



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Refer to
Legislative Secretary

MAY 14 1997

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910


Dear Speaker Unpingco:

Enclosed please find a copy of Bill No. 223 (COR), "AN ACT TO REZONE LOT NO. 5-2 AND LOT NO. 5-R2, LOCATED IN THE MUNICIPALITY OF BARRIGADA, GUAM, FROM 'A' (RURAL ZONE) TO 'R-1' (ONE-FAMILY DWELLING ZONE), AND TO GRANT A CONDITIONAL USE FOR THE FILIPINO COMMUNITY OF GUAM ASSOCIATION TO CONSTRUCT AND OPERATE A COMMUNITY CENTER ON THESE LOTS.", which I have signed into law today as Public Law No. 24-24.

Through its various member organizations, the Filipino Community of Guam Association has contributed many hours and dollars to community service projects on Guam, as well as offering a source of social and cultural interchange on our island.

I am pleased to sign this legislation into law which allows for the construction and operation of a community center in Barrigada, Guam.

Very truly yours,


Carl T. C. Gutierrez
Governor of Guam

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT
Received By: [Signature]
Time: 10:57am
Date: 5-15-97

Attachment 00204


cc: The Honorable Joanne M. S. Brown
Legislative Secretary

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 5/15/97
Time: 10:10am
Rec'd by: [Signature]
Print Name: Charlene Duenas

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

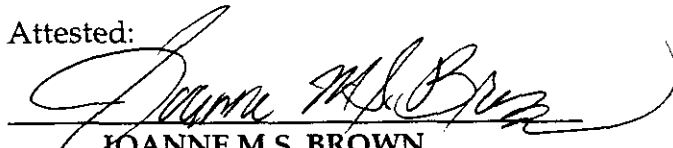
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 223 (COR), "AN ACT TO REZONE LOT NO. 5-2 AND LOT NO. 5-R2, LOCATED IN THE MUNICIPALITY OF BARRIGADA, GUAM, FROM "A" (RURAL ZONE) TO "R-1" (ONE-FAMILY DWELLING ZONE), AND TO GRANT A CONDITIONAL USE FOR THE FILIPINO COMMUNITY OF GUAM ASSOCIATION TO CONSTRUCT AND OPERATE A COMMUNITY CENTER ON THESE LOTS," was on the 6th day of May, 1997, duly and regularly passed.



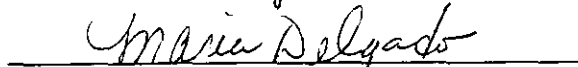
ANTONIO R. UNPINGCO
Speaker

Attested:



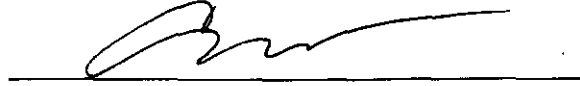
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by the Governor this 8th day of May, 1997, at 12:35 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 5-14-97
Public Law No. 24-24

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 223 (COR)

As amended on the floor.

Introduced by:

A. C. Blaz
F. B. Aguon, Jr.
J. C. Salas
A. C. Lamorena, V
T. C. Ada
E. Barrett-Anderson
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
Mark Forbes
L. F. Kasperbauer
C. A. Leon Guerrero
L. Leon Guerrero
V. C. Pangelinan
A. L.G. Santos
F. E. Santos
A. R. Unpingco
J. WonPat-Borja

AN ACT TO REZONE LOT NO. 5-2 AND LOT NO. 5-R2, LOCATED IN THE MUNICIPALITY OF BARRIGADA, GUAM, FROM "A" (RURAL ZONE) TO "R-1" (ONE-FAMILY DWELLING ZONE), AND TO GRANT A CONDITIONAL USE FOR THE FILIPINO COMMUNITY OF GUAM ASSOCIATION TO CONSTRUCT AND OPERATE A COMMUNITY CENTER ON THESE LOTS.

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

2 **Section 1. Legislative Findings.** The Guam Legislature finds that since
3 the incorporation of the Filipino Community of Guam ("FCG") Association,
4 one (1) of their major objectives has been to construct and operate a
5 centralized facility for their member associations to hold meetings, social
6 functions and gatherings. With their recent purchase of Lot Nos. 5-2 and 5-
7 R2, located in the municipality of Barrigada, Guam, the FCG is one (1) step
8 closer to realizing this objective after forty-three (43) long years.

9 The Guam Legislature also finds that the operation of a Community
10 Center, such as the one desired by the FCG, would best be approved as a
11 conditional use in an "R-1" zone. This necessitates the rezoning of the FCG
12 properties and the granting of a conditional use by the Guam Legislature.

13 **Section 2. Rezoning Provision.** Lot No. 5-2 and Lot No. 5-R2, located
14 in the Municipality of Barrigada, Guam and owned by the Filipino
15 Community of Guam Association are hereby rezoned from "A" (Rural Zone)
16 to "R-1" (One-Family Dwelling Zone).

17 **Section 3. Conditional Use Provision.** The Guam Legislature hereby
18 grants a "Conditional Use" approval for the FCG to construct and operate a
19 Community Center on Lot No. 5-2 and Lot No. 5-R2, Barrigada, Guam,
20 provided that the following conditions are met:

21 a. That the granting of the Conditional Use not be transferable to any
22 other group, corporation or individual prior to the construction of the
23 Community Center.

24 b. That the FCG construct an aesthetically well designed and
25 landscaped Community Center.

- 1 c. That the Community Center serve the needs of various residential
- 2 community members throughout Guam.
- 3 d. That no variances be granted for setbacks, minimum parking and
- 4 height as specified in the zoning and building codes of Guam.
- 5 e. That the two (2) lots be consolidated into one (1) lot.



COMMITTEE ON
AGRICULTURE, LAND, HOUSING,
COMMUNITY & HUMAN RESOURCES DEVELOPMENT

SENATOR JOHN CAMACHO SALAS
CHAIRMAN

April 24, 1997

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

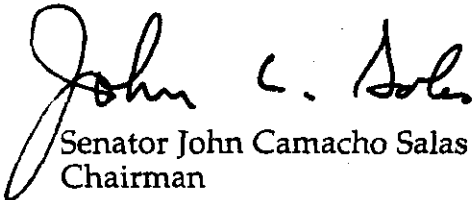
The Committee on Agriculture, Land, Housing, Community & Human Resources Development to which was referred Bill No. 223, has had the same under consideration and now wishes to report back the same with the recommendation **TO DO PASS**.

The Committee votes are as follows:

To Do Pass	5
Not To Pass	0
Abstain	0
Other (Off-Island)	0

A copy of the Committee's report and other pertinent documents are enclosed for your reference and information.

Sincerely,


Senator John Camacho Salas
Chairman

Attachments

Committee on Agriculture, Land, Housing, Community
& Human Resources Development
Twenty-Fourth Guam Legislature
Tanaka Building, Suite 100, Agana, Guam 96910

COMMITTEE REPORT

ON

BILL 223 - AN ACT REZONE LOT NO. 5-2 AND LOT NO. 5-R2, LOCATED IN THE MUNICIPALITY OF BARRIGADA, GUAM, FROM "A" (RURAL ZONE) TO "R-1" (ONE FAMILY DWELLING ZONE), AND TO GRANT A CONDITIONAL USE FOR THE FILIPINO COMMUNITY OF GUAM ASSOCIATION TO CONSTRUCT AND OPERATE A COMMUNITY CENTER ON THESE LOTS.

I. BACKGROUND

Senator John Camacho Salas, Chairman for the Committee, conducted a public hearing on Bill 135 (a rezoning proposal from "A" zone to "R-2" zone) and on Bill 145 (a rezoning proposal from "A" zone to "C" zone) at the very site which the above bills proposed to have rezoned: Lots 5-2 & 5-R2, Carinosa Street and South Sabana Drive, Barrigada Heights, Guam, on Saturday, April 5, 1997.

Committee members present included:

Senator John Camacho Salas, Chairman
Senator Edwardo J. Cruz, Vice-Chairman
Senator Carlotta M. Leon Guerrero, Member
Senator Larry F. Kasperbauer, Member

Non-member senators present included:

Senator Anthony C. Blaz
Senator Frank B. Aguon, Jr.
Senator Alberto C. Lamorena, V.

I. HEARING SUMMARY

After Chairman Salas called the meeting to order, he invited Mr. **Roger Ruelos**, President of the Filipino Community of Guam (FCG) to present an overview of the plans which the FCG proposes for the construction of its community center/clubhouse. Mr. Ruelos presented both oral and graphic details of the construction plan.

He assured the audience (about 100 in attendance) that the FCG plans for a two-story 79 parking space facility would adhere to all building codes. He also gave assurance that the proposed facility will not gravely affect the scenic view of the neighboring Colina de Barrigada residents, that noise levels will be minimal, that there will be no alcoholic serving facility, and that there will be no gambling or bingo games held at the proposed community center.

Raymond Laguana, Barrigada's Mayor, testified officially in his capacity as the village leader, and gladly welcomed the Filipino community as part of the Barrigada family should the Legislature allow the FCG to build its community center. He encouraged the senators present to address the zoning problems of the rest of Barrigada Heights, and not just this particular request. Later, he testified as the President of the Barrigada Mayor's Council.

and advised the senators that he will be convening his council shortly to bring up this rezoning request with the rest of his council members.

Mr. **John Bouchard**, President of the Colina de Barrigada Homeowners Association, testified on behalf of the residents of the association, and vehemently opposed both Bills 135 to rezone the lots from "A" to "R-2" and Bill 145 to rezone the lots from "A" to "C". He cited possible commercialization of the property in a residential neighborhood - and all that that entails - as the community's main objections. He noted, however, that he believes that the Chairman had been working on a compromise measure which will adequately allay the concerns of the residents and which will at the same time satisfy the requirements of the FCG. That measure (to rezone the properties from "A" to "R-1 with conditional use), he said, has the full support of the Colina de Barrigada Association and other Barrigada Heights residents.

Senator Salas had his staff circulate among the attending audience copies of the compromise measure he had been working with in conjunction with the FCG and the Colina groups, as well as with the authors of Bills 135 and 145, and explained that his proposal to rezone the lots to "R-1 with conditional use", he felt, offered a win-win scenario where both parties will be satisfied.

Mr. **Peter Dumaliang**, FCG past-president and project coordinator of the FCG community center construction, testified in support of the compromise measure. He explained the FCG's plight over the last 43 years in its effort to find a permanent home for the various Filipino associations throughout the island. He detailed the various contributions the Filipino associations had given to the local community over the many years, and solicited the assistance of the Legislature and of the people of Guam in allowing them to build their community center/clubhouse.

During the questionings of these two witnesses, both **Senator Anthony C. Blaz** and **Senator Frank B. Aguon, Jr.**, principal authors respectively of Bills 145 and 135, seeing that the parties involved were apparently satisfied with the compromise measure, formally withdrew their bills, and requested that they be made principal authors of the compromise measure. The Chairman accepted their withdrawals.

Mr. **Roger Ruelos**, FCG President, testified in support of the compromise measure and thanked both the Mayor and the Barrigada Heights community for the apparent show of support of the FCG project.

Mr. **Jack Jones**, a Colina de Barrigada resident, testified in support of the compromise measure. He wanted to be assured that there would be no gambling or drinking at the FCG community center, and that the matter of parking be adequately addressed.

Ms. **Juanita Camacho**, testified and supported the compromise bill. She pointed out, however, that the community growth of the Barrigada Heights area has gone a long way since her family moved to the area and requested the senators to address the growing infrastructure needs of the community. She noted the absence of the infrastructure department heads (GPA, DPW, GWWA, GEPA) and wondered if that indicated any indifference. The Chairman assured her that notices had been sent to those departments and that their absences in future hearings will not be tolerated by him, and hopes he does not have to exercise his subpoena powers to get them to attend.

Mr. **Aurelio Solidum** and Mr. **Ernie Cid**, both members of the FCG, also testified in support of the compromise measure.

Senator **Eduardo Cruz**, in endorsing the compromise measure, encouraged the FCG to build aesthetically designed walls around the property both to enhance the community appearance and to provide safety as well.

Two written testimonies were submitted to the Committee, but were not delivered orally. Mr. **Tony Martinez**, director of the Department of Land Management submitted testimony recommending that the rezoning request be routed through the Territorial Planning Commission instead. Dr. **Eddie Del Rosario**, submitted testimony in opposition to any type of rezoning, and recommended, instead, that the needs of the FCG be achieved through a land exchange to another area that is not residential.

II. COMMITTEE FINDINGS

From the testimony heard, the Committee finds that::

- (1) There exists a need to address the request of the FCG for them to construct a community center for the over 65 different Filipino associations on island. Their attempt to build such a center had been languishing for the past 43 years. The contributions which the FCG has made (and continues to make) to our island community certainly warrants the assistance of the people of Guam - through this Legislature - to address this need.
- (2) That the present "A" zone of the properties is not suited for the FCG to build its community center/clubhouse, but that "R-1" with conditional uses is compatible.
- (3) That no adverse impact to the peace and tranquility of the Colina De Barrigada area is foreseen with the FCG building their community center/clubhouse.
- (4) That while the objections of the neighboring community remain the principal concern in any rezoning request in this case, however, the Colina de Barrigada and Barrigada Heights not only do not object to the proposal, but welcomes the FCG into its community.

It is the overall tone of the persons who testified at the hearing that the residents of Colina de Barrigada and Barrigada Heights are strongly opposed to Bill 135 and bill 145, and that both the residents as well as the FCG communities, are agreeable to the compromise to rezone the properties from "A" to "R-1 with conditional us". Accordingly, inasmuch as both Bill 135 and Bill 145 were withdrawn, it was agreed that a compromise bill be formally introduced, showing Senators Anthony Blaz, Frank B. Aguon, Jr., John C. Salas and Alberto C. Lamorena, V as principal authors, and that the hearing conducted for Bills 135 and 145 be considered public hearings for the new compromise bill.

III. COMMITTEE RECOMMENDATIONS

The Committee, having received Bill 223 as the compromise bill for Bills 135 and 145, and having assessed its merits, does hereby recommend Bill 223 to **TO DO PASS**.



24th GUAM LEGISLATURE


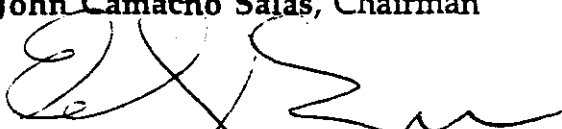

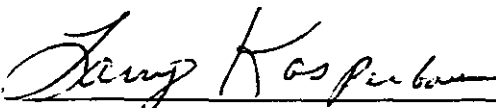

SENATOR JOHN CAMACHO SALAS CHAIRMAN

COMMITTEE ON AGRICULTURE, LAND, HOUSING, COMMUNITY AND HUMAN RESOURCES DEVELOPMENT

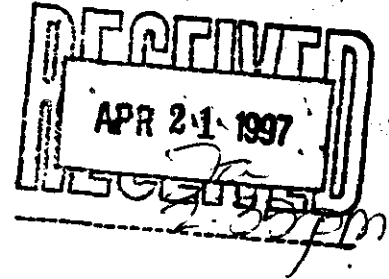
VOTING SHEET

Bill Number 135 (as substituted by Committee)

Title An Act to rezone Lot No. 5-2 and Lot No. 5-R2 located in the Municipality of Barrigada, Guam, from "A" (Rural Zone) to "R-1" (one family dwelling zone), and to grant a conditional use for the Filipino Community of Guam Association to construct and operate a community center on these lots.

	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 John Camacho Salas, Chairman	✓			
 Edwardo J. Cruz, M.D., Vice-Chair	✓			
 Elizabeth Barrett-Anderson, Member	✓			
 Larry Kasperbauer, Member	X			
_____ Carlotta Leon Guerrero, Member				
 Thomas Ada, Member	✓			
_____ William Flores, Member				
_____ Anthony Unpingco, Ex-Officio Member				

24th Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs
Senator Mark Forbes, Chairman



APR 21 1997

MEMORANDUM

TO: Chairman
Committee on Agriculture, Land, Housing, Community and Human
Resources Development

FROM: Chairman
Committee on Rules, Government Reform and Federal Affairs

SUBJECT: Referral- Bill No. 223

The above Bill is referred to your Committee as the principal committee. It is recommended you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment



SENATOR JOHN CAMACHO SALAS CHAIRMAN

COMMITTEE ON AGRICULTURE, LAND, HOUSING, COMMUNITY AND HUMAN RESOURCES DEVELOPMENT

TESTIMONY SIGN IN SHEET

Legislative Public Hearing Room

Bill Number **135 & 145**

Subject Acts relative to rezoning Lot No. 5-R2 and Lot No. 5-2, located in the municipality of Barrigada, for the purpose of constructing the Filipino Community of Guam Community Center.

<i>John P. Souchard</i>	<input type="checkbox"/> FOR	<input type="checkbox"/> WRITTEN
	<input checked="" type="checkbox"/> AGAINST	<input type="checkbox"/> ORAL
<i>PETER S. DUMKLING</i>	<input type="checkbox"/> FOR	<input checked="" type="checkbox"/> WRITTEN
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<i>[Signature]</i>	<input type="checkbox"/> FOR	<input type="checkbox"/> WRITTEN
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<i>Roger R. Kulis</i>	<input type="checkbox"/> FOR	<input type="checkbox"/> WRITTEN
	<input type="checkbox"/> AGAINST	<input type="checkbox"/> ORAL
<i>Aurelio S. Solidum</i>	<input checked="" type="checkbox"/> FOR	<input type="checkbox"/> WRITTEN
	<input type="checkbox"/> AGAINST	<input checked="" type="checkbox"/> ORAL
<i>Ernie Cid</i>	<input checked="" type="checkbox"/> FOR	<input type="checkbox"/> WRITTEN
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**Colina de Barrigada Homeowner's Association
Barrigada, Guam**

February 28, 1997

Attention: Senator John C. Salas
Twenty-Fourth Guam Legislature
Chairman, Committee on Land, Housing, Agriculture,
Human Resource Development, and Community

Suit 100
T. S. Tanaka Building
Agana, Guam 96910

**Subject: Testimony Against Proposed Spot Rezoning Barrigada
Lot 5-R2 and Lot 5-2, Tract 219, Barrigada from A to R-2**

Dear Senator Salas,

This letter is for and by the homeowners of the sixteen homes which comprise the Colina de Barrigada Homeowner's Association. Our homes and neighborhood are directly across from Lot 5-R2 and Lot 5-2, Tract 219, Barrigada whose owner, Filipino Community of Guam (FCG) Association, is applying for a Spot rezoning from "A" (Rural) to "R-2" (Private Group Use Only) utilizing Senator Frank Aguon's Bill No. 135 (Cor), and/or "A" to "C" (Commercial) utilizing Senator Tony Blas's Bill No. 145 which I believe you are a cosponsor of.

Be advise that we conditionally support the FCG Association locating their clubhouse on Lots 5-R2 and 5-2 provided the zoning remains "A", and certain impact on infrastructure (parking, road access, traffic, noise, building plans, etc.) are addressed and resolved.

We strongly oppose the upzoning of Lots 5-R2 and 5-2 from "A" to R2 for the following reasons:

1. Inappropriate Zoning. Except the Route 16 frontage lots which unilaterally zoned commercial, all of the lots in Barrigada Heights are zoned A or R1. Ours is a nice, close, family neighborhood in which we have invested our time, our money, and our hearts. We feel that there is no justification for granting this one landowner, FCG Association, a high density R-2 zoning. Suppose the FCG Association decides to sell or move to another location. What then happens to the zoning which was granted for a clubhouse? The R-2 zoning on this lot if sold to someone else could ultimately allow higher density apartments, condominiums and/or hotel construction, which would be inappropriate and strongly conflict with the existing neighborhood and community.
2. Impact on Infrastructure. This R-2 proposal, a clubhouse, for the FCG Association with its many members and their many community get-togethers creates serious problems for our current infrastructure, i.e. parking, road access and traffic. The lot is on a corner fronting a already high volume street of South Sabana which services Barrigada Heights and a small residential road, Corinosa. It creates a potentially bigger problem regarding

water, sewer, power, density, etc. if apartments, condominiums and/or hotel construction were to take place.

- * **Parking.** What is the parking plan for day to day operations? What is the parking plan for FCG Association community functions? An organization representing 67 separate associations located and utilizing a piece of land that is less than one acre for their meetings, social functions and gatherings must very carefully plan its parking requirements so as to not infringe and overload the neighborhood roads. Will Association members be parking on South Sabana Drive and associated Barrigada Heights side streets?
- * **Road Access.** Do we need to widen South Sabana Drive to handle the additional traffic and possible parking dilemma?
- * **Traffic.** What about access to and from Route 16, will we need a traffic light, etc.

As you can see there are some very serious questions that need to be answered before we address this spot rezoning request. Even if this project is accepted as an A or R1 zone, these questions still need to be answered. I propose that the FCG Association provide the parking plan and the necessary infrastructure improvements before their clubhouse project begins.

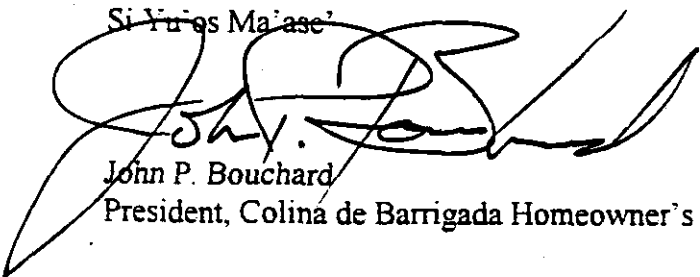
3. **Project/Building Plans.** No project/building plans have been submitted. If for no other reason a decision on this Spot rezoning request or Bill 135 (COR) should be tabled until such plans are submitted in final form. We believe that this clubhouse could unjustly infringe upon the quiet enjoyment of our homes, on the character of our community, and even the value of our houses if designed without regard for aesthetically pleasing facilities and parking area.
4. **Noise/Nuisance.** The existing residential community, its wholesomeness, character and charm, were part of the reason why many of us chose Barrigada Heights as our home and the place to raise our families. The following questions are of great concern. What will be the operating hours of the clubhouse? Will there be regularly scheduled live band music? If so how often? Will the clubhouse have bar that serves alcoholic beverages? Will the bar be open most days during the week? Will gambling be permitted on the premises for any reason? There was mention of possible outdoor sports (basketball). Will there be quiet hours. If so what will they be? We don't want or need a neighborhood bar or gambling house.
5. **Conditional Use.** While we strongly oppose the unconditional rezoning from A to R-2 we could, if specific conditions, in response to the above mentioned concerns, in consideration by the FCG Association of our residential Association and of the Upper Barrigada Heights neighbors, find A or R-1 zoning with a conditional or specific use

applicable. Both A and R-1 zoning allow for the conditional use of a community center. R-2 zoning takes away the community's input regarding building considerations which assures that we be able to retain sufficient infrastructure capacity, maintain significant view corridors, and to retain the sociable family atmosphere of our neighborhood. Like the Colina de Barrigada subdivision itself, which was approved only after vigorous design conditions and consideration to the existing neighbors was given, we do not seek to block the rightful development of this property. We only ask that the same consideration be given again to the existing community.

In sum, we are strongly against the projected Spot rezoning of Lots 5-R2 and 5-2 from "A" to R-2 as proposed in Bill No. 135 (COR) And/or "A" to "C" as proposed in Bill No. 145. Many of our grievances, we feel could be worked out under the current A zone or a new R-1 zone change application with specific considerations of the neighborhood addressed in a Conditional Use allowance. A conditional use allowance on Lots 5-R2 and 5-2 "A" zoned property for this private group, FCG Association, can be accomplished through a revised Legislative Bill. We encourage the FCG Association to construct a community center which will be not only a well planned and pleasing structure in itself, but one which will arise in harmony and fairness with its neighbors - not sacrificing their rightful enjoyment and their community for part time recreational use of potentially many visitors who are not residents. We believe this to be fair and reasonable position for our community and for our neighbors, both present and future.

Thank you Senator Salas, we look forward to your understanding and assistance.

Si Yu'es Ma'ase'



John P. Bouchard

President, Colina de Barrigada Homeowner's Association

**FILIPINO COMMUNITY OF GUAM TESTIMONY
FOR THE REZONING OF FCG LOTS AT COLINA
BARRIGADA HEIGHTS FROM "A" TO "R1"**

Prepared by: Peter S. Dumaliang

I AM PETER S. DUMALIANG, PAST PRESIDENT OF THE FILIPINO COMMUNITY OF GUAM AND CHAIRMAN OF THE FCG CLUBHOUSE CONSTRUCTION COMMITTEE WHOSE FUNCTION INCLUDES OVERSEEING THE REZONING OF OUR PROPERTY AT COLINA, BARRIGADA HEIGHTS.

LADIES AND GENTLEMEN, GOOD EVENING. BEFORE I PROCEED, I WOULD LIKE TO CONVEY THE FILIPINO COMMUNITY OF GUAM'S SINCEREST GRATITUDE TO THE SPONSORS OF BILLS 135 & 145, (SENATORS A. C. BLAZ & F. AGUON JR.), MOST ESPECIALLY SENATOR, JOHN C. SALAS, CHAIRMAN OF THE COMMITTEE ON LAND AND HOUSING DEVELOPMENT FOR PAVING THE WAY AND FOR GIVING US THE OPPORTUNITY TO REZONE OUR PROPERTY FROM "A"(AGRICULTURAL) TO "R1 (RESIDENTIAL).

FCG PROFILE

GUAMANIAN AND FILIPINOS HAVE A LOT IN COMMON, ESPECIALLY WHEN ONE SPEAKS ABOUT CULTURE, TRADITION AND HISTORY.

THE FILIPINOS HAD BEEN ON GUAM LONG BEFORE THE ARRIVAL OF THE AMERICANS. BY THE END OF THE SPANISH RULE, THERE WAS A BIG INFLUX OF FILIPINOS HERE IN GUAM. MANY OF THEM WERE EXILES DURING THE SPANISH ADMINISTRATION OF GUAM AND THE PHILIPPINES.

DURING THE SPANISH RULE, THE FILIPINOS DID NOT ENJOY CIVIL RIGHTS. HOWEVER, THE AMERICANS CHANGED THE ATMOSPHERE WHEN THEY ARRIVED. SINCE THEN THE FILIPINOS WERE ALLOWED TO HOLD GATHERINGS AND CONDUCT THEIR OWN COMMUNITY AFFAIRS. THESE GATHERINGS TRANSFORMED THE FILIPINO COMMUNITY INTO A CLOSELY-KNIT GROUP, RECALLING TOGETHER THEIR HAPPY DAYS IN THE PHILIPPINES AND SHARING THE PAINS OF SEPARATION FROM RELATIVES.

THE OFFICIAL ORGANIZATION OF THE FILIPINO COMMUNITY OF GUAM WAS DONE IMMEDIATELY AFTER THE JULY 4TH OBSERVANCE OF PHILIPPINE INDEPENDENCE ANNIVERSARY IN 1954.

FCG MISSION STATEMENT

SINCE ITS INCORPORATION IN 1954, THE FCG HAS HELD SIX MAJOR GOALS. ALLOW ME TO ENUMERATE THESE AS THEY ARE ALL RELEVANT IN TODAY'S PUBLIC HEARING AGENDA:

*TO FOSTER UNITY AND CLOSER RELATIONS AMONG FILIPINOS ON GUAM.

*TO PRESERVE THE CHERISHED TRADITIONS OF THE FILIPINO PEOPLE.

*TO COOPERATE AND BE RESPONSIVE TO THE DULY CONSITITUTED AUTHORITIES OF THE TERRITORY OF GUAM IN THE PROMOTION OF CIVIC, SOCIAL AND MORALE WELFARE.

*TO IMPROVE AND FOSTER THE BONDS OF FRIENDSHIP EXISTING BETWEEN THE FILIPINOS, THE AMERICANS, OUR GUAMANIAN HOSTS AND OTHER RESIDENTS OF GUAM.

*TO ACQUIRE, PURCHASE, MORTGAGE OR ENCUMBER ANY REAL OR PERSONAL PROPERTY.

*TO ESTABLISH A CULTURAL CENTER (CLUGHOUSE) IN GUAM.

THESE NOBLE GOALS AND OBJECTIVES STEM FROM THE FORESIGHT AND VISION OF OUR FOUNDING FATHERS FORTY THREE (43) YEARS AGO. AND WE ARE ALL HERE TO ASCERTAIN THE ATTAINMENT OF THESE GOALS.

WE DID NOT ONLY THINK ABOUT OUR COMMON INTEREST THE PAST FORTY-THREE YEARS. WE CONTINUE TO CONTRIBUTE A LOT TO THE COMMON BENEFIT OF GUAM IN PROMOTING OUR NUMBER ONE INDUSTRY, TOURISM THRU THE CONSTRUCTION OF SEVERAL PAVILIONS AND RECREATIONAL FACILITIES ALONG GUAM'S SHORES AND PUBLIC PARKS.

OUR CONTRIBUTIONS IN EDUCATION ARE EXEMPLIFIED THRU THE SCHOLARSHIP PROGRAMS WE OFFER TO DESERVING STUDENTS OF HIGHER LEARNING INSTITUTIONS, (UOG & GCC IN PARTICULAR). WE FEEL THAT WE SHARE THE GOAL OF FOSTERING AND PROMOTING THE ACADEMIC EXCELLENCE OF OUR CHILDREN.

WE ALSO CONTRIBUTED A LOT IN HEALTH CARE THRU THE DONATIONS OF MUCH NEEDED MEDICAL EQUIPMENT TO THE GUAM MEMORIAL HOSPITAL.

FILIPINOS ALSO CONTINUE TO CONTRIBUTE A LOT IN HELPING BUILD GUAM THRU THE THEIR EXPERTISE IN CONSTRUCTION, MEDICINE, BUSINESS ADMINISTRATION AND GOVERNMENT SERVICE. ALL THESE NOTABLE CONTRIBUTIONS WHEN QUANTIFIED EQUATE TO MILLIONS OF DOLLARS.

IN DECEMBER OF LAST YEAR, THE HIGHLIGHT OF THE FILIPINO COMMUNITY OF GUAM'S ACCOMPLISHMENT IN TERMS OF SIGNIFICANCE IS THE HISTORIC PURCHASE OF OUR PROPERTY AT COLINA, BARRIGADA HEIGHTS FOR A PRICE OF \$380K. LADIES AND GENTLEMEN WE HAVE INVESTED A LOT OF TIME MONEY AND EFFORT TO HAVE ACQUIRED THIS PROPERTY.

WE WANT EVERYBODY TO KNOW THAT WE ARE ONE, UNITED AND DETERMINED TO EXERCISE OUR RIGHTS AS PROPERTY

OWNER AND TO MAXIMIZE THE USES OF OUR PROPERTY PERMISSIBLE BY LAW.

HOWEVER, WE ARE ALSO SENSITIVE TO THE CONCERNS OF OUR FRIENDS AND NEIGHBORS PARTICULARLY THE RESIDENTS OF THIS COMMUNITY. WE ASK THAT RESIDENTS HERE MUST ALSO BE SENSITIVE TO THE CONCERNS AND NEEDS OF THE FILIPINO COMMUNITY OF GUAM. WE ARE A DECENT AND CREDIBLE GROUP TO BE WELCOMED WITH OPEN ARMS.

THE OFFICIAL STAND OF THE FILIPINO COMMUNITY OF GUAM IS TO AGREE ON REZONING OUR PROPERTY FROM AGRICULTURAL TO RESIDENTIAL.

MR. CHAIRMAN, WE ENTRUST TO YOU THE REZONING OF OUR PROPERTY THRU A COMPROMISE BILL, INCLUSIVE OF ALL THE CONDITIONS MUTUALLY AGREED UPON BY ALL PARTIES CONCERNED. THE FILIPINO COMMUNITY OF GUAM ANTICIPATES AND EXPECTS THE IMMEDIATE ACTION AND PASSAGE OF SUBJECT REZONING BILL BY THE 24TH GUAM LEGISLATURE.

THANK YOU, SI YUUS MAASE AND MARAMING SALAMAT PO.

THE ACQUISITION INDEED IS A GIANT STEP TOWARDS ACHIEVING OUR FORTY THREE (43) YEAR OLD VISION OF BUILDING A COMMON MEETING GROUND FOR FILIPINOS.

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From the desk of Eddie R. del Rosario, M.D., M.P.H....

TESTIMONY ON BILLS NO. 135 & 145

**Respectfully submitted by Dr. Eddie del Rosario, former FCG President
& member, FCG Board of Trustees**

Thank you very much Honorable Senators for showing your interest, concern and support for something perceived as beneficial to your Filipino-American constituents and to the Filipino community on Guam. I personally view this gesture as positively significant and a sign of hope for the biggest minority ethnic group on the island whose political representation is almost nil, save for a sprinkling of appointees to some boards & commissions. Be that as it may, allow me please to present my views on these two bills:

I do not support these bills inspite of the goodness of their intent. I simply want to say that there is no need to go through the motions of rezoning said parcel of land for its intended use/s, worthy as they may be. This parcel of land is too small (3/4 acre) to accomodate the needs of 25% of Guam's population and 60 plus Fil-American organizations. Forcing a high-density activity area into a low-density, residential domain may prove to be an undesirable and possibly explosive mix. The inconvenience and resulting problems that this may create for the existing and future residents of the surrounding neighborhood is almost predictable. To put the good name of FCG in jeopardy and in a permanent defensive mode with its neighbors is too high a price to pay and unnecessary. I fail to see how anyone can create a win-win solution to this enigma. My dear Senators, there really is no need for you to take heroic measures in spot-zoning this parcel of land. If the proponents of this project truly believe that it will serve the common good, allow it then to stand on its merit through the proper channel and forum by referring it to the Territorial Land Use Commission.

Fortunately my dear Senators, **there is a win-win solution to this issue.** Under existing laws enacted by your predecessors (Public Laws No. 20-194 and 22-18) there are 20 acres of unencumbered land behind Wettengel Elementary School and another 20 acres somewhere in Southern Guam specifically set aside for lease to nonprofit, civic organizations for worthwhile purposes such as clubhouses, community centers, sporting activities and other non-commercial purposes. The Federation of Asian People on Guam which includes FCG has pursued this project for the past 3-4 years and is now on the verge of realizing its worthy goal for the common good of not only Fil-Americans but of the greater number of Guamanians of Asian descent. With 40 acres of land excluded from the Chamorro Land Trust or other encumbrances reserved for dedicated lawful purposes, the Government of Guam can surely accomodate the present and future needs of nonprofit organizations which play such vital roles in nation building. Even as we speak, the Department of Land Management and Department of Law under the personal direction of Governor Carl Gutierrez have completed their tasks and are ready to implement an impending Executive Order to grant the much-awaited temporary leases to deserving and eligible nonprofit organizations. FCG itself as well as member organizations of FCG stand to gain the most in this

venture. Almost half of the 20 acres behind Wettengel School are to be parceled out in 100 by 100 lots for the use of interested nonprofit organizations who qualify, most of which are Filipino regional organizations.

As a chartered member of the Federation of Asian People on Guam, may I request your assistance in legislating the final lease of the reserved acreage when the appropriate time comes. I assure you my dear Senators that it would be more worthwhile of your time to support this endeavor which would result in the greater good for the greatest number. Please envision with us a beautiful enclave filled with architectural masterpieces depicting the best of different nations and their respective cultures right next to each other, woven into a tapestry which portrays and promotes unity among the diversity found on our island, with families of real people of different ethnicities engaged in various activities co-existing peacefully among each other. This vision of a Camelot-like shining city which is almost within our grasp can be a reality with your help and support. This thing of beauty will be a sight to behold and enjoy not only by all of us here on Guam but also by our tourists and visitors- something we can all be proud of.

Now let's go back my dear Senators to that compact 3/4 acre parcel of land tightly pinched on all sides by quiet residential lots and honestly answer this question: do we really want to force a change in this serene landscape to that of a possible blighted one where nobody ends up a winner when in fact a spacious and well-planned alternative site exists just a few miles away?

At this point I wish to commend my colleagues for their valiant efforts to raise the necessary funds to eventually build the FCG clubhouse. Although the immediate past two FCG Presidents veered away from the original goal by using the funds to purchase this subject lot instead of using the money to fund the building of a clubhouse as originally intended, this matter can be rectified. There is no loss. The FCG money now tied up on that property may eventually be used to build the clubhouse in a more appropriate setting which promises to bloom into a beautiful showcase of communal co-existence. With your good graces and acts of wisdom my dear Senators, this can all be realized.

Thank you very much for your attention and kind consideration. Dangkulo na si Yu'os ma'ase and salamat po ng lubos.

A handwritten signature in black ink, appearing to be "B. de la Cruz", written in a cursive style.