

*I Mina'trentai Sais Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
14-36 (COR)	Joe S. San Agustin Tina Rose Muña Barnes James C. Moylan	AN ACT TO AMEND § 61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.	1/7/21 8:11 a.m.	1/13/21	Committee on Health, Land, Justice, and Culture	2/4/21 2:00 p.m.	2/12/21 8:00 a.m.  As amended by the Committee on Health, Land, Justice, and Culture	Waiver: 1/13/21	2/12/21 4:29 p.m.  Supplement Document to the Committee Report on Bill No. 14-36 (COR).



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

GUAM CONGRESS BUILDING  
163 CHALAN SANTO PAPA  
HAGÅTÑA, GUAM 96910  
TEL 671-472-2461  
COR@GUAMLEGISLATURE.ORG

February 12, 2021

# MEMO

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

**From:** Vice Speaker Tina Rose Muña Barnes  
Chairperson, Committee on Rules

**Re:** Supplemental Document to the Committee Report on Bill No. 14-36 (COR) As amended by the Committee

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*Buenas yan Håfa adai,*

Please include this memo and attached document as a "Supplement to the Committee Report" for the Committee Report on **Bill No. 14-36 (COR) As amended by the Committee on Health, Land, Justice, and Culture**.

Please make the appropriate indication in your records and forward to MIS for posting on our website. I also request that the same be forwarded to all Senators.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director, at 472-2461.

*Si Yu'os Ma'åse',*

**Vice Speaker Tina Rose Muña Barnes**  
Chairperson, Committee on Rules





Office of the Speaker  
**THERESE M. TERLAJE**

*I Mina'trentai Sais na Liheslaturan Guåhan* | 36th Guam Legislature  
Committee on Health, Land, Justice and Culture

February 12, 2021

**The Honorable Tina Rose Muña Barnes**

Chairperson, Committee on Rules

*I Mina'trentai Sais na Liheslaturan Guåhan*

163 Chalan Santo Papa

Hagåtña Guam, 96910

**RE: Supplemental testimonies for Committee Report on Bill No. 14-36 (COR), As Amended by the Committee on Health, Land, Justice and Culture**

*Håfa Adai* Chairperson Muña Barnes:

Please find appended to this letter, supplemental testimonies for Bill No. 14-36 (COR), As Amended by the Committee on Health, Land, Justice and Culture. I respectfully request that the documents be included as a supplemental to the committee report on the bill.

Thank you for your time and attention to this matter.

Sincerely,

  
Speaker Therese M. Terlaje

**COMMITTEE ON RULES  
RECEIVED:**

February 12, 2021

2:35 P.M.



Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) | [www.senatorterlaje.com](http://www.senatorterlaje.com)

*\*For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators,  
please send to: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)*



Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

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**Resolution No. 2021-002 & Resolution No. 2021-003, TWHF**

1 message

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**BMO Admin** <barrigadaoffice@gmail.com>  
To: senatorterlajeguam@gmail.com  
Cc: June Blas <mayorbarrigada@gmail.com>

Fri, Feb 12, 2021 at 1:51 PM

Hafa Adai Honorable Senator Terlaje,



On behalf of Mayor June Blas, kindly acknowledge receipt of this email & its attachments. The original documents will be forthcoming.

Thank you in advance .

*Very Respectfully,*  
**Rowena T. Hernandez**  
**Administrative Assistant**  
**Barrigada Mayors' Office**  
**124 Luayao Lane, Barrigada, Guam 96913**  
**Phone: (671) 734-3737**  
**Fax: (671) 734-1988**  
**Email: barrigadaoffice@gmail.com**

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**2 attachments**

-  **Resolution No. 2021-002, TWHF Lot 5224-3-3 & 5224-3-1-R1.pdf**  
519K
-  **Resolution No. 2021-003, TWHF on Lot 2278-R1.pdf**  
616K



JUNE U. BLAS  
MAYOR



OFFICE OF THE MAYOR & VICE MAYOR  
124 LUAYAO LANE, BARRIGADA, GUAM 96913



JESSIE P. BAUTISTA  
VICE MAYOR

## **BARRIGADA MUNICIPAL PLANNING COUNCIL**

### **Resolution No. 2021 – 002**

Introduced by:

Chairwoman and All Members of the  
Barrigada Municipal Planning Council

**Relative to expressing the support of the Municipal Planning Council  
for the development of a Temporary Workers Housing Facility on  
Lots 5224-3-3 and 5224-3-1-R1, Barrigada, for 135 Occupants**

### **BE IT RESOLVED BY THE MUNICIPAL PLANNING COUNCIL OF BARRIGADA:**

**WHEREAS**, Legislative Bill 14-36 proposes to fast-track the processing of five applications for Temporary Workers Housing Facilities that have been stalled in the Guam Land Use Commission application review process for as long as ten months; and

**WHEREAS**, Bill 14-36 recognizes that those applications were timely filed but could not be processed due to COVID restrictions on public assembly; and

**WHEREAS**, fast-tracking means that after the Department of Land Management certifies the proposed TWHF to be in the proper zone and compliant with height and setback requirements, the project plans may proceed directly to Public Works for building permit processing; and

**WHEREAS**, such fast-tracking is temporary, during COVID conditions only, and only for those five TWHF applications; and

**WHEREAS**, the Director of Land Management, speaking on behalf of the Administration, concurs with Bill 14-36; and

**WHEREAS**, more than 2,000 temporary workers for military build-up and associated projects are scheduled to arrive on Guam between the 1<sup>st</sup> and 3<sup>rd</sup> quarters of 2021; and

**WHEREAS**, at least 30 such temporary workers have already arrived; and

**WHEREAS**, without the availability of TWHFs, Guam law permits the alternative for temporary workers to be housed in private apartments and single family dwellings, so long as no more than five unrelated occupants occupy one housing unit and no more than 51% of all occupants in an apartment complex are temporary workers; and

**WHEREAS**, without the availability of TWHFs at least 500 apartments would be occupied throughout central and northern Guam by these incoming temporary works; and

**WHEREAS**, such widespread and sudden occupancy by temporary workers in rental units within Guam villages would likely result in neighborhood problems where families now reside; and

**WHEREAS**, such widespread and sudden occupancy by temporary workers in rental units within Guam villages would place added stress on Guam's housing market for low and moderately-priced rental units; and

**WHEREAS**, IAN Construction, a longtime business located in Barrigada, is one of the five applicants for a TWHF whose application has been stalled in the GLUC process; and

**WHEREAS**, IAN's application proposes a TWHF on Lots 5224-3-3 and 5224-3-1-R1, Bello Road area, Barrigada, for a maximum of 135 occupants; and

**WHEREAS**, both properties are already zoned M-1, which is the only zone allowed for TWHFs, and served by all utilities; and

**WHEREAS**, the IAN TWHF is subject to the Public Works building permit and occupancy permit and the Public Health sanitary permit and dormitory permit, without which the TWHF cannot be occupied; and now, therefore, be it

**RESOLVED**, that the Barrigada Municipal Planning Council having reviewed this matter finds the following:



1. The two lots are properly zoned for a TWHF and served by all utilities.
2. Land Management must certify the project's compliance with all land use controls, and all applicable Public Works and Public Health permits must be approved before the IAN TWHF can be occupied.
3. This situation is a one-time occurrence due to impending COVID conditions for the past 10 months.
4. A public information sign shall be posted on either property, facing the road, with information such as project description, site plan, project schedule and contact information to reach IAN Construction.
5. This Resolution pertains to only the proposed IAN TWHF on Lots 5224-3-3 and 5224-3-1-R1 and cannot be extended or expanded in any way without the express consent of the Barrigada Municipal Planning Council via Resolution.

**and be it further**

**RESOLVED**, that the Barrigada Municipal Planning Council hereby concurs with the intent of Bill 14-36 with respect to fast-tracking the IAN TWHF application on Lots 5224-3-3 and 5224-3-1-R1; and be it further

**RESOLVED**, that the Chairperson of the Council certify to, and the Vice Mayor and the Secretary of the Council attest to, the adoption hereof, and that copies of the same be thereafter transmitted to the Honorable Lourdes Leon Guerrero, Governor of Guam; and to Speaker Therese M. Terlaje, Committee on Health, Land, Justice and Culture, *I Mina'trentai Sais na Liheslaturan* Guåhan, 36th Guam Legislature.

**DULY AND REGULARLY ADOPTED ON THE 11<sup>th</sup> DAY OF  
FEBRUARY, 2021.**

  
\_\_\_\_\_  
**JUNE U. BLAS**  
Mayor and Chairwoman MPC  
\_\_\_\_\_  
**JESSIE P. BAUTISTA**  
Vice Mayor, Vice Chair MPC  
\_\_\_\_\_  
**THERESE B. MAZZEI**  
MPC Member and Council Secretary





JUNE U. BLAS  
MAYOR



OFFICE OF THE MAYOR & VICE MAYOR  
124 LUAYAO LANE, BARRIGADA, GUAM 96913



JESSIE P. BAUTISTA  
VICE MAYOR

## MUNICIPAL PLANNING COUNCIL

### Resolution No. 2021 – 003

Introduced by:

Chairwoman and All Members of the  
Barrigada Municipal Planning Council

**Relative to Expressing the Support of the Barrigada Municipal Planning Council for the development of a Temporary Workers Housing Facility on Lot 2278-R1, Estate 1117, Tiyan, Barrigada, for 404 Occupants**

### **BE IT RESOLVED BY THE MUNICIPAL PLANNING COUNCIL OF BARRIGADA:**

**WHEREAS**, Legislative Bill 14-36 proposes to fast-track the processing of five applications for Temporary Workers Housing Facilities that were submitted to the Guam Land Use Commission via the application review process; and

**WHEREAS** these five applications have been awaiting processing some for as long as ten months; and

**WHEREAS**, Bill 14-36 recognizes that those five applications were timely filed but could not be processed due to COVID restrictions on public assembly; and

**WHEREAS**, fast-tracking means that after the Department of Land Management certifies the proposed TWHF to be in the proper zone and compliant with height and setback requirements, the project plans may proceed directly to Public Works for building permit processing including final occupancy after meeting all regulatory agency requirements; and

**WHEREAS**, such fast-tracking is temporary, during COVID conditions only, and only for those five TWHF applications referenced in Bill 14-36; and

**WHEREAS**, the Director of Land Management, speaking on behalf of the Administration, concurs with Bill 14-36; and

**WHEREAS**, more than 2,000 temporary workers for military build-up and associated projects are scheduled to arrive on Guam between the 1<sup>st</sup> and 3<sup>rd</sup> quarters of 2021; and

**WHEREAS**, at least 30 such temporary workers have already arrived; and

**WHEREAS**, without the availability of TWHFs, Guam law permits the alternative for temporary workers to be housed in private apartments and single family dwellings, so long as no more than five unrelated occupants occupy one housing unit and no more than 51% of all occupants in an apartment complex are temporary workers; and



**WHEREAS**, without the availability of TWHFs, Guam law permits the alternative for temporary workers to be housed in private apartments and single family dwellings, so long as no more than five unrelated occupants occupy one housing unit and no more than 51% of all occupants in an apartment complex are temporary workers; and

**WHEREAS**, without the availability of TWHFs at least 500 apartments would be occupied throughout central and northern Guam by these incoming temporary works; and

**WHEREAS**, such widespread and sudden occupancy by temporary workers in rental units within Guam villages would likely result in neighborhood problems where families now reside, creating undue stress and social conflicts; and

**WHEREAS**, such widespread and sudden occupancy by temporary workers in rental units within Guam villages would place added stress on Guam's housing market for low and moderately-priced rental units; and

**WHEREAS**, Nan Inc., a significant international business whose Guam headquarters are located in Barrigada, is one of the five applicants for a TWHF whose application has been stalled in the GLUC process; and

**WHEREAS**, Nan Inc.'s application proposes a TWHF on Lot 2278-R1, Estate 1117, Tiyan, Barrigada, for 404 occupants in an existing Pre-Engineered Metal Building structure and for 448 beds to be housed in new modular units to be constructed. However Nan Inc. only intends to move forward at this time with the 404 beds in the existing facility and will not pursue the 448 beds in the proposed modular facility; and

**WHEREAS**, Lot 2278-R1, Estate 1117, Tiyan, Barrigada is already zoned M-1, which is the only zone allowed for TWHFs, and is served by all utilities and access; and

**WHEREAS**, the Nan Inc. TWHF is subject to the Public Works building permit and occupancy permit and the Public Health sanitary permit and dormitory permit, without which the TWHF cannot be occupied; now, therefore, be it

**RESOLVED**, that the Barrigada Municipal Planning Council having reviewed this matter finds the following:

1. Lot 2278-R1, Estate 1117, Tiyan, Barrigada is properly zoned M-1 under which Guam Law and regulations allow a TWHF as a Conditional Use.
2. Lot 2278-R1, Estate 1117, Tiyan, Barrigada is served by all utilities and access.
3. Land Management must certify the project's compliance with all land use controls, and all applicable Public Works and Public Health permits must be approved before Nan Inc. TWHF can be occupied.
4. This situation is a one-time occurrence due to impending COVID conditions for the past ten (10) months.



5. A public information sign shall be posted on the property entrance, facing the road, with information such as project description, site plan, project schedule and contact information to reach Nan Inc.
6. This Resolution pertains to only 404 beds in the proposed Nan Inc. TWHF in the existing structurally sound Pre-Engineered Metal Building structure on Lot 2278-R1, Estate 1117, Tiyan, Barrigada, and cannot be extended or expanded in any way without the express consent of the Barrigada Municipal Planning Council via Resolution.

**And, be it further**

**RESOLVED**, that the Barrigada Municipal Planning Council hereby concurs with the intent of Bill 14-36 with respect to fast-tracking the Nan Inc. TWHF application on Lot 2278-R1, Estate 1117, Tiyan, Barrigada with the conditions above stated; and be it further

**RESOLVED**, that the Chairperson of the Council certify to, and the Vice Mayor and the Secretary of the Council attest to, the adoption hereof, and that copies of the same be thereafter transmitted to the Executive Secretary of the Guam Land Use Commission; The Honorable Lourdes Leon Guerrero, Governor of Guam; Office of Speaker Therese M. Terlaje, Committee on Health, Land, Justice and Culture, *I Mina'trentai Sais na Liheslaturan* Guåhan, 36th Guam Legislature.

**DULY AND REGULARLY ADOPTED ON THE 11<sup>th</sup> DAY OF  
FEBRUARY, 2021.**

  
\_\_\_\_\_  
**JUNE U. BLAS**  
Mayor and Chairman  
\_\_\_\_\_  
**JESSIE P. BAUTISTA**  
Vice Mayor  
\_\_\_\_\_  
**THERESE B. MAZZEI**  
MPC Member and Council Secretary