

I Mina'Trentai Kuåttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
136-34 (LS)	FRANK B. AGUON, JR.	AN ACT TO ADD A NEW ARTICLE 16, TO CHAPTER 68 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO GRANTING ADMINISTRATIVE JURISDICTION OF THE BARRIGADA POLICE KOBAN FACILITY AND A PORTION OF THE PROPERTY CONTAINED WITHIN BLOCK 9, LOT NO. 5 REM, MUNICIPALITY OF BARRIGADA, GUAM, TO THE BARRIGADA VETERANS ORGANIZATION IN EXCHANGE FOR THE GENERAL MAINTENANCE AND UPKEEP OF THE BUILDING STRUCTURE AND THE BEAUTIFICATION OF THE IMMEDIATE SURROUNDING AREA, SUBJECT TO THE APPROVAL OF THE BARRIGADA MUNICIPAL PLANNING COUNCIL.	6/30/17 10:47 a.m.						

I MINA'TRENTAI KUATRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

Bill No. 136-34 (LS)

Introduced by:

FRANK B. AGUON, JR.



AN ACT TO *ADD* A NEW ARTICLE 16, TO CHAPTER 68 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO GRANTING ADMINISTRATIVE JURISDICTION OF THE *BARRIGADA* POLICE KOBAN FACILITY AND A PORTION OF THE PROPERTY CONTAINED WITHIN BLOCK 9, LOT NO. 5 REM, MUNICIPALITY OF *BARRIGADA*, GUAM, TO THE *BARRIGADA* VETERANS ORGANIZATION IN EXCHANGE FOR THE GENERAL MAINTENANCE AND UPKEEP OF THE BUILDING STRUCTURE AND THE BEAUTIFICATION OF THE IMMEDIATE SURROUNDING AREA, SUBJECT TO THE APPROVAL OF THE *BARRIGADA* MUNICIPAL PLANNING COUNCIL.

2017 JUN 30 AM 10:47



1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. A new Article 16 is hereby *added* to Chapter 68 of Title 21, Guam
3 Code Annotated, to read as follows:

4
5 “Article 16

6 *Barrigada Koban Facility*

7 *And Immediate Surrounding Property*

8
9 §68601. Legislative Findings and Intent.

1 I Liheslaturan Guahan finds that the Barrigada Mayor has been
2 generously permitting the Barrigada Veterans Organization (hereinafter “BVO”)
3 the opportunity to utilize the Koban Facility situated within the village, adjacent to
4 the Barrigada Mayor’s Office and the village park. This use arrangement is renewed
5 annually. The members of the BVO is extremely appreciative of the Mayor’s support
6 and assistance in providing the use of the facility over the past few years, but would
7 like to have access and use of the facility for a much longer timeframe so that it can
8 appropriately invest money, resources and time in improving the Koban Facility and
9 beautifying the surrounding areas.

10 Therefore, it is the intent of I Liheslaturan Guahan to grant long-term
11 administrative jurisdiction of the Barrigada Koban Facility and the immediate
12 surrounding area to the Barrigada Veterans Organization, to be designated by the
13 Mayor or Vice-Mayor of the municipality of Barrigada and concurred by the
14 Barrigada Municipal Planning Council through a duly adopted resolution. In
15 exchange for the use of the Koban Facility, the BVO has committed to performing
16 general maintenance and upkeep of the facility, to include maintenance of the
17 building from graffiti or vandalism, and the upkeep and beautification of the
18 immediate surrounding area. In addition, should the facility not be in use by the
19 organization, the BVO has agreed to allow the Barrigada community to have access
20 and use of the facility and the adjoining area, which shall be jointly coordinated and
21 approved by BVO and the Mayor or Vice-Mayor of the municipality of Barrigada
22 and concurred by the Barrigada Municipal Planning Council through a duly adopted
23 resolution.

24 I Liheslaturan Guahan further finds that such an arrangement would be
25 beneficial to the veterans and members of the Barrigada Veterans Organization, the
26 people of Barrigada, and the entire island community; and would further ensure the
27 productive and positive use of the Koban Facility and the contiguous property.

1 **§68602. Authorization to Grant Administrative Jurisdiction of the**
2 **Barrigada Koban Facility and the Immediate Surrounding Area to the**
3 **Barrigada Veterans Organization.**

4 Administrative jurisdiction of the Barrigada Koban Facility and the
5 immediate surrounding area situated thereon, described as M04, Block 9, Lot No. 5
6 REM, located in the municipality of Barrigada, to be designated by the Mayor or
7 Vice-Mayor of the municipality of Barrigada and concurred by the Barrigada
8 Municipal Planning Council by a duly adopted resolution, is hereby granted to the
9 Barrigada Veterans Organization, Guam, for a term not to exceed four (4) years,
10 with two (2) subsequent renewable like terms subject to the approval of the the
11 Mayor or Vice-Mayor of the municipality of Barrigada and the concurrence of the
12 Barrigada Municipal Planning Council by a duly adopted resolution, so long as the
13 Barrigada Veterans Organization, Guam, shall not cease to function or exist. The
14 administrative jurisdiction granted under this Section shall contain the following
15 terms:

16 1. The Barrigada Veterans Organization shall be in good standing with the
17 Department of Revenue and Taxation, government of Guam, throughout the duration
18 of the administrative jurisdiction of the Koban Facility and the immediate
19 surrounding area situated thereon, described as M04, Block 9, Lot No. 5 REM,
20 located in the municipality of Barrigada (hereinafter “Property”).

21 2. The Barrigada Veterans Organization, shall be considered as having ceased
22 to function should it fail to conduct a proper meeting as provided for by the chapter
23 governing documents for a period of twelve (12) months.

24 3. The Mayor or Vice-Mayor of the municipality of Barrigada, with the
25 concurrence of the Barrigada Municipal Planning Council by a duly adopted
26 resolution, may declare a cessation of activity or organizational existence upon a
27 finding that the Barrigada Veterans Organization is not maintaining the property, or

1 is not in compliance with the chapter governing documents, or the laws of Guam or
2 the United States.

3 4. The *Barrigada* Veterans Organization shall *not* demolish or cause to be
4 demolished any portion of any structure located on the property, without the
5 approval of the Mayor or Vice-Mayor of the municipality of *Barrigada* and
6 concurring by the *Barrigada* Municipal Planning Council by a duly adopted
7 resolution.

8 5. The Property shall not assigned nor sublet.

9 6. The use of the Property shall be limited to those activities consistent with
10 the mission and purpose of the *Barrigada* Veterans Organization as detailed in its
11 chapter governing documents, and under no circumstances shall the use of the
12 Property provide any personal pecuniary benefit to any member or members of the
13 *Barrigada* Veterans Organization, or to any other person or entity.

14 7. The *Barrigada* Veterans Organization may grant temporary daily
15 use of the Property to the community, which must be jointly coordinated and
16 approved by BVO and the Mayor or Vice-Mayor of the municipality of *Barrigada*
17 and concurring by the *Barrigada* Municipal Planning Council through a duly adopted
18 resolution.

19 Nothing herein shall be construed to prohibit the Mayor or Vice-Mayor of the
20 municipality of *Barrigada* or the *Barrigada* Municipal Planning Council from
21 establishing additional terms in the administrative jurisdiction of the Property or in
22 any subsequent renewal.”

23 **Section 2. Government Owned Real Property Appraisal.**

24 The Koban Facility building area of 266.00 ± square feet, situated on
25 Parcel number M04 B9 L5REM, located in the municipality of *Barrigada*, has an
26 appraised value of Thirty Thousand Five Hundred Ninety dollars (\$30,590); and, it
27 is a *non-taxable* real property that will be included in the 2017 tax assessment

1 records provided by Department of Revenue and Taxation Real Property Tax
2 Division; however, fully exempted as “Government Owned” pursuant to §§ 24102
3 and 24401(a), Chapter 24, Title 11, Guam Code Annotated. (See Exhibit 1).

4 **Section 3. Additional Real Estate Appraisal Requirement Waived.**

5 The provisions contained in 2 GCA § 2107(b) and § 6.04(c)(4) of the
6 Standing Rules of *I Mina Trentai Kuâtro Na Liheslaturan Guåhan* relative to real
7 estate appraisals *shall* herein be *waived* in the application of this Act.

Dipåttamenton Kontribusion yan Adu'aña

EDDIE BAZA CALVO, Governor
Maga'låhi
RAY TENORIO, Lt. Governor
Tiñente Gubetnadot

DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guåhan

JOHN P. CAMACHO, Director
Direktot
MARIE M. BENITO, Deputy Director
Sigundo Direktot

May 25, 2017

REAL PROPERTY TAX DIVISION
STATEMENT OF NON-TAXABLE VALUE*To whom it may concern:*

This is to ascertain that the non-taxable real property below will be included in the 2017 tax assessment records, however, fully exempted as "Government Owned" pursuant to §§24102 and 24401(a), Chapter 24, Title 11, Guam Code Annotated,

<u>PIN</u>	<u>Type</u>	<u>Appraised Value</u>	<u>Assessed Value</u>	<u>Tax Amount</u>
NONE	LAND	\$501,895.00		\$0.00
NONE	BLDG	\$602,945.00 (COMMUNITY CENTER)		\$0.00
NONE	BLDG	\$409,285.00 (BARRIGADA LIBRARY)		\$0.00
NONE	BLDG	\$ 30,590.00 (POLICE KOBAN)		\$0.00

Parcel Description: **M04 B9 L5REM**
Municipality: **BARRIGADA**

Land Area: **13,197.98 ± square meters**
Building Area: (Community Center) 5,243.00 ± square feet
(Barrigada Library) 3,559.00 ± square feet
(Police Koban) 266.00 ± square feet

LEGAL OWNER NAME: NONE

DARLENE DUENAS
Tax Appraiser I
Real Property Tax Division