

I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2010 (SECOND) REGULAR SESSION

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MM

Bill No. 461-30(LS)  
Introduced by:

Judith P. Guthertz, DPA



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 IN EACH MUNICIPALITY IN GUAM, AND FUNDING FOR THE CONSTRUCTION OF MULTIPURPOSE CENTERS FOR EVERY VILLAGE. THIS ACT SHALL BE KNOWN AS THE '*COMMUNITY PARTNERSHIP ACT OF 2010.*'

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

2           **Section 1. Statement of Legislative Findings and Intent:** *I Liheslatura Guahan*  
3 finds that as the population of Guam increases, the spirit of the island community is  
4 becoming increasingly introverted. As well, there is a new emphasis throughout the island  
5 and around the world on living a healthy lifestyle.

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

11           Each municipality in Guam has been promised, either through well intentioned  
12 legislation or initiatives, gymnasiums that would serve as sports and recreation centers and  
13 meeting spots for community functions. Due to limited funding, these plans are often

1 placed on the backburner. While some communities are able to boast of a beautiful  
2 gymnasium, others are left wanting.

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

7 The Council shall be comprised of representatives from the Mayors' Council of  
8 Guam (MCOG), the Department of Education (DOE), Guam Homeland Security Office of  
9 Civil Defense (GHS/OCD), the Department of Parks and Recreation (DPR), the Guam  
10 Housing and Urban Renewal Authority (GHURA) and the Guam Economic Development  
11 Authority (GEDA) and two (2) members from the community-at-large appointed by *I*  
12 *Maga'Lahen Guahan*.

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

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

22 It is the intent of *I Liheslaturan Guahan* to commission the Council to present a plan  
23 and funding option to *I Maga'Lahen Guahan* and *I Liheslatura Guahan* for the construction of  
24 a multipurpose center or retrofitting existing gyms to serve as multipurpose centers in each  
25 village in Guam, beginning with municipalities of Mangilao and Inarajan.



- 1 (d) a representative from Guam Homeland Security Office of Civil Defense  
2 (GHS/OCD) appointed by the Homeland Security Advisor, who may appoint  
3 himself;
- 4 (e) a representative from Department of Parks and Recreation (DPR), appointed by  
5 the director of DPR, who may appoint himself;
- 6 (f) a representative from Guam Housing and Urban Renewal Authority(GHURA),  
7 appointed by the director of GHURA, who may appoint himself;
- 8 (g) a representative from Guam Economic Development Authority (GEDA),  
9 appointed by the administrator of GEDA, who may appoint himself;
- 10 (h) two volunteer members of the general public appointed by *I Maga'Lahen Guåhan*  
11 (*serves at the pleasure of the governor*)

12 **§40203. Eligibility; Service and Term of Service.** Members may be employees  
13 of the government of Guam, appointed by their respective organization head as  
14 directed in items (a)(b)(c)(d)(e)(f)(g) of §40202, unless otherwise delineated. Upon  
15 acceptance, appointees, and their appointing authority, shall consider the members  
16 service on the Council as a part of the prescribed duties relative to their regular  
17 position within the government of Guam. Members shall serve so long as they retain  
18 a position within the organization from which they were appointed.

19 **§40204. Convening and meetings.** The President of the Mayors' Council shall  
20 convene the *Community Partnership Council* and shall administer the oath of office of  
21 the chairperson, and members, unless the President is also a member and  
22 chairperson of the Council, in such case, the President shall make arrangements with  
23 the Office of *I Maga'Lahen Guahan*, or *I Segundo na Maga'Lahen Guahan* so that *I*  
24 *Maga'Lahi* or *Segundo I Maga'Lahi* may administer the oath to members of the  
25 *Community Partnership Council*. The governance of the Council shall be determined  
26 by its membership.

1 Meetings shall be held during regular business hours, Mondays through  
2 Fridays, of the government of Guam and shall be held no less than once monthly.  
3 No stipends shall be paid as members (a)(b)(c)(d)(e)(f)(g) are employed by the  
4 government. Member (h) shall be volunteer members.

5 **§40205. Purpose and Goal of the CPC.** The Mayors' Council of Guam, together  
6 with the Department of Education, Guam Homeland Security Office of Civil  
7 Defense, the Department of Parks and Recreation, the Guam Housing and Urban  
8 Renewal Authority and the Guam Economic Development Authority shall convene  
9 a Council as prescribed in items (a)(b)(c)(d)(e)(f)(g) of §40202. The CPC shall  
10 develop a feasibility study that will outline marked timelines and proposed funding  
11 sources or financing proposals for the construction of a multipurpose center in each  
12 village by the year 2020, to serve as a central point for village functions, and other  
13 requested usage; and as the primary gymnasium of the village.

14 **§40206. Action Plan.** The CPC shall create an action plan with the sequence of  
15 the order for consideration and construction of multipurpose centers in the  
16 respective municipalities and shall rotate the proposed construction schedule as  
17 follows:

18 A.) The CPC, in coordination with the respective village mayors, shall identify  
19 within the confines or along the border of an existing public elementary school  
20 under the operation of the Department of Education, adequate property for the  
21 construction of a multipurpose center in every village.

22 B.) Villages considered for construction of a multipurpose center shall be the most  
23 populous village without a gymnasium and rotate to villages without a  
24 gymnasium that have populations with less than 5500 residents recorded based  
25 on the most recent statistics (year 2000) of the United States Census Bureau,  
26 when available, data from the 2010 U.S. Census shall be used. Villages that

1 currently have gymnasiums shall, by default, be moved to the second rotation for  
2 retrofitting, if necessary, to meet the purposes of a multipurpose center.

3 1.) According to the 2000 U.S. Census, Dededo has a population of 42,980,  
4 Yigo, has a population of 19,474 and the tri-village of Tamuning, Tumon  
5 and Harmon had 18,012 residents living in the Tamuning, Tumon,  
6 Harmon village. However, all three municipalities already possess village  
7 gymnasiums, thus in this instance, based on the U.S. Census count of 2000,  
8 the village of Mangilao with recorded population of 13,313 shall be the  
9 first qualified village for the construction of a multipurpose center.

10 2.) Concurrently, according to the 2000 U.S. Census, Agana Heights had a  
11 population of 5,200 and Talofoto had a population of 3,245. However,  
12 both municipalities already possess village gymnasiums, thus in this  
13 instance, based on the US Census count of 2000, the village of Inarajan  
14 with recorded population of 3,052 residents shall be the second qualified  
15 village for the construction of a multipurpose center.

16 C.) The cycle of consideration for the rotation of the construction of multipurpose  
17 centers in villages without gymnasiums shall continue in the order as formulated  
18 in subitems (B)(1) and (B)(2) of §40206.

19 **§40206. Design Recommendations and Financing Options.** The CPC shall  
20 include in its plans, the basic design and requirements of a multipurpose facility by  
21 utilizing proven 'cookie cutter' design concepts.

22 The CPC shall research all known available grants and funds as recommended:

- 23 • United States Housing and Urban Renewal Authority through GHURA;
- 24 • United States Department of Agriculture for rural Development, through GEDA
- 25 • United States Department of Homeland Security
- 26 • A Finance, Build, Operate & Leaseback Option, through GEDA

- 1       • Any available or known availability of funds or revenue sources, or recommended  
2 revenue sources of the government of Guam.

3       The CPC shall include in its recommendations, proposals for the financing and  
4 construction of these facilities.

5       **§40207.       Logistical Needs, Support Structure and Coordination of the CPC.**

6       The logistical needs, support structure, and coordination of the Council shall be  
7 underwritten by the MCOG at the direction of the chairperson.

8       **Section 3.    Presentation.** Upon convening of the CPC, the Council shall meet no  
9 less than once monthly, and effectuate a draft plan no later than 240 days of the  
10 Council's first meeting for presentation to *I Maga'Lahen Guåhan* and *I Liheslaturan*  
11 *Guahan* for consideration.

12       **Section 4.   Effective Date.** This Act shall take effect upon enactment."