



Sangguniang Panglungsod

RESOLUTION NO. 06-293

A RESOLUTION AUTHORIZING THE CITY MAYOR HON. ATTY. JAIME R. FRESNEDI TO PAY THE SUM OF FIVE HUNDRED THOUSAND PESOS (PHP500,000.00), PHILIPPINE CURRENCY TO ALAMPAY GATCHALIAN MAWIS & ALAMPAY LAW OFFICE PURSUANT TO KAPASIYAHANG BAYAN BILANG 90-148 SUBJECT TO CERTAIN TERMS AND CONDITIONS TO BE TAKEN FROM ANY AVAILABLE FUNDS OF THE 2006 EXECUTIVE BUDGET.

- Sponsored by:
- Hon. Atty. Raul R. Corro
 - Hon. Lucio B. Constantino
 - Hon. Atty. Icasiano M. dela Rea
 - Hon. Engr. Mamerto T. Sevilla, Jr.
 - Hon. Melchor R. Teves
 - Hon. Christian Glenn D. Lorica
 - Hon. Allan Rey A. Camilon
 - Hon. Ma. Luisa Babaran-Echavez, M.D.
 - Hon. Allen F. Ampaya
 - Hon. Kevin B. Delgado
 - Hon. Elmer S. Espeleta
 - Hon. Francis Ian T. Bagatsing
 - Hon. Marissa Cole-Rongaviila
 - Hon. Mario E. Bulay, Jr.
 - Hon. Artemio A. Simundac

WHEREAS, on April 6, 2006, the Sangguniang Panlungsod approved Resolution No. 06-233 entitled, *"A Resolution to confirm and ratify the engagement of the Alampay Gatchalian Mawis and Alampay (AGMA) Law as the City's Legal Counsel for and in the case of MERALCO vs. Alon, Civil Case No. 90-2787 of the Makati RTC and all its past, related and unfinished incidents, on exactly the same terms and conditions set forth on fixed in its original engagement as such outside counsel dated 15 October 1990 executed by then Hon. Ignacio "Toting" Bunye and as the same was thereafter approved by the Office of the Solicitor General, Department of Interior and Local Government (DILG) and by the Commission on Audit (COA), before the decision of the Makati Regional Trial Court, Branch 66."*

WHEREAS, with the enactment of the said Resolution No. 06-233, the AGMA Law addressed a letter to the Hon. City Mayor Atty. Jaime R. Fresnedi, dated 11 August 2006, requesting for the payment of One Million Nine Hundred Forty Thousand Pesos (Php1,940,000.00), Philippine Currency, representing the City's aggregate or total unpaid monthly retainer fees from June 1990 up to August 2006, under and pursuant to the abovementioned agreement of 15 October 1990;

WHEREAS, the City Government has confirmed that it has indeed no record of payment of monthly retainer fees from June 1990 up to August 2006;

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WHEREAS, the City Government is recommending the payment of the said claim under the following terms and conditions:

- 1) In lieu of One Million Nine Hundred Forty Thousand Pesos (Php1,940,000.00), Philippine Currency, a one time settlement payment of **FIVE HUNDRED THOUSAND PESOS (PHP500,000.00)**;
- 2) Upon payment of **FIVE HUNDRED THOUSAND PESOS (PHP500,000.00)** the City shall be discharges of any further obligation to pay monthly retainer to AGMA Law under the abovementioned agreement of 15 October 1990;
- 3) In the event that the payment of **FIVE HUNDRED THOUSAND PESOS (PHP500,000.00)** is thereafter disallowed, for any reason, by the Commission on Audit (COA) on post-audit, the said amount shall be chargeable to or creditable as payment by the City of the fifteen percent (15%) contingent fee of AGMA Law, which the City is bound to pay pursuant to the abovementioned engagement of 15 October 1990;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the Sangguniang Panlungsod of Muntinlupa, to authorize the Hon. City Mayor Atty. Jaime R. Fresnedi to pay the sum of Five Hundred Thousand Pesos (Php500,000.00), Philippine Currency to Alampay Gatchalian Mawis & Alampay Law Office pursuant to Kapasiyahang Bayan Bilang 90-148 subject to certain terms and conditions to be taken from any available funds of the 2006 Executive Budget.

RESOLVED, FURTHER, that the Sangguniang Panlungsod favorably endorse, as it is hereby endorses, the payment of Five Hundred Thousand Pesos (php500,000.00), Philippine Currency to the AGMA Law Office under the above-recited terms and conditions proposed by the City Government.

APPROVED, by the *Fourth (4th) Sangguniang Panlungsod of Muntinlupa* this *5th* day of *October, 2006*, on its *92nd* Regular Session.

CONCURRED:


ALLAN REY A. CAMILON
Councilor


ELMER S. ESPELETA
Councilor

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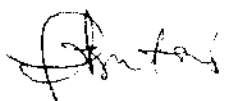
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MA. LUISA BABARAN-ECHAVEZ, M.D.
Councilor


FRANCIS IAN T. BAGATSING
Councilor


MELCHOR R. TEVES
Councilor


MARISSA COLE-RONGAVILLA
Councilor

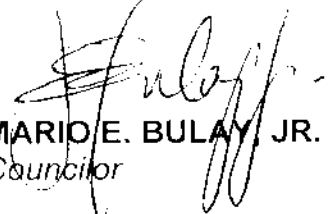

ALLEN F. AMPAYA
Councilor



LUCIO B. CONSTANTINO
Councilor


KEVIN B. DELGADO
Councilor

MAMERTO T. SEVILLA, JR.
Councilor


ATTY. IGASIANO M. DELA REA
Councilor


MARIO E. BULAY, JR.
Councilor


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


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



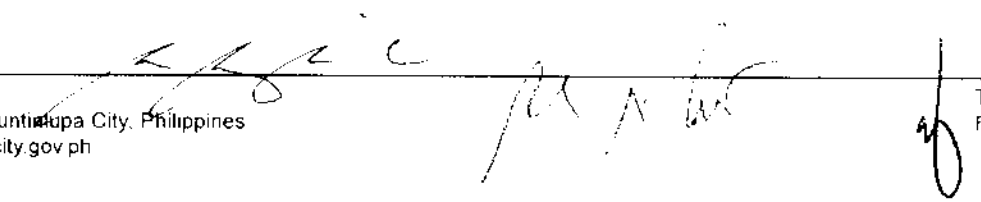
ABSTAIN:

BAL NIEFES
Councilor

ABSENT:

RENE CARL S. CAYETANO
Councilor

JOSELITO V. AREVALO
Councilor






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


CECILIA C. LAZARTE
Secretary
Sangguniang Panglungsod


ATTESTED:


ATTY. RAUL R. CORRO
Acting Presiding Officer

APPROVED:


ATTY. JAIME R. FRESNEDI
City Mayor

Date: _____


PBS, JR.