



REPUBLIKA NG PILIPINAS  
PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA

Sangguniang Panglungsod

RESOLUTION NO. 05-078

**A RESOLUTION ESTABLISHING THE LEGAL BASIS ON THE CLAIM OF THE CITY GOVERNMENT OF MUNTINLUPA FOR ITS EQUITABLE SHARE IN THE DISPOSITION OF THE NATIONAL BILIBID PRISON (NBP) RESERVATION AND SUMMARIZING FOR THIS PURPOSE PREVIOUS RESOLUTIONS OF THE CITY GOVERNMENT OVER THE NBP PROPERTY.**

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

**WHEREAS**, during the visit of her *Excellency President Gloria Macapagal Arroyo* to the City of Muntinlupa last Friday, January 28, 2005, the City Government, thru Hon. City Mayor Atty. Jaime R. Fresnedi, reiterated its claim for an equitable share in the disposition of the New Bilibid Prison (NBP) Reservation in the dialogue held at the Audio Visual Room (AVR), Mayor's Office, City Hall, City of Muntinlupa;

**WHEREAS**, in response, President Macapagal Arroyo directed Mayor Fresnedi to submit the "legal basis" on the said claim for an "equitable share";

**WHEREAS**, in view of the said directive and in view further of the fact that Proclamation No.667 dated July 12, 2004 segregating 90 hectares for the housing project of the Office of the President and the Department of Environment and Natural Resources (DENR) and its attached agencies, is being reconsidered and set aside by President Arroyo for further review, there is an imperative need to pass a new and updated resolution establishing once again the legal basis on the claim of the City Government of Muntinlupa for its equitable share in the disposition of the NBP Reservation and summarizing for this purpose previous resolutions of the City Council of Muntinlupa over the said property;



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**WHEREAS**, the legal basis for such claim is herein below enumerated:

1. Section 7, Article X of the 1987 Constitution which provides that "Local Government units shall be entitled to an equitable share in the proceeds of the utilization and development of the national wealth within their respective areas, in the manner provided by law including sharing the same with the inhabitants by way of direct benefits";
2. Section 289 of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides that, "Local Government Units shall have an equitable share in the proceeds derived from the utilization and development of the national wealth within their respective areas, including sharing the same with the inhabitants by way of direct benefits";
3. Section 2 of Republic Act 7160 provides also that, " it is the declared policy of the state that the territorial and political subdivisions of the state shall enjoy genuine and meaningful local autonomy to enable them to obtain their fullest development as communities and make them more effective partners in the attainment of national goals.
4. Section 27 of Republic Act 7160, also provides that "no project or program shall be implemented by government authorities unless the consultations mentioned in Section 2 ( c ) and 26 are complied with and prior approval of the Sanggunian concerned is obtained";
5. Section 26 of Republic Act 7160, also provides that "it shall be the duty of every national agency or government-owned and controlled corporation authorizing or involved in the planning and implementation of any project or program that may cause pollution, climatic change, depletion of non renewable resources, loss of cropland, range land or forest cover, and extraction of animal or plant species, to consult with the local government units, non-government organization, and other sectors concerned and explain the goals and objective of the project or program, its impact upon the people and the community in terms of environmental and ecological balance, and the measures that will be undertaken to prevent and minimize the adverse effects thereof";

**WHEREAS**, based on the above-mentioned legal basis, the following resolutions of the City Council have been passed, to wit:



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1. Resolution No. 01-020 (dated 6 September 2001), "A RESOLUTION REQUESTING HER EXCELLENCY PRESIDENT GLORIA MACAPAGAL-ARROYO TO ALLOCATE FIFTEEN (15) HECTARES OF A PARCEL OF LAND IN THE NEW BILIBID PRISONS (NBP) RESERVATION FOR THE ESTABLISHMENT OF A GOVERNMENT CENTER IN THE CITY OF MUNTINLUPA."
2. Resolution No. 02-122 (dated 4 July 2002) A RESOLUTION REQUESTING HER EXCELLENCY PRESIDENT GLORIA MACAPAGAL-ARROYO A PARCEL OF FIVE (5) HECTARES OF LAND AT THE NBP RESERVATION FOR THE ESTABLISHMENT OF THE MUNTINLUPA MATERIAL RECOVERY FACILITIES (MRF)."
3. Resolution No. 02-141 (dated 25 July 2002) "A RESOLUTION REQUESTING HER EXCELLENCY GLORIA MACAPAGAL-ARROYO TO ALLOCATE A PORTION OF THE NEW BILIBID PRISON RESERVATION FOR THE BENEFIT OF EMPLOYEES AND DEPENDENTS OF THE BUREAU OF CORRECTIONS, PUBLIC SCHOOL TEACHERS AND OTHER GOVERNMENT EMPLOYEES AND LONG TIME RESIDENTS".
4. Resolution No. 02-168 (dated 22 October 2002) "A RESOLUTION PROVIDING FOR THE ESTABLISHMENT OF THE "GOLDEN TOWER PROJECT" IN MUNTINLUPA CITY AND CREATING THE COMMITTEE TO IMPLEMENT THE SAME".

**WHEREAS**, based on the legal basis enumerated above and the Resolutions already passed, the City Government of Muntinlupa is hereby respectfully requesting the Office of the President, the Office of the Vice-President and other concerned agencies to include Muntinlupa in the preparation of the master plan for the issuance of a new proclamation on the New Bilibid Prison property;

**WHEREAS**, based on the legal basis enumerated above and the Resolutions already passed, the City Council is hereby requesting for an equitable share of ten 10% of the total remaining area of 430 hectares of the NBP Reservation for its various programs and projects;



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**NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED,** by the Sangguniang Panlungsod to pass a Resolution establishing the legal basis on the claim of the City Government of Muntinlupa for its equitable share in the disposition of the National Bilibid Prison (NBP) Reservation and summarizing for this purpose previous Resolutions of the City Government over the NBP property.

**APPROVED** by the *Fourth (4<sup>th</sup>) Sangguniang Panlungsod of Muntinlupa* this 3<sup>rd</sup> day of *February 2005* on its 24<sup>th</sup> Regular Session.

CONCURRED:

  
ATTY. RAUL R. CORRO  
Councilor

  
RENE CARL S. CAYETANO  
Councilor

  
ALLAN REY A. CAMILON  
Councilor

  
FRANCIS IAN T. BAGATSING  
Councilor


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

  
MARISSA COLE-RONGAVILLA  
Councilor

  
MELCHOR R. TEVES  
Councilor

  
LUCIO B. CONSTANTINO  
Councilor

  
ALLEN F. AMPAYA  
Councilor

  
MAMERTO T. SEVILLA, JR.  
Councilor

  
ATTY. ICASIANO M. DELA REA  
Councilor

  
JOSELITO V. AREVALO  
Councilor

  
MARIO E. BULAY, JR.  
Councilor

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



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ABSENT:

BAL NIEFES  
Councilor

ELMER S. ESPELETA  
Councilor

KEVIN B. DELGADO  
Councilor

CHRISTIAN GLENN D. LORICA  
Sectoral Representative  
President, Sangguniang Kabataan

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: \_\_\_\_\_