



REPUBLIKA NG PILIPINAS  
PAMAHALAAN LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473  
Email address: sangguniangpanlungsod2k19@gmail.com



RESOLUTION NO. 2022-012

A RESOLUTION AUTHORIZING MAYOR ROZZANO RUFINO B. BIAZON, ON BEHALF OF THE CITY GOVERNMENT OF MUNTINLUPA, TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION (DOTR), REPRESENTED BY ITS SECRETARY, PHILIPPINE NATIONAL RAILWAYS (PNR), REPRESENTED BY ITS SECRETARY, DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT (DHSUD), REPRESENTED BY ITS SECRETARY, ON THE RESETTLEMENT OF PROJECT-AFFECTED FAMILIES (PAFS) NOT QUALIFIED UNDER THE SOCIALIZED HOUSING PROJECTS IN RELATION TO THE PNR SOUTH COMMUTER PROJECT (MANILA TO CALAMBA)

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- Sponsored by:
- Hon. Coun. Atty. Raul R. Corro
  - Hon. Coun. Alexson V. Diaz
  - Hon. Coun. Paty Katy C. Boncayao
  - Hon. Coun. Rachel Katriel Ann C. Arciaga
  - Hon. Coun. Ivey Rhia A. Tadea
  - Hon. Coun. Allan Rey A. Camilon
  - Hon. Coun. Jedidiah R. Presnedi, LPT
  - Hon. Coun. Ting Niefes
  - Hon. Coun. Mark Lester M. Baes
  - Hon. Coun. Francis Ian T. Bagatsing
  - Hon. Coun. Luvi P. Constantino
  - Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
  - Hon. Coun. Engr. Marissa C. Rongavilla
  - Hon. Coun. Engr. Arlene D. Hilapo
  - Hon. Coun. Cornelio M. Martinez
  - Hon. Coun. Rodolfo W. Moldez, Jr.
  - Hon. Coun. Walter A. Arcilla
  - Hon. Coun. Kenichi D. Takagi, Jr.

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WHEREAS, Section 9 of the 1987 Philippine Constitution, provides that, "The State shall, by law, and for the common good, undertake, in cooperation with the public sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas. It shall also promote adequate employment opportunities to such citizens. In the implementation of such program, the State shall respect the rights of small property owners;"

WHEREAS, Section 2(a) of Republic Act (R.A.) No. 7279 otherwise known as the "Urban Development and Housing Act of 1992 (UDHA)," provides that, "It shall be the policy of the State to undertake, in cooperation with the private sector, a comprehensive and continuing Urban Development and Housing Program, which shall uplift the conditions of the underprivileged and homeless citizens in urban areas and in resettlement areas by making available to them decent housing at affordable cost, basic services, and employment opportunities;"

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AN ANG TAMA  
AN ANG MUNTINLUPA!







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WHEREAS, Section 10, par. 2, *supra*, states that, ***“No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated;”***

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 (LGC), *on the National Supervision over Local Government Units*, states that, ***“Every local government unit (LGU) shall exercise powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;”***

WHEREAS, Section 4 of R.A. No. 11201 also known as the, ***“Department of Human Settlements and Urban Development Act (DHSUD),” created DHSUD which “shall act as the primary government entity responsible for the management of housing, human settlement and urban development. It shall be the sole and main planning and policy-making, regulatory, program coordination, and performance monitoring entity for all housing, human settlement and urban development concerns, primarily focusing on the access to and the affordability of basic human needs. It shall develop and adopt a national strategy to immediately address the provision of adequate and affordable housing to all Filipinos, and shall ensure the alignment of the policies, programs, and projects of all its attached agencies to facilitate the achievement of this objective;”***

WHEREAS, Section 25(b) of the LGC, provides that, ***“National agencies and offices with project implementation functions shall coordinate with one another and with the LGUs concerned in the discharge of these functions. They shall ensure the participation of LGUs both in the planning and implementation of said national projects;”***

WHEREAS, Section 455 (b)(1)(vi) of the LGC states that, ***“The City Mayor shall represent the city in all its business transactions and sign in its behalf all bonds, contracts, and obligations, and such other documents upon authority of the Sangguniang Panlungsod pursuant to law or ordinance;”***

WHEREAS, Article 47(a), Rule IX of the Implementing Rules and Regulations of the LGC on the *Corporate Powers and Corporate Seal of the Local Government Unit*, provides that, ***“Unless otherwise provided in the Code, no contract may be entered into by the Local Chief Executive in behalf of the LGU without prior authorization by the Sanggunian;”***

WHEREAS, Article II, Section 4(d) and (e) of R.A. No. 7926, also known as the Charter of the City of Muntinlupa (Charter), empowers the City, as a political body corporate, ***“to acquire and convey real or personal property, and to enter into contracts;”***

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WHEREAS, the Memorandum of Agreement (MOA) shall govern, (a) Department of Transportation's (DOTr) transfer of the *Transferred Funds* to the City Government of Muntinlupa (CGM), (b) as consideration for the CGM's construction and development of its Condominium Public Rental Facility (PRF), (c) which shall have at least 203 units, (d) each with at least 24 sqm. floor area, (e) for duly identified and qualified project-affected families (PAFs) of PNR South Commuter (Manila-Calamba), (f) including: (f.i) land acquisition and related costs; (f.ii) site development, including necessary access road, road network, and utilities (e.g., power, water); (f.iii) development of Common Use Service Area (CUSA), including community facilities and open spaces; (f.iv) construction of condominium units; (f.v) socio-economic component; (f.vi) establishment of estate management, including capacity building; and (f.vii) necessary engineering and administrative overhead expenses of the CGM; and (g) CGM's liquidation of the Transferred Funds;

WHEREAS, under the MOA, the CGM shall retain ownership of the completed condominium unit and collect rentals from the PAF beneficiaries for the maintenance and management thereof and in case of excess, in support of the housing projects of the City;

WHEREAS, upon review of the proposed MOA between and among the DOTR, PNR, DHSUD, and CGM for the implementation of the PNR South Commuter Project, based on existing and relevant laws, rules, and regulations, the City Legal Office interposed *no objection thereto subject to compliance with the pertinent accounting and auditing rules and regulations on receipt, utilization, documentation, and liquidation of the transferred funds.*

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the 10<sup>th</sup> Sangguniang Panlungsod of Muntinlupa, authorizing City Mayor Rozzano Rufino B. Biazon, on behalf of the City Government of Muntinlupa, to Enter into and Sign the Memorandum of Agreement with the Department of Transportation (DOTr), represented by its Secretary, Philippine National Railways (PNR), represented by its Secretary, Department of Human Settlements and Urban Development (DHSUD), represented by its Secretary, on the resettlement of project-affected families (PAFs) not qualified under the socialized housing projects in relation to the PNR South Community Project (Manila-Calamba).

ADOPTED, by the 10<sup>th</sup> Sangguniang Panlungsod of Muntinlupa this 18<sup>th</sup> day of July 2022, on its 3<sup>rd</sup> Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO  
Member

COUN. ALEXSON V. DIAZ  
Member

COUN. PATY KATY C. BONCAYAO  
Member



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COUN. RACHEL KATRIEL ANN C. ARCIAGA  
Member

COUN. IVEE RHIA A. TADEFA  
Member

COUN. ALLAN REY A. CAMILON  
Member

COUN. JEDIDIAH R. PRESNEDI, LPT  
Member

COUN. TING NIEFES  
Member

DISTRICT 2:

COUN. MARK LESTER M. BAES  
Member

COUN. FRANCIS IAN T. BAGATSING  
Member

COUN. LUVI P. CONSTANTINO  
Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.  
Member

COUN. ENGR. MARISSA C. RONGAVILLA  
Member

COUN. ENGR. ARLENE D. HILAPO  
Member

COUN. CORNELIO M. MARTINEZ  
Member

COUN. RODOLFO W. MOLDEZ, JR.  
Member

COUN. WALTER A. ARCILLA  
President  
Sectoral Representative  
Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.  
President  
Sectoral Representative  
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Resolution.

CECILIA C. LAZARTE  
Secretary to the Sanggunian







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ATTESTED:

**ARTEMIO A. SIMUNDAC**  
City Vice-Mayor/Presiding Officer

APPROVED:

**ROZZANO RUFINO B. BIAZON**  
City Mayor

Date: 26 JUL 2022