



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
22nd City Council

PR22CC-173

25th Regular Session

RESOLUTION NO. SP- **9194**, S-2023

A RESOLUTION URGING THE QUEZON CITY GENERAL SERVICES DEPARTMENT, THE QUEZON CITY HOUSING COMMUNITY DEVELOPMENT AND RESETTLEMENT DEPARTMENT, AND OTHER PERTINENT QUEZON CITY GOVERNMENT AGENCIES, TO SECURE A SANGGUNIANG PANLUNGSOD RESOLUTION OR ORDINANCE PURSUANT TO SECTION 455(b)(1) OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, WHICH WOULD AUTHORIZE THE CITY MAYOR TO ENTER INTO AN AGREEMENT WITH THE SUBDIVISION DEVELOPER AND/OR HOMEOWNERS ASSOCIATIONS (HOAs), FOR THE TURN-OVER AND FOR THE USE, MANAGEMENT, MAINTENANCE, AND SECURITY OF ALL ROADS, EASEMENTS, RIGHT-OF-WAYS, ALLEYS, OPEN SPACES, PARKS, AND PLAYGROUNDS WITHIN THEIR SUBDIVISIONS LOCATED WITHIN THE TERRITORIAL JURISDICTION OF QUEZON CITY.

Introduced by Councilor KRISTINE ALEXIA R. MATIAS.

Co-Introduced by Councilors Bernard R. Herrera, Tany Joe "TJ" L. Calalay, Dorothy A. Delarmente, M.D., Joseph P. Juico, Nikki V. Crisologo, Charm M. Ferrer, Fernando Miguel "Mikey" F. Belmonte, Candy A. Medina, Aly Medalla, Dave C. Valmocina, Tatay Rannie Z. Ludovica, Godofredo T. Liban II, Kate Galang-Coseteng, Geleen "Dok G" G. Lumbad, Albert Alvin "Chuckie" L. Antonio III, Don S. De Leon, Wencerom Benedict C. Lagumbay, Atty. Anton L. Reyes, Edgar "Egay" G. Yap, Imee A. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Nanette Castelo-Daza, Marra C. Suntay, Joseph Joe Visaya, Alfred Vargas, MPA, Ram V. Medalla, Shaira "Shay" L. Liban, Aiko S. Melendez, Mutya Castelo, Maria Eleanor "Doc Ellie" R. Juan, O.D., Eric Z. Medina, Emmanuel Banjo A. Pilar, Vito Sotto Generoso, Victor "Vic" Bernardo, and Alfredo "Freddy" Roxas.

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WHEREAS, Section 22(c) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, mandates that no contract may be entered into by the local chief executive in behalf of the local government unit without prior authorization by the sanggunian concerned;

WHEREAS, pursuant to Section 455(b)(1)(vi) of Republic Act No. 7160, the City Mayor, as the Local Chief Executive of the City Government, shall 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, Section 2 of Presidential Decree No. 1216 mandates the owners/developers of any subdivision to donate its roads, alleys, sidewalks, and playgrounds to the local government;

WHEREAS, Section 31 of Presidential Decree No. 957 provides that the registered owner or developer of the subdivision or condominium project, upon completion of the development of the said project, may, at his option, convey by way of donation the roads and open spaces found within the project to the city or municipality wherein the project is located;

WHEREAS, Presidential Decree No. 957 and Batas Pambansa Blg. 220 require landowners and/or private developers to allocate a minimum of thirty percent (30%) of the entire subdivision project for roads and open space. Upon their completion as certified to by the National Housing Authority, the roads, alleys, sidewalks, and playgrounds shall be donated by the owner or developer to the city or municipality and it shall be mandatory for the local government to accept provided, however, that the parks and playgrounds may be donated to the Homeowners Association of the project with the consent of the city or municipality concerned;

WHEREAS, there is a need for a written agreement executed between the Quezon City Local Government and the Homeowners Association for the turn-over and for the transfer of the management, maintenance, and security of developed parks, facilities, and amenities.

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NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED, to urge, as it does hereby urge, the Quezon City General Services Department, the Quezon City Housing Community Development and Resettlement Department, and other pertinent Quezon City Government Agencies, to secure a Sangguniang Panlungsod Resolution or Ordinance pursuant to Section 455(b)(1) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, which would authorize the City Mayor to enter into an agreement with the Subdivision Developer and/or Homeowners Associations (HOAs), for the turn-over and for the use, management, maintenance, and security of all roads, easements, right-of-ways, alleys, open spaces, parks, and playgrounds within their subdivisions located within the territorial jurisdiction of Quezon City.

ADOPTED: March 6, 2023.


GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:


ATTY. JOHN THOMAS S. ALFEROS, III
City Government Dept. Head III

CERTIFICATION

This is to certify that this Resolution was APPROVED by the City Council on Second Reading on March 6, 2023 and was CONFIRMED on March 13, 2023.


ATTY. JOHN THOMAS S. ALFEROS, III
City Government Dept. Head III