



REPUBLIKA NG PILIPINAS  
PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA

Sangguniang Panglungsod

RESOLUTION NO. 04-023

A RESOLUTION AUTHORIZING CITY TREASURER NELIA A. BARLIS TO EXECUTE AND SIGN A COMPROMISE AGREEMENT IN BEHALF OF THE CITY GOVERNMENT OF MUNTINLUPA, AS PRIVATE COMPLAINANT IN CONNECTION WITH CRIMINAL CASE NOS. 39620-22 OF THE METROPOLITAN TRIAL COURT, BRANCH LXXX (80), ENTITLED "PEOPLE OF THE PHILIPPINES VERSUS ROSARIE RAMIREZ, ACCUSED".

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- Sponsored by : Hon. Marisa Cole-Rongavilla
- Co-Sponsored : Hon. Allan Rey A. Camilon
- Hon. Melchor R. Teves
- Hon. Atty. Icasiano M. Dela Rea
- Hon. Artemio A. Simundac
- Hon. Atty. Raul R. Corro
- Hon. Rene Carl S. Cayetano
- Hon. Bal Niefes
- Hon. Ma. Luisa Babaran-Echavez, M.D.
- Hon. Allen F. Ampaya
- Hon. Kevin B. Delgado
- Hon. Francis Ian T. Bagatsing
- Hon. Lucio B. Constantino
- Hon. Engr. Mamerto T. Sevilla, Jr.
- Hon. Joselito V. Arevalo
- Hon. Mario E. Bulay, Jr.
- Hon. Christian Glenn D. Lorica

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WHEREAS, a complaint for violation of *Batas Pambansa Blg. 22* was commenced by *City Treasurer Nelia A. Barlis* before the *Office of the City Prosecutor* in connection with *four (4) checks*, each for the amount of *P119,846.00*, issued by one *Rosarie Ramirez* of *Sucat Slaughterhouse*, as payment for unpaid slaughter fees for various dates which were dishonored upon presentment for payment for reason of "*Drawn Against Insufficient Funds*" (DAIF);

WHEREAS, on the basis of the foregoing complaint, an information was filed in the *Metropolitan Trial Court of Muntinlupa, Branch LXXX*, entitled "*People of the Philippines versus Rosarie Ramirez, Accused*", which was docketed as *Criminal Case Nos. 39620-22*;

WHEREAS, the subject cases now pending pre-trial has been referred to the *Mediation Office* for compulsory mediation;



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WHEREAS, the accused has proposed an amicable settlement of the civil aspect of the above cases by paying on installment basis the total amount covered by the subject checks, which is **FOUR HUNDRED SEVENTY NINE THOUSAND THREE HUNDRED EIGHTY FOUR PESOS (Php479,384.00)**, together with interest due thereon at the rate of *two percent (2%) per month for thirty six (36) months or three (3) years* in the amount of **THREE HUNDRED FORTY FIVE THOUSAND ONE HUNDRED FIFTY SIX and 48/100 PESOS (Php345,156.48)**, or a total amount of **EIGHT HUNDRED TWENTY FOUR THOUSAND FIVE HUNDRED FORTY and 80/100 PESOS (Php824,540.80)**, in accordance with the terms of the attached *Compromise Agreement*;

WHEREAS, the Office of the City Treasurer is amenable to the terms of the aforesaid *Compromise Agreement*, particularly the grant of an extended period to the concerned taxpayer, considering that the latter has since updated its slaughter fee payments and has been religiously paying the same since 1991 up to the present;

WHEREAS, the approval of the proposed *Compromise Agreement* will not work undue prejudice to the City of Muntinlupa but will in fact result in the collection of unpaid slaughter fees;

WHEREAS, *Section 16 of Republic Act 7160*, otherwise known as the *Local Government Code of 1991*, provides that **"Every local government unit shall execute the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate and incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare"**;

WHEREAS, *Section 458 (a) of the same Code* provides that **"The Sangguniang Panlungsod as the legislative body of the City, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the City and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the City as provided for under Section 22 of this Code"**;

WHEREAS, *Article 2034 of the Civil Code of the Philippines* provides that **"There may be a compromise agreement upon the civil liability arising from an offense but such compromise shall not extinguish the public action for the imposition of the legal penalty"**;

RESOLVE THEREFORE, AS IT IS HEREBY RESOLVED, by the Sangguniang Panlungsod authorizing *City Treasurer, Nelia A. Barlis* to execute and sign a *Compromise Agreement* for and behalf of the City Government of Muntinlupa, as private complainant in connection with *Criminal Case Nos. 39620-22 of the Metropolitan Trial Court of Muntinlupa, Branch LXXX (80)*, entitled **"People of the Philippines vs. Rosarie Ramirez, Accused"**.



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APPROVED, by the *Fourth (4<sup>th</sup>) Sangguniang Panlungsod of Muntinlupa* this  
23<sup>rd</sup> day of *September 2004*, on its 12<sup>th</sup> Regular Session.

CONCURRED:

  
ATTY. RAUL R. CORRO  
Councilor

  
RENE CARL S. CAYETANO  
Councilor

BAL NIEFES  
Councilor

  
FRANCIS IAN T. BAGATSING  
Councilor

  
ALLAN REY A. CAMILON  
Councilor

  
MARISSA COLE-RONGAVILLA  
Councilor


  
MA. LUISA BABARAN-ECHAVEZ, M.D.  
Councilor

  
LUCIO B. CONSTANTINO  
Councilor

  
MELCHOR R. TEVES  
Councilor

  
MAMERTO T. SEVILLA, JR.  
Councilor


  
ALLEN F. AMPAYA  
Councilor


  
JOSELITO V. AREVALO  
Councilor

  
KEVIN B. DELGADO  
Councilor

  
MARIO E. BULAY, JR.  
Councilor

  
ATTY. ICASIANO M. DELA REA  
Councilor

  
CHRISTIAN GLENN D. LORICA  
Sectoral Representative  
President, Federation of  
Sangguniang Kabataan

  
ARTEMIO A. SIMUNDAC  
Sectoral Representative  
President, Association of  
Barangay Captains



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ABSENT:

ELMER S. ESPELETA  
Councilor

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

CECILIA C. LAZARTE  
Secretary  
Sangguniang Panlungsod

ATTESTED:

ALDRIN L. SAN PEDRO  
City Vice Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI  
City Mayor

Date: \_\_\_\_\_

PBS, JR.