



Office of the Governor of Guam

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2010 DEC 17 PM 4:04

Felix P. Camacho  
Governor

Michael W. Cruz, M.D.  
Lieutenant Governor

DEC 14 2010

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
Mina' Trenta Na Liheslaturan Guåhan  
155 Hessler Street  
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 461-30 (LS): "AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 40, OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING A COMMUNITY PARTNERSHIP COUNCIL (CPC), FOR THE PURPOSES OF IDENTIFYING SITES AND FUNDING FOR THE CONSTRUCTION OF MULTIPURPOSE CENTERS FOR EVERY VILLAGE, WHICH SHALL BE KNOWN AS THE 'COMMUNITY PARTNERSHIP ACT OF 2010'" which was signed into law on December 13, 2010 as **Public Law 30-213**.

*Sinseru yan Magåhet,*

**FELIX P. CAMACHO**  
*I Maga'låhen Guahan*  
Governor of Guahan

Attachment: copy of Bill

I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2010 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 461-30 (LS), "AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 40, OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING A COMMUNITY PARTNERSHIP COUNCIL (CPC), FOR THE PURPOSES OF IDENTIFYING SITES AND FUNDING FOR THE CONSTRUCTION OF MULTIPURPOSE CENTERS FOR EVERY VILLAGE, WHICH SHALL BE KNOWN AS THE "COMMUNITY PARTNERSHIP ACT OF 2010", was on the 30<sup>th</sup> day of November 2010, duly and regularly passed.



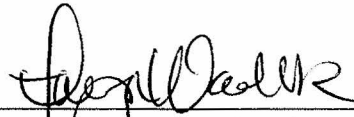
Judith T. Won Pat, Ed. D.  
Speaker

Attested:



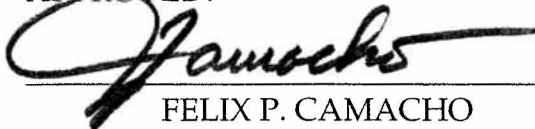
Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 1<sup>st</sup> day of Dec, 2010, at  
1100 o'clock A.M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:



FELIX P. CAMACHO  
*I Maga'lahaen Guåhan*

Date: 13 Dec. 2010

Public Law No. P.L. 30-213

***I MINA'TRENTA NA LIHESLATURAN GUÅHAN***  
**2010 (SECOND) Regular Session**

**Bill No. 461-30 (LS)**

As substituted by the Committee on Municipal Affairs,  
Aviation, Housing and Recreation, and  
amended on the Floor.

Introduced by:

Judith P. Guthertz, DPA  
T. R. Muña Barnes  
T. C. Ada  
V. Anthony Ada  
F. B. Aguon, Jr.  
F. F. Blas, Jr.  
E. J.B. Calvo  
B. J.F. Cruz  
J. V. Espaldon  
Adolpho B. Palacios, Sr.  
v. c. pangelinan  
R. J. Respicio  
Telo Taitague  
Ray Tenorio  
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW ARTICLE 2 TO CHAPTER 40,  
OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE  
TO CREATING A *COMMUNITY PARTNERSHIP*  
*COUNCIL* (CPC), FOR THE PURPOSES OF  
IDENTIFYING SITES AND FUNDING FOR THE  
CONSTRUCTION OF MULTIPURPOSE CENTERS FOR  
EVERY VILLAGE, WHICH *SHALL* BE KNOWN AS  
THE “COMMUNITY PARTNERSHIP ACT OF 2010.”**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that as the population of Guam increases, the spirit of the island community is

1 becoming increasingly introverted. As well, there is a new emphasis throughout  
2 the island and around the world on living a healthy lifestyle.

3 Since time immemorial, schools in our communities have represented a  
4 central point to showcase the talents and pride of the village residents. During  
5 times of impending disasters, these same schools also serve as typhoon/emergency  
6 shelters. Gyms, while serving as a primary center for sports and recreation, have  
7 always been an alternate venue for large community gatherings.

8 Each municipality in Guam has been promised, either through well  
9 intentioned legislation or initiatives, gymnasiums that would serve as sports and  
10 recreation centers, and meeting spots for community functions. Due to limited  
11 funding, these plans are often placed on the backburner. While some communities  
12 are able to boast of a beautiful gymnasium, others are left wanting.

13 *I Liheslaturan Guåhan* finds that in order to address this disparity and ensure  
14 that every municipality in Guam is outfitted with a gymnasium, community facility  
15 and when necessary, a typhoon/emergency center; a Council *shall* be created to  
16 develop viable and feasible funding sources and design plans.

17 The Council *shall* be comprised of representatives from the Mayors Council  
18 of Guam (MCOG), the Department of Education (DOE), Guam Homeland  
19 Security Office of Civil Defense (GHS/OCD), the Department of Parks and  
20 Recreation (DPR), the Guam Housing and Urban Renewal Authority (GHURA),  
21 the Guam Economic Development Authority (GEDA), the *Chamorro* Land Trust  
22 Commission (CLTC), and two (2) members from the community-at-large  
23 appointed by *I Maga'lahaen Guåhan*.

24 The goal of the Council *shall* be to ensure that every village is outfitted with  
25 a multipurpose center, by the year 2020, to serve as a central point for village  
26 functions and other requested usage, and as the primary gymnasium of the village  
27 and when necessary, a typhoon/emergency center.

1 In keeping with the evolution of our communities, *I Liheslaturan Guåhan*  
2 finds that the Council *shall* consider a single cookie cutter design for a  
3 multipurpose center which *shall* be developed for construction in each village. The  
4 Council *shall* work with the respective village Mayors and the Department of  
5 Education to identify sites within the confines or on the border of an elementary  
6 school within the village boundaries.

7 It is the intent of *I Liheslaturan Guåhan* to commission the Council to  
8 present a plan and funding option to *I Maga'lahaen Guåhan* and *I Liheslaturan*  
9 *Guåhan* for the construction of a multipurpose center or retrofitting existing gyms  
10 to serve as multipurpose centers in each village in Guam, beginning with the  
11 municipalities of *Mangilao* and *Inarajan*.

12 **Section 2. Creation of “The Community Partnership Council.”** A new  
13 Article 2 is hereby *added* to Chapter 40, Title 5, Guam Code Annotated, to read:

14 **“ARTICLE 2**

15 **The Community Partnership Council (CPC)**

16 **§40201. Creation of the Community Partnership Council.**

17 **§40202. Membership of Council.**

18 **§40202.1 Municipal Subcommittees.**

19 **§40203. Eligibility; Terms of Service.**

20 **§40204. Convening and Meetings.**

21 **§40205. Goals and Purposes of the CPC.**

22 **§40206. Action Plan.**

23 **§40206.1. Design Recommendations and Financing**  
24 **Options.**

25 **§40206.2. Maintenance, Staffing Projections and Review**  
26 **of Existing Village Facilities.**

1                   **§40207. Logistical Needs, Support Structure and**  
2   **Coordination of the CPC**

3                   **§40201. Creation of the *Community Partnership Council***  
4                   **(CPC).** There is hereby established a *Community Partnership Council* for  
5                   the purposes of identifying sites and funding for the construction of  
6                   multipurpose centers in respective municipalities.

7                   **§40202. Membership of Council.** The *Community Partnership*  
8                   *Council* (CPC) *shall* consist of ten (10) members, who *shall* serve at the  
9                   pleasure of the appointing authority, as follows:

10                   (a) a member of the Mayors Council of Guam (MCOG) or its  
11                   President, appointed by the Officers of the MCOG, *shall* serve  
12                   as the Chairperson;

13                   (b) a representative from the Office of the Mayors Council of  
14                   Guam (MCOG), appointed by the Executive Director of the  
15                   MCOG, who may appoint himself, *shall* serve as the Executive  
16                   Secretary;

17                   (c) a representative from the Department of Education (DOE),  
18                   appointed by the Superintendent of DOE, who may appoint  
19                   himself;

20                   (d) a representative from the Guam Homeland Security Office of  
21                   Civil Defense (GHS/OCD), appointed by the Homeland  
22                   Security Advisor, who may appoint himself;

23                   (e) a representative from the Department of Parks and Recreation  
24                   (DPR), appointed by the Director of DPR, who may appoint  
25                   himself;

- 1 (f) a representative from the Guam Housing and Urban Renewal  
2 Authority (GHURA), appointed by the Director of GHURA,  
3 who may appoint himself;
- 4 (g) a representative from the Guam Economic Development  
5 Authority (GEDA), appointed by the Administrator of GEDA,  
6 who may appoint himself;
- 7 (h) two (2) volunteer members of the general public, appointed by *I*  
8 *Maga'lahaen Guåhan*, who *shall* serve at the pleasure of *I*  
9 *Maga'lahi*; and
- 10 (i) a representative from the *Chamorro* Land Trust Commission  
11 (CLTC), appointed by the Board.

12 **§40202.1 Municipal Subcommittees.** Individual municipalities  
13 *shall* appoint a subcommittee from among its Municipal Planning Council  
14 with one (1) representative serving as the Chairperson, who *shall* also serve  
15 as a liaison between the community and the CPC.

16 **§40203. Eligibility; Terms of Service.** Members may be  
17 employees of the government of Guam, appointed by their respective  
18 organization head as directed in §40202 (a), (b), (c), (d), (e), (f), (g) and (i),  
19 *unless* otherwise delineated. Upon acceptance, appointees, and their  
20 appointing authority, *shall* consider the members' service on the Council as  
21 a part of the prescribed duties relative to their regular position within the  
22 government of Guam. Members *shall* serve so long as they retain the  
23 position within the organization from which they were appointed.

24 **§40204. Convening and Meetings.** The President of the Mayors  
25 Council *shall* convene the *Community Partnership Council* and *shall*  
26 administer the oath of office of the chairperson, and members, *unless* the  
27 President is also a member and chairperson of the Council. In such case, the

1 President *shall* make arrangements with the Office of *I Maga'lahaen Guåhan*,  
2 or *I Segundo Na Maga'lahaen Guåhan* so that *I Maga'lahi* or *I Segundo Na*  
3 *Maga'lahi* may administer the oath to members of the *Community*  
4 *Partnership Council*. The governance of the Council *shall* be determined by  
5 its membership.

6 Meetings *shall* be held during regular business hours of the  
7 government of Guam, Mondays through Fridays, and *shall* be held *no less*  
8 *than* once monthly. *No* stipends *shall* be paid if the members pursuant to  
9 §40202 (a), (b), (c), (d), (e), (f), (g) and (i) are employed by the government  
10 of Guam. Members pursuant to §40202(h) *shall* be volunteer members.

11 **§40205. Goals and Purposes of the CPC.** The Mayors Council  
12 of Guam, together with the Department of Education, the Guam Homeland  
13 Security Office of Civil Defense, the Department of Parks and Recreation,  
14 the Guam Housing and Urban Renewal Authority, the Guam Economic  
15 Development Authority, and the *Chamorro* Land Trust Commission *shall*  
16 convene a Council as prescribed in §40202. The CPC *shall* develop a  
17 feasibility study that will outline marked timelines and proposed funding  
18 sources *or* financing proposals for the construction of a multipurpose center  
19 in each village by the year 2020, to serve as a central point for village  
20 functions, and other requested usage; and as the primary gymnasium of the  
21 village.

22 **§40206. Action Plan.** The CPC *shall* create an action plan with  
23 the sequence of the order for consideration and construction of multipurpose  
24 centers in the respective municipalities and *shall* rotate the proposed  
25 construction schedule as follows:

- 26 (a) The CPC, in coordination with the respective village  
27 Mayors, *shall*, when available, identify within the confines or along



1 the border of an existing public elementary school under the operation  
2 of the Department of Education, adequate property for the  
3 construction of a multipurpose center in every village.

4 (1) For the purposes of the location of a multipurpose center,  
5 when property is identified the Mayor of each respective village  
6 *shall* have the right of first refusal for said property, provided,  
7 that it is in the inventory of the government of Guam or listed  
8 as a parcel/s in the inventory of the *Chamorro* Land Trust  
9 Commission.

10 (b) Villages considered for construction of a multipurpose  
11 center *shall* be the most populous village without a gymnasium and  
12 rotate to villages without a gymnasium that have populations with *less*  
13 *than* five thousand five hundred (5500) residents recorded based on  
14 the most recent statistics (Year 2000) of the United States Census  
15 Bureau; and when available, data from the 2010 U.S. Census *shall* be  
16 used. Villages that currently have gymnasiums *shall*, by default, be  
17 moved to the second rotation for retrofitting, if necessary, to meet the  
18 purposes of a multipurpose center.

19 (1) According to the 2000 U.S. Census, Dededo had a  
20 population of forty-two thousand nine hundred eighty (42,980)  
21 residents; *Yigo* had a population of nineteen thousand four  
22 hundred seventy-four (19,474) residents; and the tri-village of  
23 *Tamuning*, *Tumon* and *Harmon* had eighteen thousand twelve  
24 (18,012) residents. However, all three (3) municipalities  
25 already possess village gymnasiums, thus in this instance, based  
26 on the U.S. Census of 2000, the village of *Mangilao*, with a  
27 recorded population of thirteen thousand three hundred thirteen

1 (13,313) residents, *shall* be the first qualified village for the  
2 construction of a multipurpose center.

3 (2) Concurrently, according to the 2000 U.S. Census,  
4 *Agana Heights* had a population of five thousand two hundred  
5 (5,200) residents, and *Talofofo* had a population of three  
6 thousand two hundred forty-five (3,245) residents. However,  
7 both municipalities already possess village gymnasiums, thus in  
8 this instance, based on the U.S. Census of 2000, the village of  
9 *Inarajan*, with a recorded population of three thousand fifty-  
10 two (3,052) residents *shall* be the second qualified village for  
11 the construction of a multipurpose center.

12 (c) The cycle of consideration for the rotation of the  
13 construction of multipurpose centers in villages without gymnasiums  
14 *shall* continue in the order as formulated in §40206 (b)(1) and ((2).

15 (d) The CPC *shall* also incorporate a sequencing  
16 formulation, at the discretion of the CPC, for the programming of the  
17 construction for multipurpose centers in each village that takes into  
18 account a fair rotation of northern villages, central villages and  
19 southern villages.

20 **§40206.1. Design Recommendations and Financing Options.**

21 The CPC *shall* include in its plans, the basic design and requirements of a  
22 multipurpose facility by utilizing proven “cookie cutter” design concepts.  
23 Designs considered *shall* be for “Hardened Facilities” able to withstand  
24 typhoon strength winds.

25 The CPC *shall* research all known available grants and funds as  
26 recommended:

- 1 • United States Department of Housing and Urban Development,  
2 through GHURA
- 3 • United States Department of Agriculture for Rural  
4 Development, through GEDA
- 5 • United States Department of Homeland Security
- 6 • A Finance, Build, Operate & Leaseback Option, through GEDA
- 7 • Any available or known availability of funds or revenue  
8 sources, or recommended revenue sources of the government of  
9 Guam.

10 The CPC *shall* include in its recommendations, proposals for  
11 the financing and construction of these facilities to include necessary  
12 collateral equipment to ensure a fully operational facility upon  
13 completion of construction.

14 **§40206.2. Maintenance, Staffing Projections and Review of**  
15 **Existing Village Facilities.** The CPC as part of its planning process *shall*  
16 also take into account the maintenance, staffing needs, and future projections  
17 for the upkeep of the newly constructed facilities; as well the CPC *shall*, at  
18 its discretion, conduct a review of existing village facilities and make  
19 recommendations on retrofitting *or* expanding the purpose and service of  
20 each facility in the respective municipalities of Guam.

21 **§40207. Logistical Needs, Support Structure and**  
22 **Coordination of the CPC.** The logistical needs, support structure, and  
23 coordination of the Council *shall* be underwritten by the MCOG at the  
24 direction of the chairperson.”

25 **Section 3. Presentation.** Upon convening of the CPC, the Council *shall*  
26 meet *no less than* once monthly, and effectuate a draft plan *no later than* two

1 hundred forty (240) days of the Council's first meeting for presentation to *I*  
2 *Maga'lahen Guåhan* and *I Liheslaturan Guåhan* for consideration.

3 **Section 4. Effective Date.** This Act *shall* take effect upon enactment.”