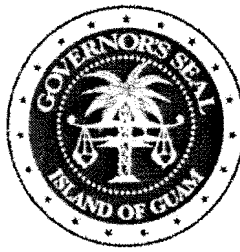


EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

May 31 2013

The Honorable Judith T. Won Pat, PhD
Speaker
I Mina Bente Dos Na Liheslaturan Guahan
155 Hesler Street, Hagatna, GU 96910

32-13-457²
Office of the Speaker
Judith T. Won Pat, Ed. D.
5/31/13
4:01 P.M.
Received by: J.S. TESTAORO

03 MAY 31 PM 4:54

Hafa Adai Madame Speaker,

Pursuant to my authority under Section 1423h of the Organic Act of Guam, I am calling *I Liheslaturan Guahan* into special session on Monday, June 3, 2013, to consider Bill No. 125-32, *An Act to appropriate the Sum of Five Hundred Thousand Dollars (\$500,000) Escheated to the General Fund Pursuant to § 21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, to the Department of Public Works for the Purpose of Funding the Acquisition of Property for the Tiyan Parkway.*

The plans for the construction of the Tiyan Parkway have been divided into two phases. Phase 1, which is owned by the Guam International Airport Authority, consists of that property between Route 8, where Cars Plus is located, to approximately where the old GPD records building is located. Phase 2 consists of that property from the old GPD records building to Route 10A, and it is owned by several families to whom the property was returned by the Ancestral Lands Commission.

The Federal Highway Administration has set aside \$5.8 million for the government of Guam, via the Department of Public Works, to purchase a fee interest or perpetual easement in Phase 1. However, the FAA is unwilling to consent to GIAA's sale of Phase 1 without reasonable assurances that the government is committed to acquiring the Phase 2 properties needed to complete the Parkway. The FAA has requested that the government purchase one or more Phase 2 properties before it will consent to GIAA's sale of Phase 1.

Accordingly, DPW has requested the appropriation of \$500,000 to be utilized to start purchasing Phase 2 properties. The government has already contacted the owner-representatives of the properties at Phase 2, most of whom have indicated a willingness to sell. Based upon earlier draft appraisals, DPW believes that the \$500,000 amount being requested will be sufficient to purchase the properties necessary to satisfy the FAA. It is the government's intention to use this amount to purchase the properties through a negotiated sale, not condemnation.

Most pressing at this time, the FHWA has advised DPW that it is required to confirm by July that the \$5.8 million will be used to purchase the Phase 1 property, otherwise it will reallocate this money to other road projects on Guam. If reallocated, there is no guarantee when or if the government will be able to obtain another federal grant to purchase Phase 1. It is urgent, therefore, for the government to act to acquire the Phase 2 properties as soon as possible in order to obtain the FAA's consent to the sale of Phase 1 and, importantly, to ensure that the \$5.8 million currently set aside by FHWA remains available for the purchase of Phase 1. We need to act now to ensure there is enough time to negotiate a purchase before the FHWA's July deadline.

Moreover, as I am sure you are aware, due to the recent expansion of the runway at the Guam International Airport, GIAA is scheduled to close Central Avenue at Tiyan in September or October of this year. If we lose the federal funding currently available for the purchase of Phase 1, it becomes uncertain how long Tiyan will be cut off to through-traffic.

Currently, between 14,000 to 15,000 cars traverse Tiyan on a daily basis. Any closure of Central Avenue will not only add to the already congested Routes 1 and 8, but it will pose a potential threat to public safety in the event of a natural disaster, such as a tsunami or a typhoon.

It is, therefore, in the public interest to move forward and pass Bill No. 125-32 to preserve federal funds and to ensure that the construction of the Tiyan Parkway is not delayed longer than necessary. It is for this reason that I am calling *I Liheslaturan Guåhan* into special session.

Madame Speaker, I thank you and Senators Ada, Muna-Barnes, Respecio and Duenas for having already recognized this urgency in your authoring and co-sponsoring Bill No. 125-32. I hope that the rest of your colleagues in the legislature will also recognize this immediate need and will act accordingly.

Dangkulu na si yu'os ma'ase.

Senseramente,



EDDIE BAZA CALVO