



Republic of the Philippines
CITY GOVERNMENT OF MUNTINLUPA
 Sangguniang Panlungsod ng Muntinlupa



RESOLUTION NO. 2023-388

A RESOLUTION AUTHORIZING THE CITY MAYOR HON. ROZZANO RUFINO B. BIAZON TO REPRESENT THE CITY GOVERNMENT OF MUNTILUPA TO ENTER AND SIGN THE TRIPARTITE MOA WITH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) REPRESENTED BY ENGR. GILBERT C. GONZALEZ, ASSISTANT SECRETARY FOR FIELD OPERATIONS, DEPARTMENT OF TRANSPORTATION (DOTR) REPRESENTED BY CESAR B. CHAVEZ, UNDERSECRETARY FOR RAILWAYS AND PHILIPPINE NATIONAL RAILWAYS (PNR), REPRESENTED BY JEREMY S. REGINO, GENERAL MANAGER ON THE CREATION OF THE ENVIRONMENTAL GUARANTEE FUND (EGF) FOR THE IDENTIFICATION OF DAMAGES THAT MAYBE CAUSED BY THE NORTH-SOUTH RAILWAY PROJECT-SOUTH LINE.

Sponsored by: *Hon. Coun. Engr. Marissa C. Rongavilla*
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Alexson V. Diaz
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Atty. Rachel Katriel Ann C. Arciaga
Hon. Coun. Ivey Rhia A. Tadeza
Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Jedidiah R. Presnedi, LPT
Hon. Coun. Ting D. Niefes
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez
Hon. Coun. Rodolfo W. Moldez, Jr.
Hon. Coun. Jonas Angelo L. Abadilla – SK President

WHEREAS, Article 86(b)(1)(vi) of the Rules and Regulations Implementing Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that *“(b) For efficient, effective, and economical governance the purpose of which is the general welfare of the city and its inhabitants pursuant to Section 16 of the Code, the City Mayor shall: (1) Exercise the general supervision and control all programs, projects, services, and activities of the City, and in this connection, shall: xxx (vi) Represent the city in all its business transactions and sign in its behalf all bonds, contracts, and obligations, and such other documents upon authority of the Sangguniang Panlungsod or pursuant to law or ordinance.”*;

WHEREAS, Rule IX, Article 47(a) of the Rules and Regulations Implementing Republic Act No. 7160, otherwise known as the Local Government Code of 1991 provides that, *“Unless otherwise provided in the Code, no contract maybe entered into by the Local Chief Executive in behalf of a Local Government without prior authorization by the Sanggunian.”*;





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WHEREAS, the Tripartite MOA with the Department of Environment and Natural Resources (DENR) represented by **Engr. Gilbert C. Gonzalez**, Assistant Secretary for Field Operations, Department of Transportation (DOTr) represented by **Cesar B. Chavez**, Undersecretary for Railways and Philippine National Railways (PNR), represented by **Jeremy S. Regino**, General Manager on the creation of the Environmental Guarantee Fund (EGF) for the identification of damages that maybe caused by the North-South Railway Project-South Line;

WHEREAS, the DOTr has been issued an ECC with ECC Reference No. ECC-CO-1807-0018, and amended on 04 November 2020, pursuant to PD No. 1586 for the proposed North South Railway Project – South Line which will traverse the cities of Manila, Makati, Taguig, Parañaque, Muntinlupa, San Pedro, Biñan, Sta. Rosa, Cabuyao and Calamba in Laguna;

WHEREAS, PNR has the mandate to own or operate railroads, tramways, and other kinds of land transportation, which includes the authority to secure the necessary permits to concretize the implementation of its rail projects;

WHEREAS, the ECC requires DOTr to set-up, among others, “readily available and replenishable Environmental Guarantee Fund (EGF) to cover the following expenses for further environmental assessments, compensation/indemnification for whatever damages to life and property that may cause by the project’s implementation;

WHEREAS, the following factors were considered in determining the amount of the EGF Fund in accordance with the revised procedural Manual of DENR Administrative Order No. 2003-30:

- a. **The Environmental Impact Statement committed program;**
- b. **The Degree of environmental risk involved (based on the number and extend of potential damage);**
- c. **Valuation of resources that would most likely to be affected and DENR-EMB, as well as the Local Government Unit affected by the project;**
- d. **The proponent’s ability to provide funds for the EGF;**

WHEREAS, the establishment of EGF also requires the creation of an EGF Committee that will manage the EGF. The EGF Committee will be composed of representative from DOTr, PNR, and DENR as well as the Local Government Unit affected by the project;

WHEREAS, under the MOA an EGF will be created as indemnification for any damage to life and property that may be caused by the project. The contractors of the project shall put up at least **Eight Million Pesos (Php8,000,000.00)** in an interest bearing account with a reputable bank;

WHEREAS, the EPNRO is appointed by the City Mayor as official representative in the EGF Committee, the City Planning Officer and as alternate representative. One of the members of EGF Committee coming from affected Barangays;



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NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the 10th Sangguniang Panlungsod of Muntinlupa, to authorize the City Mayor Hon. **Rozzano Rufino B. Biazon** to represent the City Government of Muntinlupa to enter and sign the Tripartite Memorandum of Agreement (MOA) with the Department of Environment and Natural Resources (**DENR**) represented by its **Assistant Secretary for Field Operations Engr. Gilbert C. Gonzalez**, Department of Transportation (**DOTr**) represented by its *Undersecretary for Railways*, **Cesar B. Chavez**, and Philippine National Railways (**PNR**), represented by its **General Manager Jeremy S. Regino**, on the creation of the Environmental Guarantee Fund (EGF) for the identification of damages that maybe caused by the North-South Railway Project-South Line.

ADOPTED, by the 10th Sangguniang Panlungsod of Muntinlupa, this 11th day of December 2023, on its 74th Regular Session.

CONCURRED:

DISTRICT 1:

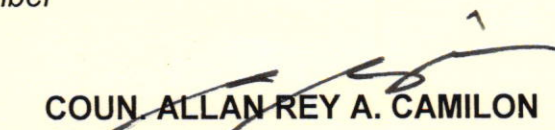

 COUN. ATTY. RAUL R. CORRO
 Member

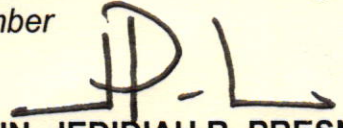

 COUN. ALEXSON V. DIAZ
 Member


 COUN. PATY KATY C. BONCAYAO
 Member


 COUN. ATTY. RACHEL KATRIEL ANN C. ARCIAGA
 Member



 COUN. IVEE RHIA A. TADEFA
 Member


 COUN. ALLAN REY A. CAMILON
 Member


 COUN. JEDIDIAH R. PRESNEDI, LPT
 Member


 COUN. TING NIEFES
 Member

DISTRICT 2:


 COUN. MARK LESTER M. BAES
 Member


 COUN. FRANCIS IAN T. BAGATSING
 Member


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





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COUN. ENGR. MARISSA C. RONGAVILLA
 Member

COUN. ENGR. ARLENE D. HILAPO
 Member

COUN. CORNELIO M. MARTINEZ
 Member

COUN. RODOLFO W. MOLDEZ, JR.
 Member

Sectoral Representative:

COUN. JONAS ANGELO L. ABADILLA
 President
 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:

ROZZANO RUFINO B. BIAZON
 City Mayor

Date: 19 DEC 2023

Norie/10th SP

