



REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

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



RESOLUTION NO. 2021-564

A RESOLUTION AUTHORIZING THE CITY MAYOR THROUGH THE CITY LEGAL OFFICE TO FILE ALL APPLICABLE CIVIL, CRIMINAL, AND ADMINISTRATIVE CASES AGAINST THE ERRING OFFICIALS OF THE BUREAU OF CORRECTIONS (BUCOR) FOR THE SUDDEN AND ILLEGAL CLOSURE OF SEVERAL ROADS IN THE NBP RESERVATION AREA AND THE ILLEGAL EVICTION AND DEMOLITION OF INFORMAL SETTLERS IN VIOLATION OF THE CONSTITUTION, THE URBAN DEVELOPMENT AND HOUSING ACT OF 1992, AND CITY ORDINANCES

- Sponsored by:
- Hon. Coun. Atty. Raul R. Corro
 - Hon. Coun. Alexson V. Diaz – via zoom
 - 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– via zoom
 - Hon. Coun. Ivey Rhia A. Tadeza
 - Hon. Coun. Engr. Marissa C. Rongavilla– via zoom
 - Hon. Coun. Francis Ian T. Bagatsing
 - Hon. Coun. Mark Lester M. Baes– via zoom
 - 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, in the evening of **26 November 2021**, the Bureau of Corrections (BUCOR) erected another concrete wall, this time along the University Road, Barangay Poblacion, Muntinlupa City, which road serves as the main access point to the City Proper of the residents of Katarungan Village 1 and 2, teachers, and students from **Pamantasan ng Lungsod ng Muntinlupa** and **Muntinlupa National High School-Main**;

WHEREAS, it is the third concrete road blockade constructed by the **BUCOR** this year, following the closure of the Insular Road on 20 March 2021 affecting the residents of Southville 3, a socialized housing project undertaken by the National Housing Authority (NHA), and the closure of Type B NBP Reservation on 13 June 2021;

WHEREAS, all three (3) road closure incidents were implemented without prior consultation with the City Government as required by the Sections 2 (c) and 27 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", to wit:

"Section 2. Declaration of Policy. – (c) it is likewise the policy of the State to require all national agencies and offices to conduct periodic consultations with appropriate local government units, non-governmental and people's organizations, and other concerned sectors of the community before any project or program is implemented in their respective jurisdictions."





REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

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



Page 2
Resolution No. 2021-564

Section 27. Prior Consultations, required. – No project or program shall be implemented by government authorities unless the consultations mentioned in Sections 2(c) and 26 hereof are complied with, and prior approval of the Sanggunian concerned is obtained: Provided, That occupants in areas where such projects are to be implemented shall not be evicted unless appropriate relocations sites have been provided, in accordance with the provisions of the Constitution.”

WHEREAS, these road closures are also violative of the due process and equal protection clauses guaranteed by the 1987 Philippine Constitution and is against the policy of the State in giving preferential treatment to the poor in our society;

WHEREAS, these incidents resulted in an added burden to the thousands of affected residents and poor communities in terms of longer travel time and increase transportation expenses, sudden unemployment of hundreds of tricycle and jeepney drivers, and loss of business to their operators;

WHEREAS, these road closures also deprived the poor residents of emergency services from the police, fire, rescue health and other basic services due to the inaccessibility from the City Proper;

WHEREAS, for two consecutive years, the BUCOR has consistently shown the propensity to implement policies and initiate projects affecting the welfare of the constituents of Muntinlupa without prior consultation and coordination with the City Government notwithstanding the mandate of existing laws;

WHEREAS, on May 2021, the BUCOR also implemented the demolition and eviction activities involving informal settlers, homeless, and underprivileged citizens, without securing the **proper** documentary requirements under the Republic Act No. 7279 (Urban Development and Housing Act of 1992) and City Ordinance No. 17091, and other related laws and issuances to ensure just and humane conduct of eviction and demolition orders;

WHEREAS, Section 9 (c) of Republic Act No. 7926, otherwise known as the “Charter of the City of Muntinlupa,” states that:

“Section 9. The City Mayor, as the chief executive of the city government, shall: (c) Perform such other duties and functions and exercise such other powers, as provided for under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, and those that are prescribed by law or ordinance.”

WHEREAS, Section 37, supra, provides that “The City Legal Officer, the chief legal counsel of the City, shall take charge of the office for legal services and shall:

(a) **Formulate measures for the consideration of the Sangguniang Panlungsod and provide legal assistance and support to the City Mayor in carrying out the delivery of basic services and provisions of adequate facilities;**





REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

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



Page 3
Resolution No. 2021-564

(b) Xxx xxx

(c) Recommend measures to the Sangguniang Panlungsod and advise the City Mayor on all matters related to upholding the rule of law;

(d) Be in the frontline of protecting human rights and prosecuting any violation thereof, particularly those which occur during and in the aftermath of man-made or natural disasters and calamities; and

(e) Perform such other duties and functions and exercise such other powers as provided for under Republic Act No. 7160, otherwise known as the 'Local Government Code of 1991', and those that are prescribed by law or ordinance."

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the 9th Sangguniang Panlungsod of Muntinlupa, to authorize the **City Mayor** through the **City Legal Office** to file all applicable **civil, criminal, and administrative cases** against the erring officials of the **Bureau of Corrections (BUCOR)** for the sudden and illegal closure of several roads in the NBP Reservation Area and the illegal eviction and demolition of informal settlers in violation of the **Constitution**, the **Urban Development and Housing Act of 1992**, and **City Ordinances**.

ADOPTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 27TH day of November 2021 on its 16TH Special Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. PATTY 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. VEE RHIA A. TADEFA
Member

DISTRICT 2:

COUN. ENGR. MARISSA C. RONGAVILLA
Member



REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

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



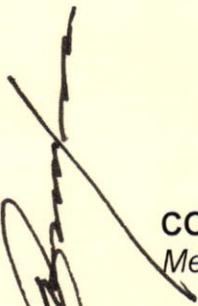
Page 4
Resolution No. 2021-564

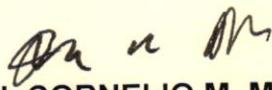

COUN. FRANCIS IAN T. BAGATSING
Member

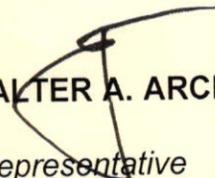

COUN. MARK LESTER M. BAES
Member

(ABSENT)
COUN. MA. DHESIREE G. AREVALO
Member


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

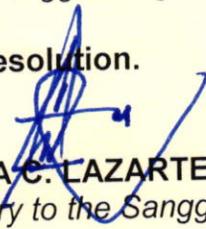

COUN. ENGR. ARLENE D. HILAPO
Member


COUN. CORNELIO M. MARTINEZ
Member

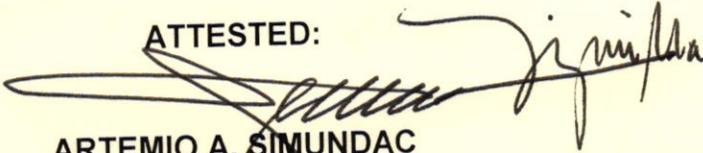

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

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

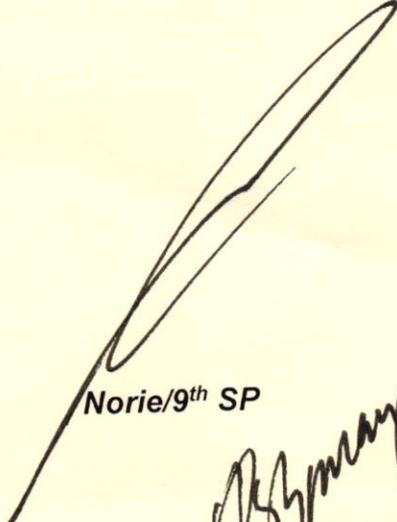
ATTESTED:


ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:


ATTY. JAIME R. FRESNEDI
City Mayor

Date: 02 DEC 2021


Norie/9th SP



YAN ANG TAMA
YAN ANG MUNTINLUPA!

