



REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

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



RESOLUTION NO. 2020-414

A RESOLUTION AUTHORIZING THE CITY MAYOR ATTY. JAIME R. FRESNEDI TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP) MUNTINLUPA FOR THE USUFRUCT OF THE PROPERTY OWNED BY THE CITY GOVERNMENT OF MUNTINLUPA WITH AN AREA OF 5,647 SQUARE METERS MORE OR LESS LOCATED AT BARANGAY PUTATAN, MUNTINLUPA CITY FOR THE PURPOSE OF HOUSING PERSONS DEPRIVED OF LIBERTY (PDL) OR INMATES

Sponsored by: Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Alexson V. Diaz
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Ting Niefes
Hon. Coun. Stephanie G. Teves
Hon. Coun. Ivey Rhia A. Tadea
Hon. Coun. Engr. Marissa C. Rongavilla
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Ma. Dhesiree G. Arevalo
Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez
Hon. Coun. Walter A. Arcilla
Hon. Coun. Kenichi D. Takagi, Jr.

WHEREAS, Section 22(a) (4-5) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, states that, "every local government unit, as a corporation, shall have the following powers:

1. Xxx
2. To sue and be sued
3. Xxx
4. To acquire and convey real or personal property;
5. To enter into a contract;

WHEREAS, Section 22(c) of the same Code further provide that, "unless otherwise provided in this Code, no contract may be entered into by the Local Chief Executive in behalf of the local government unit without prior authorization by the Sanggunian concerned";

WHEREAS, as mandate of Section 17(b)(4) in relation to Section 17(b)(2)(xii) of Republic Act 7160, otherwise known as the Local Government Code of 1991 states that, "the Local Government Units shall provide sites for police and fire stations, and substations, and the municipal Jail as the basic services and facilities";



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WHEREAS, Bureau of Jail Management and Penology (BJMP) Muntinlupa an attached agency of the Department of the Interior and Local Government (DILG) with office address at Mindanao Avenue, Project 8, Quezon City;

WHEREAS, the BJMP requested for the execution of Deed of Usufruct, as a requirement of the Department of Budget and Management (DBM) for the release of the funds, as provided in its budget for the construction of the New Muntinlupa City Jail;

WHEREAS, the City Government of Muntinlupa is the registered owner of a parcel of land containing an area of Five Thousand Six Hundred Forty-Seven square meters (5,647m²) situated in Barangay Putatan, Muntinlupa City and covered by **Transfer Certificate of Title No. 014-2020000068**;

WHEREAS, the said parcel of land is suitable space where it may transfer its male and female dormitories and facilities, the present jail being, overly congested with inmates;

WHEREAS, the capacity of the City Jail for male is only 61 inmates but the occupancy is 767, for female capacity is sixteen (16) but the occupancy is one hundred sixty (160) inmates;

WHEREAS, the property shall be used only for penal facilities and only for such purposes necessary or incidental thereto;

WHEREAS, the City Government of Muntinlupa grants the usufruct of its property in favor of BJMP-Muntinlupa subject to the terms and conditions, in the MOA;

WHEREAS, the Budget for the said project shall come from Congressional Funds to augment the BJMP budget:

- a) **First Tranche** amounting to One Hundred Fifty Million Pesos (Php150,000,000.00);
- b) **Second Tranche** is also amounting to One Hundred Fifty Million Pesos (Php150,000,000.00);

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the 9th Sangguniang Panlungsod of Muntinlupa, to authorize the **City Mayor Atty. Jaime R. Fresnedi** to enter into a **Memorandum of Agreement (MOA)** with the **Bureau of Jail Management and Penology (BJMP) Muntinlupa** for the **Usufruct of the Property** owned by the City Government of Muntinlupa **with an area of 5,647 square meters more or less located at Barangay Putatan, Muntinlupa City** for the purpose of housing **Persons Deprived of Liberty (PDL) or Inmates**.

RESOLVED FURTHER, that the **Contract of Usufruct shall be subject to a condition that the construction of jail facilities shall be completed within three (3) years from the approval of the appropriations for the said purpose and non-compliance therewith shall render the Contract of Usufruct ineffective**.



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ADOPTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 21st day of December, 2020, on its 76th Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. TING NIEFES
Member

COUN. STEPHANIE G. TEVES
Member

COUN. IVEE RHIA A. TADEFA
Member

DISTRICT 2:

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. MARK LESTER M. BAZES
Member

COUN. MA. DHESIREE G. AREVALO
Member

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

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. CORNELIO M. MARTINEZ
Member



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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

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: 08 FEB 2021

Norie/9th SP