



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

12 DEC 2005

The Honorable Mark Forbes
Speaker
Mina' Bente Ocho Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 120 (EC), "AN ACT TO REZONE LOT NO. 2149-3-19 FROM MULTI-FAMILY RESIDENTIAL ("R-2") TO COMMERCIAL ("C") ZONE" which I signed into law on December 9, 2005, as Public Law 28-84.

Sins eru yan Magåhet,

[Handwritten signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

cc: The Honorable Eddie Baza Calvo
Senator and Legislative Secretary

Office of the Speaker

MARK FORBES

Date: 12/13/05

Time: 2:10 PM

Rec'd by: ESD

Print Name: ESD

28-05-0480

Form with fields: Senator Edward J.B. Calvo, SECRETARY OF THE LEGISLATURE, ACKNOWLEDGEMENT RECEIPT, Rcv'd by: [Signature], Print Name & Initial, Date: 12-15-05

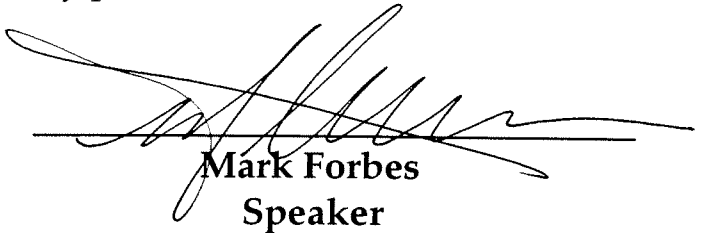
482

11:50


I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN  
2005 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

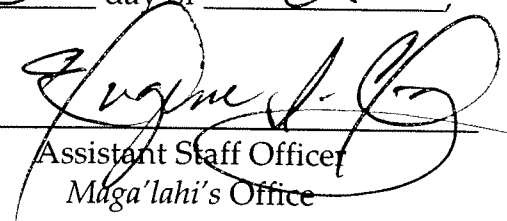
This is to certify that Bill No. 120 (EC), "AN ACT TO REZONE LOT NO. 2149-3-19 FROM MULTI-FAMILY RESIDENTIAL ('R-2') TO COMMERCIAL ('C') ZONE" was on the 30<sup>th</sup> day of November, 2005, duly and regularly passed.

  
Mark Forbes  
Speaker

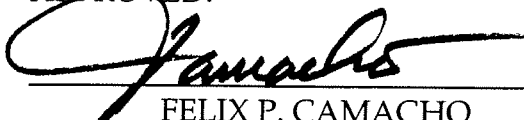
Attested:

  
Edward J.B. Calvo  
Senator and Secretary of the Legislature

-----  
This Act was received by *I Maga'lahaen Guåhan* this 30 day of NOV.,  
2005, at 5 o'clock P.M.

  
Assistant Staff Officer  
*Maga'laha'i's Office*

APPROVED:

  
FELIX P. CAMACHO  
*I Maga'lahaen Guåhan*

Date: 9 Dec 05

Public Law No. 28-84

**I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN**  
**2005 (FIRST) Regular Session**

**Bill No. 120 (EC)**

As amended.

**Introduced by:**

Mark Forbes

L. F. Kasperbauer

F. B. Aguon, Jr.

J. M.S. Brown

Edward J.B. Calvo

B. J.F. Cruz

Mike Cruz

R. Klitzkie

L. A. Leon Guerrero

J. A. Lujan

A. B. Palacios

R. J. Respicio

Ray Tenorio

A. R. Unpingco

J. T. Won Pat

**AN ACT TO REZONE LOT NO. 2149-3-19 FROM MULTI-FAMILY RESIDENTIAL ("R-2") TO COMMERCIAL ("C") ZONE.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that Public Law 21-78, 21-144 and 21-145 rezoned lots situated in Camp Watkins  
4 Road and Farenholt Avenue, Tamuning, from Multi-Family Residential ("R-2") to  
5 Commercial ("C") except for Lot No. 2149-3-19 which is adjacent to the lots that  
6 have been rezoned.

1 Lot 2149-3-19, containing an area of 1457.55 square meters as shown on Land  
2 Management Data 440—FY95, has been deeded to Raphael Martin Perez Cruz from  
3 Jesus Blanco Cruz and Maria Perez Cruz for their love and affection that they have for  
4 their son, Raphael.

5 After being away from Guam for many years, Mr. Raphael Martin Perez Cruz  
6 has returned home and would love to further develop the land that has been deeded to  
7 him, but unfortunately due to the current zoning he is unable to pursue his dreams of  
8 having his own business, but more importantly being able to operate the business here  
9 at home.

10 **Section 2. Lot Rezoning.** Notwithstanding any provision of law, Lot No.  
11 2149-3-19 is hereby rezoned from Multi-Family Residential (“R-2”) to Commercial  
12 (“C”) zone.

# I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2005 (FIRST) Regular Session

Date: 11/30/05

## VOTING SHEET

12:39 ~~0~~

Bill No. 120 (EC)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.		✓			✓
BROWN, Joanne M.S.	✓	✓			
CALVO, Eddie J.B.	✓				
CRUZ, Benjamin J.F,	✓				
CRUZ, Mike (Dr.)	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓	✓			
KLITZKIE, Robert		✓			
LEON GUERRERO, Lourdes A.	✓				
LUJAN, Jesse A.	✓				
PALACIOS, Adolpho B.	✓				
RESPICIO, Rory J.	✓				
TENORIO, Ray	✓	✓			
UNPINGCO, Antonio R.		✓			
WON PAT, Judith T.	✓				

TOTAL                      11      3                      0                      0                      1

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence

P.L. 28-84



***I Mina' Bente Ocho Na Liheslaturan Guahan***  
**The 28<sup>th</sup> Guam Legislature**

155 Hesler Place  
Hagatna, Guam 96910  
Office (671) 472-3409 • Fax (671) 472-3510

**Speaker Mark Forbes**

November 23, 2005

**Speaker Mark Forbes**  
**I Mina' Bente Ocho Na Liheslaturan Guahan**  
**155 Hesler Place**  
**Hagatna, Guam 96910**

The Committee on General & Omnibus Matters to which Bill No. 120 was referred, wishes to report its findings and recommendations **TO DO PASS BILL No. 120 (EC): "An Act To Rezone Lot No. 2149-3-19 From Multi-Family- Residential ("R-2") To Commercial ("C") Zone"**.

Transmitted herewith for your consideration and action is our committee report on the above subject matter.

The voting record is as follows:

<input checked="" type="checkbox"/>	TO PASS
<input type="checkbox"/>	NOT TO PASS
<input type="checkbox"/>	TO REPORT OUT ONLY
<input type="checkbox"/>	ABSTAIN
<input type="checkbox"/>	INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached. Thank you and si Yu'os ma'ase for your attention to this matter.

  
**MARK FORBES**

Attachments

**MEMORANDUM**

**TO:** Committee Members

**FROM:** Chairman 

**SUBJECT:** Committee Report- BILL No. 120 (EC): "An Act To Rezone Lot No. 2149-3-19 From Multi-Family- Residential ("R-2") To Commercial ("C") Zone".

Transmitted herewith for your information and action is the report on BILL No. 120 (EC) from the Committee on General and Omnibus Matters.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. BILL No. 120 (EC)
4. Public Hearing Sign-In Sheet
5. Fiscal Note/ Fiscal Note Waiver
6. Notice of Public Hearing

Please take the appropriate action on the voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

**MARK FORBES**

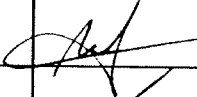
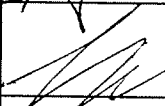

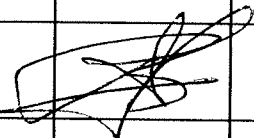


Attachments

# COMMITTEE ON GENERAL AND OMNIBUS MATTERS

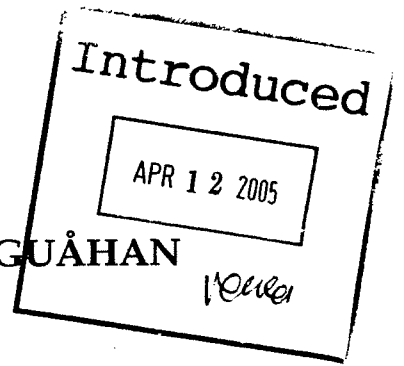
*I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN*  
155 HESLER PLACE, HAGÅTNA, GUAM 96910

An Act To Rezone Lot No. 2149-3-19 From Multi-Family- Residential ("R-2") To  
Commercial ("C") Zone

## VOTING SHEET

	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT OF COMMITTEE	ABSTAIN	INACTIVE FILE
Mark Forbes, Chairman		✓				
Edward J.B. Calvo		✓				
Lawrence F. Kasperbauer, Ph.D.		+				
Jesse A. Lujan						
Ray Tenorio		✓				
Michael Cruz, M.D.						
Lou A. Leon Guerrero		✓				
Judith T. Won Pat						
Benjamin J.F. Cruz		✓				





I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN  
2005 (FIRST) Regular Session

Bill No. 120 (EC)  
*As Amended*  
Introduced by:

MARK FORBES  
*L. F. Kasperbauer JK*

AN ACT TO REZONE LOT NO. 2149-3-19 FROM MULTI-FAMILY- RESIDENTIAL ("R-2") TO COMMERCIAL ("C") ZONE.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds  
3 that Public Law 21-78, 21-144 and 21-145 rezoned lots situated in Camp  
4 Watkins Road and Farenholt Avenue, Tamuning from Multi-Family  
5 Residential ("R-2") to Commercial ("C") except for Lot No. 2149-3-19 which is  
6 adjacent to the lots that have been rezoned.

7 Lot 2149-3-19, containing an area of 1457.55 square meters as shown on  
8 Land Management Data 440—FY95 has been deeded to Raphael Martin Perez  
9 Cruz from Jesus Blanco Cruz and Maria Perez Cruz for their love and  
10 affection that they have for their son Raphael.

11 After being away from his Guam for many years, Mr. Raphael Martin  
12 Perez Cruz has returned home and would love to further develop the land  
13 that has been deeded to him, but unfortunately due to the current zoning he is  
14 unable to pursue his dreams of having his own business, but more  
15 importantly being able to operate the business here at home.

1                    **Section 2. Lot Rezoning.** Notwithstanding any provision  
2 of law, Lot No. 2149-3-19 is hereby rezoned from Multi-Family Residential  
3 ("R-2") to Commercial ("C") zone.

**I MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN  
COMMITTEE ON GENERAL & OMNIBUS MATTERS  
SPEAKER MARK FORBES, CHAIRMAN**

**COMMITTEE REPORT**

**ON**

**BILL NO. 120 (EC)**

**An Act To Rezone Lot No. 2149-3-19 From Multi-Family- Residential  
("R-2") To Commercial ("C") Zone**

## **I. OVERVIEW**

The Committee on General and Omnibus Matters held a public hearing at 9:00 a.m. on April 28, 2005 in the Session Hall, I Liheslaturan Guåhan. Public notice was given to all media (see facsimile confirmation page) on April 21 and 25, 2005.

Senators present at the public hearing were:

Speaker Mark Forbes, Chairman  
Senator Benjamin J. F. Cruz, Member

## **II. SUMMARY OF TESTIMONY**

Individuals that appeared before the Committee to present oral and written testimony on the bill were as follows:

**Rufo Lujan**, Organization of People of Indigenous Rights, oral testimony against Bill No. 120. Mr. Lujan said that he is against the idea of rezoning properties and also said that the abuse of passing legislation to change the property zones has to stop.

**Raphael Cruz**, land owner, written testimony in support of Bill 120. Mr. Cruz wrote that he would like to have his property rezoned to allow him to operate business in commercialized vicinity of Tamuning.

**Gil Miclat**, private citizen, written testimony in support of Bill 120. Mr. Miclat wrote that he is favorable of Bill 120 and hopes that he would be able to see his friend, Mr. Cruz, start business and contributing to our local economy.

## **III. FINDINGS AND RECOMMENDATION**

The Committee on General and Omnibus Matters finds that the intent of Bill No. 120 would change the property zone identified in Bill 120. The committee finds that the property is located in an already commercialized area of Tamuning and is suitable of change. The property is of value and could generate revenues that will be streamed into our local economy.

Accordingly, the Committee on General and Omnibus Matters to which BILL No. 120 (EC) was referred does hereby submit its findings and recommendations to I Mina' Bente Ocho Na Liheslaturan Guåhan **TO DO PASS BILL No. 120 (EC)**, "An Act To Rezone Lot No. 2149-3-19 From Multi-Family- Residential ("R-2") To Commercial ("C") Zone."

## AGENDA

### COMMITTEE ON GENERAL & OMNIBUS MATTERS, and EXECUTIVE COMMITTEE

#### Public Hearing Thursday, April 28, 2005, 9:00 a.m.

**Bill No. 24 (EC) - by Mark Forbes**

An Act To Amend Section 17301 And Section 17309 Of Title 3, GCA To Reduce The Signature Thresholds For Placing A Referendum Before The People of Guam And To Extend The Period During Which Signatures May Be Collected.

**Bill No. 26 (EC), As Substituted - by Mark Forbes**

An Act To Repeal And Reenact 3 GCA §17204 To Repeal The "Santos Amendment."

**Bill No. 59 (EC) - by L. F. Kasperbauer**

An Act To Add New §§ 8123 14117 To Title 12, Guam Code Annotated Relative To Requiring GPA And GWA To Accept Payments, Installation Applications And Service/Repair Requests Via The Internet.

**Bill No. 60 (EC) - by Ray Tenorio**

An Act To Preclude Any Government Agency Occupying Government Land Or Government Buildings And Who Receive Funding From The General Fund From Charging Rent To Any Other Government Agency Who Is Allowed To Occupy The Same Building Or Land.

**Bill No. 66 (EC) - by F. B. Aguon Jr.**

An Act Relative To Requiring The Proper Restoration Of Roadways And Highways That Are Partially Damaged Due To Construction Work To Their Pre-Construction Condition By The Contractor Prior To The Full Disbursement Of Public Construction Funds For Such Projects, And Empowering Guam's Village Mayors To Certify The Completion And Proper Re-Surfacing Of The Roadway Or Highway To Its Previous Condition.

**Bill No. 90 (EC) - by R.J. Respicio**

An Act To Direct The Attorney General Of Guam To Condemn Certain Parcels Of Land For The Purpose Of Protecting And Reserving Said Parcels For Future Water Resource Development; And To Direct The Guam Waterworks Authority To Identify Other Areas Of Guam That Should Be Protected And Reserved For Such Purposes And Report Its Findings To I Liheslaturan Guåhan.

**Bill No. 119 (EC) - B. J.F. Cruz**

An Act To Add A New Section 75108.50 To Chapter 75, Division 2, Of Title 21 Of The Guam Code Annotated To Allow Cottage Industry Activities On Residential Leased Land By Chamorro Land Trust Residential Leaseholders.

**Bill No. 120 (EC) - Mark Forbes**

An Act To Rezone Lot No. 2149-3-19 From Multi-Family- Residential ("R-2") To Commercial ("C") Zone.





***I Mina' Bente Ocho Na Liheslaturan Guahan***  
**The 28<sup>th</sup> Guam Legislature**

155 Hesler Place  
Hagatna, Guam 96910  
Office (671) 472-3409 • Fax (671) 472-3510

**Speaker Mark Forbes**

---

**WAIVER OF FISCAL NOTE**

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 120 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 120.

MARK FORBES  
Speaker and Chairman,  
Committee on General and Omnibus Matters

# Transmission Report

Date/Time  
Local ID  
Local Name  
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4-21-05; 5:03PM  
4723510  
Guam Legislature

This document was confirmed.  
(reduced sample and details below)  
Document Size Letter-S



**I Mina' Bente Ocho Na Liheslaturan Guahan**  
**The 28<sup>th</sup> Guam Legislature**

155 Hester Place  
Hagatna, Guam 96910  
Office (671) 472-3409 • Fax (671) 472-3510

**Speaker Mark Forbes**

### FACSIMILE

Date: April 21, 2005 Time:  
Fax No.: 477-3079 No. of Pages:  
To: PDN Government Meetings  
From: The Office of Speaker Mark Forbes  
Re: Public Hearing Notice- April 28, 2005  
Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Friday, April 22, 2005, Saturday, April 23, 2005, Monday, April 25, 2005 and Wednesday, April 27, 2005 to read:

**"Committee on General and Omnibus Matters & Executive Committee:**  
**Public Hearing, Thursday, April 28, 2005, 9:00 a.m., Session Hall,**  
**Temporary Legislative Building, Hagatna, Guam. To be heard;**

**Bill No. 24 (EC) - by Mark Forbes**  
**An Act To Amend Section 17301 And Section 17309 Of Title 3, GCA To**  
**Reduce The Signature Thresholds For Placing A Referendum Before**  
**The People of Guam And To Extend The Period During Which Signatures**  
**May Be Collected.**

**Bill No. 26 (EC), As Substituted - by Mark Forbes**  
**An Act To Repeal And Reenact 3 GCA §17204 To Repeal The "Santos**  
**Amendment."**

**Bill No. 59 (EC) - by L. F. Kasperbauer**  
**An Act To Add New §§ 8123 14117 To Title 12, Guam Code Annotated**  
**Relative To Requiring GPA And GWA To Accept Payments, Installation**  
**Applications And Service/Repair Requests Via The Internet.**

Total Pages Scanned : 2 Total Pages Confirmed : 2

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
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**Notes :**

0: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
1: Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
2: Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
3: Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
4: Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send



# Transmission Report

Date/Time  
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Company Logo

4-25-05;10:54AM  
4723510  
Guam Legislature

This document was confirmed.  
(reduced sample and details below)  
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**I Mina' Bente Ocho Na Liheslaturan Guahan**  
The 28<sup>th</sup> Guam Legislature

155 Healer Plaza  
Hagatna, Guam 96810  
Office (671) 472-3400 • Fax (671) 472-3510

**Speaker Mark Forbes**

## FACSIMILE

Date: April 25, 2005 Time:  
Fax No.: 477-3079 No. of Pages:  
To: PDN Government Meetings  
From: The Office of Speaker Mark Forbes  
Re: Public Hearing Notice- April 28, 2005  
Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Tuesday, April 26, Wednesday, April 27 and Thursday, April 28, 2005 to read:  
  
"Committee on General and Omnibus Matters & Executive Committee:  
Public Hearing, Thursday, April 28, 2005, 9:00 a.m., Session Hall,  
Temporary Legislative Building, Hagatna, Guam. To be heard;  
  
Bill No. 24 (EC) - by Mark Forbes  
An Act To Amend Section 17301 And Section 17309 Of Title 3, GCA To Reduce The Signature Thresholds For Placing A Referendum Before The People of Guam And To Extend The Period During Which Signatures May Be Collected.  
  
Bill No. 26 (EC), As Substituted - by Mark Forbes  
An Act To Repeal And Reenact 3 GCA §17204 To Repeal The "Santos Amendment."  
  
Bill No. 39 (EC) - by L. F. Kasperbauer  
An Act To Add New §§ 8123 14117 To Title 12, Guam Code Annotated Relative To Requiring GFA And GWA To Accept Payments, Installation Applications And Service/Repair Requests Via The Internet.

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:: Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
:: Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
:: Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

# Broadcast Report

Date/Time  
Local ID  
Local Name  
Company Logo

4-21-05; 5:38PM  
4723510  
Guam Legislature

Document Size Letter-S



**I Mina' Bente Ocho Na Liheslaturan Guahan**  
**The 28<sup>th</sup> Guam Legislature**

155 Hester Place  
Hagatna, Guam 96910  
Office (671) 472-3400 • Fax (671) 472-3510

**Speaker Mark Forbes**

Facsimile

**Date:** April 21, 2005      **Time:**

**To:** ALL MEDIA:

**Fax No.:** Pacific Daily News; 477-3079      KUAM; 637-9870  
 Marianas Variety; 648-2007      K-57/Power 98; 477-3982  
 K-Starvo; 477-6411      Hit Radio 100; 472-7663  
 Glampas; 649-8883      Advertiser World Radio 565-2963  
 Harvest Family Radio 477-7136      KPRG 734-2958  
 KISH 477-6411      Riana Live 477-7845

**From:** The Office of Speaker Mark Forbes

**Re:** Public Hearing Notice- April 28, 2005

**Note:** Attached is a public hearing notice for April 28, 2005 and for your perusal.

Should there be a problem with the transmittal of this fax please contact our office at 472-3409.

**Sender:**

**No. of Pages:**

lo.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
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4	671	hit radio	5:08PM	50"	3/ 3	EC	BC	CP 28.8
5	671	power ninety eight	5:33PM	0"	-/ 3		BC	056B
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# Broadcast Report

Date/Time  
Local ID  
Local Name  
Company Logo

4-21-05; 5:38PM  
4723510  
Guam Legislature

o.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
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9	671	family radio	5:36PM	0"	- / 3		BC	056B
10	671	kprg	5:36PM	0"	- / 3		BC	056B
11	671	father eric	5:37PM	0"	- / 3		BC	056B
12	671	riene steffy	5:37PM	0"	- / 3		BC	056B

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# Broadcast Report

Date/Time  
Local ID  
Local Name  
Company Logo

4-25-05;11:24AM  
4723510  
Guam Legislature

Document Size Letter-S



**I Mina' Bente Ocho Na Liheslaturan Guahan**  
**The 28<sup>th</sup> Guam Legislature**

155 Heeler Place  
Hagatna, Guam 96910  
Office (871) 472-3409 • Fax (871) 472-3510

**Speaker Mark Forbes**

Facsimile

**Date:** April 25, 2005      **Time:**

**To:** ALL MEDIA:

**Fax No.:** Pacific Daily News; 477-3079      KUAM;      637-9870  
 Marianas Variety; 648-2007      K-57/Power 98;      477-3982  
 K-Stereo; 477-6411      Hit Radio 100;      472-7663  
 Glimpse; 649-8983      Adventist World Radio      565-2983  
 Harvest Family Radio 477-7136      KPRG      734-2958  
 KISH 477-6411      Riese Live      477-7845

**From:** The Office of Speaker Mark Forbes

**Re:** Public Hearing Notice- April 28, 2005

**Note:** Attached is a public hearing notice for April 28, 2005 and for your perusal.

Should there be a problem with the transmittal of this fax please contact our office at 472-3409.

**Sender:**

**No. of Pages:**

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1	775	pdn	4-25-05;10:54AM	1'48"	3/ 3	EC	BC	CP 12.0
2	775	marianas variety	10:56AM	1'52"	3/ 3	EC	BC	CP 12.0
3	775	kuam	10:58AM	0"	-/ 3		BC	056D
4	775	hit radio	10:59AM	54"	3/ 3	EC	BC	CP 26.4
5	775	kprg	11:20AM	0"	-/ 3		BC	0545
6	775	power ninety eight	11:20AM	0"	-/ 3		BC	056B
7	775	guam business	11:21AM	0"	-/ 3		BC	056B

# Broadcast Report

Date/Time  
 Local ID  
 Local Name  
 Company Logo

4-25-05;11:24AM  
 4723510  
 Guam Legislature

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
8	775	k stereo/kish	11:22AM	0"	- / 3		BC	056B
9	775	world radio	11:22AM	0"	- / 3		BC	056B
10	775	family radio	11:23AM	0"	- / 3		BC	056B
11	775	riene steffy	11:23AM	0"	- / 3		BC	056B

Notes :

>: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
>: Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power interruption
>: Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
>: Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
>: Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

RE: BILL 120, REZONING OF LOT NO. 2149-3-19 FROM "R2" TO "C"

Mr. Speaker,

I am in support of Bill 120 because I would like to develop the land I received from my parents. I was so grateful that my mother and father, seeing how much I loved this island home of ours, felt they could trust me to develop the land for which they had worked so hard. Although saddened that their home had to be demolished because of damage caused by the succession of super typhoons that hit the island, my parents were happy to see that their land was now open to commercial development. "In a sense", my father said, "your mother and I will still be blessing you children even after we're gone."

I returned to Guam last year in March to transfer the title from my parents to myself. Within two weeks of the transfer, I was able to secure a tenant for the property. I recently returned to the island for an extended stay and was in the process of obtaining building permits for a commercial building when I discovered that the property, on Farenholt Avenue was still zoned "R2". This came as a surprise because the lot is located between the Oka Plaza and Tove's Flower Shop/Cruz Pharmacy. Directly across the street is the Oka Commercial Center and on the left of it is Oka Building. Going further down towards Camp Watkins Road on either side of the street are the Mega Drug Store, Scuba Diving Shop and a host of mom and pop businesses surrounding the Oka Payless on the corner of Farenholt Avenue and Camp Watkins Rd. As you can see, Farenholt Avenue is commercially developed.


With this in mind, I went to Land Management to inquire as to what steps I needed to take to rezone my lot. I was lucky enough to get a person familiar with the area. He recognized the address and pulled out some documents that indicated the laws that rezoned properties adjacent to mine. He suggested that I go to the Guam Legislature archives, do the research myself and make copies of these laws then ask for assistance from one of our honorable senators.

Within a few hours, I had copies of the laws that rezoned lots 2149-3-16NEW, 2149-3-16NEW-A, 2149-3-15, 2149-3-18, 2149-5-1, 2149-5-2 and 2149-5-3R, all situated along Farenholt Avenue.

I feel Section 3. (a) Legislative statement of P. L. NO. 21-78 says it best in the following: "... The Legislature finds that most of the Camp Watkins and Farenholt Avenue area has already been converted to and is presently being utilized as a commercial and hotel zone, so that the rezoning requested by the concerned property owners is not unique, objectionable nor incompatible with surrounding land uses. Likewise, the Legislature finds that recent improvements to the infrastructure of the area make the commercial zoning feasible, and justified and that in an area that is so heavily commercialized, rezoning of lots to commercial for the purpose of utilizing said lots to their best and highest uses is just and reasonable."

Thank you.

RAPHAEL MARTIN PEREZ CRUZ



April 28, 2005

Speaker Mark Forbes  
Twenty-Eight Guam Legislature  
155 Hessler Place  
Hagatna, Guam 96910

RE: BILL 120, REZONING OF LOT NO. 2149-3-19 FROM "R2" TO "C"

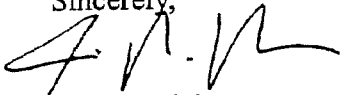
Mr. Speaker,

As a friend of Mr. Raphael Cruz for the past 37 years, I am in support of the passage of Bill 120.

Raph has been away from Guam for 27 years and has now decided to come back and make the island his home once again.

He has plans to contribute to the island's economy and one of them is to develop the subject property. However, current zoning precludes him from moving forward with his plans.


Feel free to contact me at 646-2660 if you require additional information from me.

Sincerely,  
  
Gil M. Miclat

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN  
2005 (FIRST) Regular Session

Bill No. 20 (EC)

Introduced by:

MARK FORBES 

**AN ACT TO REZONE LOT NO. 2149-3-19 FROM MULTI-FAMILY- RESIDENTIAL ("R-2") TO COMMERCIAL ("C") ZONE.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that Public Law 21-78, 21-144 and 21-145 rezoned lots situated in Camp Watkins Road and Farenholt Avenue, Tamuning from Multi-Family Residential ("R-2") to Commercial ("C") except for Lot No. 2149-3-19 which is adjacent to the lots that have been rezoned.

Lot 2149-3-19, containing an area of 1457.55 square meters as shown on Land Management Data 440—FY95 has been deeded to Raphael Martin Perez Cruz from Jesus Blanco Cruz and Maria Perez Cruz for their love and affection that they have for their son Raphael.

After being away from his Guam for many years, Mr. Raphael Martin Perez Cruz has returned home and would love to further develop the land that has been deeded to him, but unfortunately due to the current zoning he is unable to pursue his dreams of having his own business, but more importantly being able to operate the business here at home.



1                    **Section 2. Lot Rezoning.** Notwithstanding any provision  
2 of law, Lot No. 2149-3-19 is hereby rezoned from Multi-Family Residential  
3 (“R-2”) to Commercial (“C”) zone.