

I Mina'Trentai Kuáttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
223-34 (COR)	Thomas C. Ada	AN ACT TO RE-ZONE LOT 5010-1NEW, LOT 5042-1 AND LOT 5042-R1 IN THE MUNICIPALITY OF DEDEDO FROM "R2" (RESIDENTIAL MULTIPLE DWELLING ZONE) TO "M2" (INDUSTRIAL ZONE) FOR THE CONSTRUCTION OF A NEW GUAM POWER AUTHORITY NORTHERN POWER GENERATION PLANT (Plant).	12/22/17 3:15 p.m.						

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

Bill No. 223 - 34 (COR)

Introduced by:

Thomas C. Ada *TC*

AN ACT TO RE-ZONE LOT 5010-1NEW, LOT 5042-1 AND LOT 5042-R1 IN THE MUNICIPALITY OF DEDEDO FROM "R2" (RESIDENTIAL MULTIPLE DWELLING ZONE) TO "M2" (INDUSTRIAL ZONE) FOR THE CONSTRUCTION OF A NEW GUAM POWER AUTHORITY NORTHERN POWER GENERATION PLANT (Plant).

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

2 **Section 1. Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Guam Power Authority (GPA) needs to construct a new power
4 plant to replace aging and damaged power plants. And that GPA has
5 determined that the new power plant should be built in Northern Guam.

6 *I Liheslaturan Guåhan* further finds that GPA has located a suitable
7 site for a new power generation plant (Plant) in the Ukudu area in the
8 Municipality of *Dededo*. The new Plant will be best sited within a specific
9 section of the *Ukudu* area due to the proximity of the GPA Harmon
10 Substation and the Northern District Waste Water Treatment Plant, terrain
11 characteristics, environmental considerations and other unique factors. The
12 proximity to the Northern District Waste Water Treatment Plant will
13 eliminate the need of up to 3,000,000 gallons of water daily by utilizing
14 treated wastewater from the Waste Water Treatment Plant. The proposed site

1 will reduce transmission lines, construction, operations and maintenance
2 costs and will provide maximum reliability by being proximate to the
3 *Harmon* Sub-station.

4 Although the purchase of real property is not subject to the Guam
5 Procurement Law, GPA initially attempted to procure real property via the
6 process prescribed in 12 G.C.A. § 5211.

7 *I Liheslaturan Guåhan* further finds that in June 2017, GPA
8 issued a Statement of Interest to acquire real property with certain
9 criteria within a prescribed area of *Ukudu*. The Statement of Interest
10 was advertised in both Guam newspapers, posted on the GPA webpage
11 and announced to the Guam Association of Realtors. As a result, five
12 (5) responses were received, two (2) were subsequently disqualified.
13 The three (3) remaining responses were evaluated based on the criteria
14 contained in the original Statement of Interest. GPA reviewed the
15 responses, discussed the acquisition process and allowed open dialog
16 with the remaining owners or representatives of owners. Discussion
17 included title and appraisal information on Lots 5010-1NEW, 5042-1,
18 and 5042-R1, *Dededo*. A Purchase Contract was subsequently
19 negotiated.

20 *I Liheslaturan Guåhan* further finds that on October 13, 2017 the
21 CCU adopted and approved Resolution No. 2017-42 Relative to
22 Authorizing GPA to Acquire Real Property for a 180MW Power
23 Generation Plant. CCU had authorized the General Manager of GPA to
24 execute the real property purchase agreement up to \$10,870,000, to
25 commence rezoning efforts and to petition the Public Utilities
26 Commission (PUC) for approval to purchase the real property.

27 *Therefore, I Liheslaturan Guåhan* intends to rezone the

1 properties described as Lot No. 5010-1NEW, Lot No. 5042-1 and Lot
2 No. 5042-R1 in the Municipality of *Dededo* from R2 (Multiple
3 Dwelling Zone) to M2 (Industrial Zone) for GPA's construction and
4 operations of a power generation plant.

5 **Section 2. Re-Zoning of Lot 5010-1NEW, Lot 5042-1 and**
6 **Lot 5042-R1, Municipality of *Dededo*.**

7 Lot 5010-1NEW, Lot 5042-1 and Lot 5042-R1, Municipality of
8 *Dededo* are hereby re-zoned from "R2" (MULTIPLE DWELLING
9 ZONE) to "M2" (INDUSTRIAL ZONE).

10 **Section 3. Severability.** If any provision of this law or its application
11 to any person or circumstance is found to be invalid or contrary to law, that
12 invalidity *shall not* affect other provisions or applications of this law, which
13 can be given effect without the invalid provisions or applications and to this
14 end the provisions of this act are severable.