title 5, Guam Code Annotated, Relative to the Responsible Reserve Fund.

Bill No. 100-32 (LS) - Introduced by Speaker Judith T. Won Pat: An Act to Add a New Item (e) to §21113 of Chapter 21, Division 2, Title 5, Guam Code Annotated, Relative to Requiring the Deposit of Unclaimed or Unpaid Tax Refund Checks into the Income Tax Refund Reserve Fund.

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32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

gi Måttes, gi diha 14 gi Måyu, 2013
Tuesday, May 14, 2013

Kuåtton Inekungok Pubbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas dos gi despues di talo'áni
(2:00 PM)

**TAREHA
(AGENDA)**

Para Komfütmasion:
(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

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(Bills)

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COMMITTEE ON RULES

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E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

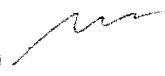
Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

April 12, 2013

Memorandum

To: **Rennae Meno**
Clerk of the Legislature

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

Subject: **Fiscal Notes**

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:

Bill Nos.: 15-32 (COR), 25-32 (COR), 68-32 (COR), and 71-32 (COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2013 APR 12 PM 4:45
FRW

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

JOHN A. RIOS
DIRECTOR

RAY TENORIO
LIEUTENANT GOVERNOR

APR 12 2013

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 15-32(COR), 25-32(COR), 68-32(COR), and 71-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.


JOHN A. RIOS
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 15-32 (COR)**

AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE-FAMILY DWELLING (R-2).

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Public Works	Dept./Agency Head: Carl V. Dominguez, Director
Department's General Fund (GF) appropriation(s) to date:	9,774,206
Department's Other Fund (Specify) appropriation(s) to date: Building and Design Fund & Guam Highway Fund	9,160,273
Total Department/Agency Appropriation(s) to date:	\$18,934,479

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Revenue and Taxation	Dept./Agency Head: Benedict Atoigue, Director
Department's General Fund (GF) appropriation(s) to date:	9,164,180
Department's Other Fund (Specify) appropriation(s) to date: Better Public Service Fund & Tax Collection Enhancement Fund	2,077,271
Total Department/Agency Appropriation(s) to date:	\$11,241,451

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance ¹		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

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

Analyst: Jason Baza Date: 4/1/13 Director: John A. Rios Date: APR 10 2013
 Jason W. Baza, BMA I John A. Rios, Director

Footnotes:
1/ See attached comments.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 15-32 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
DPW Building and Design Fund	\$500	\$0	\$0	\$0	\$0
Territorial Education Facilities Fund	<u>\$547</u>	<u>\$547</u>	<u>\$547</u>	<u>\$547</u>	<u>\$547</u>
Total	\$1,047	\$547	\$547	\$547	\$547

Comments:

1/ This proposed legislation is aimed at enabling Mr. Robert Cruz, property owner of Lot No. 3 Tract 1942 and a licensed general contractor, to build a second-story on his existing single-story home. However, the potential second-story of his existing single-story home is in violation with the conforming zoning status, as the Department of Land Management (DLM) disapproved a Summary Zone Change Request submitted by Mr. Cruz based on agency responses from the Guam Environmental Protection Agency (GEPA) and Guam Waterworks Authority (GWA). Both agencies indicated that neither public sewer nor water was adequately available to support the requested change of zone. Should the zoning be changed from single family dwelling (R-1) to multiple family dwelling (R-2) through legislation, the Bureau recognizes that revenues will be generated through building permits and real property taxes. Assuming that the second-story addition is the same amount of space as the existing first-story (1,050 sq. ft.), the Department of Public Works anticipates \$500 of revenues generated in the form of a building permit. This is the lowest estimated cost for the required building permit assuming the second-story addition is 1,050 square feet. If the second-story is built into the existing first-story (1,050 sq. ft.), the appraised value for his house will go from \$57,427 to \$114,854. This would impose a building tax rate (0.00388) of \$446.55 and a land tax rate (0.000875033) of \$100.50. With the given information, the Bureau estimates that \$547.05 will be received by the Department of Revenue and Taxation in additional real property taxes.



COMMITTEE ON RULES

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Senator
Aline Yamashita
Member

February 13, 2013

VIA FACSIMILE
(671) 472-2825

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910


RE: Request for Fiscal Note – Bill Nos. 01-32 through 6-32 (LS) and Bill Nos. 7-32 through 17-32 (COR)

Hafa Adai Mr. Rios:

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

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

Very Truly Yours,


Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

2013 FEB 14 AM 9:09 

Bill No. 1-32(LS) – J. T. Won Pat, Ed. D. / T.R. Muna Barnes

An act relative to authorizing the Guam Economic Development Authority to procure the installation and maintenance of electronic security systems throughout Guam public schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 2-32 (LS) – A. A. Yamashita

An act to repeal and reenact Section 1105 of Chapter1, Title2, Guam Code Annotated, relative to term limits for senators of the Guam Legislature.

Bill No. 3-32 (LS) – B.J.F. Cruz./ T.R. Muna-Barnes / V.A. Ada

AN ACT TO ADD A NEW CHAPTER 82 TO TITLE 12 OF THE GUAM CODE ANNOTATED; RELATIVE TO AUTHORIZING CERTAIN CONTRACTUAL ARRANGEMENTS FOR PUBLIC PRIVATE PARTNERSHIPS IN ORDER TO MOBILIZE PRIVATE RESOURCES FOR THE PURPOSE OF FINANCING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF INFRASTRUCTURE AND DEVELOPMENT PROJECTS NORMALLY FINANCED AND UNDERTAKEN BY THE GOVERNMENT.

Bill No. 4-32 (LS) – T.A. Morrison / B.J.F. Cruz / V.A. Ada

AN ACT TO REPEAL AND RE-ENACT ARTICLE 2 OF CHAPTER 20 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING THE OFFICE OF TECHNOLOGY.

Bill No. 5-32 (LS) – T.A. Morrison

AN ACT TO ADD A NEW §40128 CHAPTER 40 OF 5GCA RELATIVE TO PLACING THE FORMER FQ SANCHEZ ELEMENTARY SCHOOL FACILITY UNDER THE JURISDICTION OF THE UMATAK MAYOR'S OFFICE.

Bill No. 6-32 (LS) – B.T. McCreadie, D.G. Rodriguez, Jr

AN ACT TO AMEND §25.15 AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, WHICH MAY BE CITED AS THE "PREDATOR PREVENTION ACT"

Bill No. 7-32 (COR) – J.T. Won Pat, Ed.D.

AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

Bill No. 8-32 (COR) – R.J. Respicio

AN ACT TO APPROPRIATE TO THE DEPARTMENT OF EDUCATION ALL ADDITIONAL REVENUE DERIVED FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX CUTS.

Bill No. 9-32 (COR) – V.C. Pangelinan

AN ACT TO ADD NEW §§ 58148, 58148.1, 58148.2, 58148.3, AND 58149 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, AND AMEND SECTIONS OF CHAPTER 58 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE QUALIFYING CERTIFICATE REVIEW BOARD, THE QUALIFYING CERTIFICATE ACCOUNTABILITY AND TRANSPARENCY WEBSITE, AND FOR OTHER PURPOSES.

Bill No. 10-32 (COR) – B.J.F. Cruz

AN ACT TO ADD A NEW CHAPTER 39A TO TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO CREATING THE UNIFORM CHILD ABDUCTION PREVENTION ACT.

Bill No. 11-32 (COR) - B.J.F. Cruz

AN ACT TO ADD A NEW ARTICLE 9, TO CHAPTER 63, AND TO AMEND §5215 OF CHAPTER 5; AND TO AMEND § 63101, TO ADD A NEW (c) AND (d) TO § 63116, AND TO AMEND § 63129 OF CHAPTER 63 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO CREATING THE GUAM CORAL AND MARINE LIFE PROTECTION ACT.

Bill No. 12-32 (COR) - B.J.F. Cruz

AN ACT TO AMEND §90A101 AND §90A102 OF CHAPTER 90A OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO THE PROHIBITION AND SALE OF CANDY CIGARETTES.

Bill No. 13-32 (COR) - B.J.F. Cruz

AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.

Bill NO. 14-32 (COR) – C.M. Duenas / V.A. Ada

AN ACT TO ADD A NEW §(e) TO §5123 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE PURCHASE OR LEASE OF VEHICLES BY THE GOVERNMENT OF GUAM SHALL MEET OR EXCEED A MINIMUM AVERAGE COMBINED CITY AND HIGHWAY MILES PER GALLON (MPG) OF TWENTY-FIVE MILES PER GALLON (25 MPG); TO ADD A NEW §(f) TO §5123 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATAED, TO ALLOW CERTAIN SPECIALTY VEHICLES TO BE EXCLUDED FROM THE PROVISION OF THIS ACT.

Bill NO. 15-32 (COR) – T.R. Muna Barnes

AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE FAMILY DWELLING (R-2)

Bill No. 16-32 (COR) – R.J. Respicio / C.M. Duenas

AN ACT TO REZONE LOT 2181-4NEWR1NEW-R2, LOT 2181-4NEW-R1NEW-2, LOT 2181-4NEW-1-1, LOT 2181-4NEW-1-2, LOT 2181-4NEW-1-3, LOT 2181-4NEW-1-4, LOT PARCEL 4) IN THE MUNICIPALITY OF 2181-4NEW-1-R4 AND LOT NAVAL AIR STATION AGANA-21-R1 (AIRPORT PARCEL 4) IN THE MUNICIPALITY OF TIYAN, bARRIGADA FROM AGRICULTURAL ZONE (A) TO LIGHT INDUSTRIAL ZONE (M-1); AND TO CHANGE THE REFERENCE OF LIMITED INDUSTRIAL TO LIGHT INDUSTRIAL.

Bill No. 17-32 (COR) – R.J. Respicio / T.C. Ada

AN ACT TO ALLOW FOR CONDITIONAL USE OF PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO FOR MEETINGS AND CULTURAL PURPOSES, SPECIFICALLY LOTS 15-3 AND 15-R3, BOTH OF TRACT 1413, WHICH ARE CURRENTLY ZONED "A" (AGRICULTURAL), CONTAINING AN AREA OF 4,208.7± SQUARE METERS, AND TIYAN, BARRIGADA FROM BORDERED BY ALAGETA ROAD.

MESSAGE CONFIRMATION

FEB-13-2013 05:22 PM WED

FAX NUMBER : 4772240
NAME : GNF

NAME/NUMBER : 4722825
PAGE : 3
START TIME : FEB-13-2013 05:21PM WED
ELAPSED TIME : 01'00"
MODE : STD ECM
RESULTS : [O.K]



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February 13, 2013

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John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Note – Bill Nos. 01-32 through 6-32 (L.S) and Bill Nos. 7-32 through 17-32 (COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guahan's* most recently introduced bill. Pursuant to 2 G.C.A §9103, I respectfully request the preparation of fiscal notes for the referenced bill.

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

Very Truly Yours,

Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

Recvd by: Anelyn Estagnio
2/14/13
Confirmed via phone w/ Joe 9:03am 2/14/13



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MINORITY LEADER

Senator
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Member

January 14, 2013

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Majority Leader & Rules Chair

Subject: **Referral of Bill No. 15-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. **15-32(COR)**.

Please ensure that the subject bill is 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 Dos na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 15-32(COR)

Introduced By:

T.R. MUÑA BARNES 

2013 JAN 14 PM 12:55

AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE-FAMILY DWELLING (R-2).

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Robert Cruz, property owner of Lot No. 3, Tract 1942, in the Municipality of
4 Barrigada, self-constructed a second story on his existing single-story home in
5 order to accommodate his family. This places the home in an approved and legal
6 structure but non-conforming zoning status, which prevents Mr. Cruz from
7 accessing his equity on his property. Mr. Cruz is a licensed general contractor and
8 prior to the construction of the second story, received all building permits and
9 complied with all applicable rules, regulations and laws by the proper government
10 officials.

11 In an effort to ensure that Mr. Cruz's home conforms to the proper zoning
12 status, it is the intent of *I Liheslaturan Guåhan* to resolve this problem by rezoning

1 Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family
2 Dwelling (R-1) to Multiple-Family Dwelling (R-2).

3 **Section 2. Lot Rezoning.** Notwithstanding any other provisions of law,
4 Lot No. 3, Tract 1942, in the Municipality of Barrigada, is hereby rezoned from
5 Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2) Zone.