



CONSOLIDATED COMMISSION ON UTILITIES
Guam Power Authority | Guam Waterworks Authority
P.O. Box 2977 Hagatna, Guam 96932 | (671)649-3002 | guamccu.org

GWA RESOLUTION NO. 09-FY2018

RELATIVE TO APPROVAL OF NORTHERN DISTRICT WASTEWATER TREATMENT PLANT (NDWWTP) LAND ACQUISITION FUNDING

WHEREAS, under 12 G.C.A. § 14105, the Consolidated Commission on Utilities (“CCU”) has plenary authority over financial, contractual and policy matters relative to the Guam Waterworks Authority (“GWA”); and

WHEREAS, the Guam Waterworks Authority (“GWA”) is a Guam Public Corporation established and existing under the laws of Guam; and

WHEREAS, the U.S. Department of Defense, Office of Economic Adjustment (OEA) awarded to GWA a General Assistance Grant for community investment August 26, 2016 for \$21,000,000, with subsequent additional grants forthcoming; and

WHEREAS, the General Assistance Grant is to be used for water and wastewater improvements in support of the relocation of U.S. Marines and their dependents to Guam; and

WHEREAS, the report “Final Guam Water and Wastewater Assessment Report in Support of the Economic Adjustment Committee Implementation Plan,” (NAVFAC, Department of the Navy, February 2015) has recommended the design and construction of NDWWTP treatment upgrades to comply with current National Pollutant Discharge Elimination System (NPDES) permit and mitigate impacts to wastewater utilities, nearshore waters, and marine biological resources; and

WHEREAS, GWA had identified property owned by the Guam Ancestral Lands Commission (GALC) adjacent to the existing NDWWTP for the purpose of construction of the expansion of the plant to meet NPDES permit limits and to handle the additional flows due to

1 increased military and civilian population expected for the 2020 relocation of Marines to Guam;
2 and

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4 **WHEREAS**, the CCU had approved Resolution 61-FY2016 on September 27, 2016 that
5 supported proposed draft legislative language relative to the acquisition of certain Guam
6 Ancestral Lands Commission properties; and

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8 **WHEREAS**, the draft legislative language approved by the CCU subsequently became
9 law via Public Law 33-198 which contained certain requirements for both the Guam Water
10 Works Authority and the Guam Ancestral Lands Commission; and

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12 **WHEREAS**, GWA conducted, after the passing of PL 33-198, preliminary land survey
13 work and two land appraisal reports for the subject GALC property to work towards determining
14 a fair compensation for the property; and

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16 **WHEREAS**, the appraisal companies, one of which was selected by GALC, completed
17 their appraisal reports which was then transmitted to the GALC for their acceptance of the
18 averages of the two appraisals to be the amount of compensation due to acquire the subject
19 property; and

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21 **WHEREAS**, the GALC has responded back to GWA regarding the appraisals and have
22 accepted that the Fair Market Values for the subject property is Two Million Four Hundred
23 Ninety Thousand Dollars (\$2,490,000.00) (See Exhibit A); and

24
25 **WHEREAS**, the CCU had further approved Resolution 14-FY2017 on January 24, 2017
26 that reallocated One Million Dollars (\$1,000,000.00) of 2010 Bond funds to a new Capital
27 Improvement Plan (CIP) line item specific for the Northern District Wastewater Treatment Plant
28 Secondary Treatment Upgrades; and

29
30 **WHEREAS**, the General Assistance Grant from OEA had a specific amount for land
31 acquisition related to the NDWWTP upgrades in the amount of Five Hundred Sixty Thousand
32 Dollars (\$560,000.00); and

1 **WHEREAS**, GWA management is seeking CCU approval to use other funding sources
2 such as System Development Charge Fund and bond funds under CIP line items applicable to the
3 project to supplement the balance of the funds required, or approximately One Million Dollars
4 (\$1,000,000.00), to use towards the purchase of the GALC property; and
5

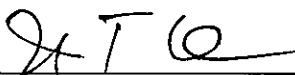
6 **NOW BE IT THEREFORE RESOLVED**, the Consolidated Commission on Utilities
7 does hereby approve the following:

- 8 1. The recitals set forth above hereby constitute the findings of the CCU.
- 9 2. The CCU hereby authorizes the management of GWA to use other funding
10 sources such as System Development Charge Fund and bond funds under CIP line
11 items applicable to the project to supplement the balance of the funds required, or
12 approximately One Million Dollars (\$1,000,000.00), to use towards the purchase
13 of GALC property for purposes related to the NDWWTP Secondary Treatment
14 Upgrades.
- 15 3. The CCU hereby further approves GWA management to seek PUC approval of
16 the use of SDC funds if required.

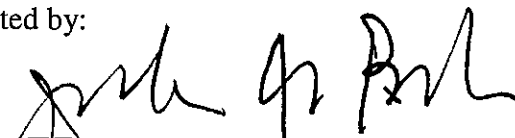
17 **RESOLVED**, that the Chairman certified and the Board Secretary attests to the adoption
18 of this Resolution.
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20 **DULY AND REGULARLY ADOPTED**, this 22nd day of November 2017.
21

22 Certified by:

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24 _____
25 **JOSEPH T. DUENAS**
26 Chairperson

27 Attested by:

28 
29 _____
30 **J. GEORGE BAMBA**
31 Secretary

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1 I, J. George Bamba, Board Secretary of the Consolidated Commission on Utilities as
2 evidenced by my signature above do hereby certify as follows:

3 The foregoing is a full, true and accurate copy of the resolution duly adopted at a regular
4 meeting by the members of the Guam Consolidated Commission on Utilities, duly and
5 legally held at a place properly noticed and advertised at which meeting a quorum was
6 present and the members who were present voted as follows:

7 AYES: _____ 5 _____
8 NAYS: _____ 0 _____
9 ABSTENTIONS: _____ 0 _____
10 ABSENT: _____ 0 _____
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