CITY RESOLUTION NO. CR 2019-029
Series of 2019

A RESOLUTION AUTHORIZING THE CITY MAYOR, HON. LANI MERCADO-REVILLA, TO NEGOTIATE FOR A NEW MEMORANDUM OF UNDERSTANDING WITH THE PHILIPPINE RECLAMATION AUTHORITY (PRA) FOR THE PROPOSED RECLAMATION OF PORTIONS OF BACOOR BAY.

Sponsored by: Councillor Venus D. De Castro


WHEREAS, on March 5, 2019, the Office of the Sangguniang Panlungsod received a letter from the City Legal Services Office signed by Atty. Maria Bernadette R. Carrasco requesting for a “City Ordinance (sic) extending the Memorandum of Understanding between the Philippine Reclamation Authority and the City Government of Bacoor and for authority of the City Mayor Lani Mercado-Revilla to sign the said document”.

WHEREAS, a hearing conducted by the Committee on Rules, Privileges, Laws, and Ordinances attended by Atty. Carrasco on 11 March 2019 resulted in the unearthing of the following findings:

1. A Memorandum of Understanding (MOU) was executed on December 7, 2016 between the Philippine Reclamation Authority (PRA) and the City of Bacoor regarding the reclamation and land development of Bacoor’s foreshore and offshore areas;

2. Under Article III thereof, the City of Bacoor will have to submit within ten (10) days from date of execution of the Memorandum of Understanding, certain documents such as the Detailed Feasibility Study (FS), Environmental Impact Statement (EIS), Engineering Geological and Geohazard
Assessment (EGGAR). On the other hand, the NEDA Regional Development Council and Provincial/City Council Resolutions expressing no objection to the proposed reclamation project and the Environmental Compliance Certificate (ECC) for the proposed project should be submitted not later than 6 months from Year 2 from the date of execution of the said contract or not later than 8 June 2019;

3. Under Article II of the said MOU, it was also explicitly mentioned that the afore-cited period was “non-extendible”;

4. Article VI of the said MOU also stated that, regardless of the cause of non-compliance by the City Government in the submission of the said documents within the said period, non-compliance with Article II of the MOU will result in the automatic termination thereof and in the forfeiture of all the fees in favor of the PRA;

5. Upon inquiry by the Committee, it was learned from the Office of the City Treasurer that the total amount of fees that the city government might lose and will be forfeited in favor of the PRA in case the city government fails to comply with Article II of the MOU amounts to P1,057,280.00; and

6. Atty. Carrasco admitted to the Committee that the city government can no longer submit the Environmental Compliance Certificate (ECC) for the proposed project before 8 June 2019 and that the city government has no other recourse but to negotiate with the PRA for the formulation of a new Memorandum of Agreement involving the reclamation of certain portions of Bacoor Bay within the territorial jurisdiction of the City of Bacoor.

WHEREAS, in view of the afore-mentioned findings, the Committee on Rules, Privileges, Laws, and Ordinances chaired by Councilor Venus D. De Castro recommended that a resolution – not an ordinance – be passed by the Sangguniang Panlungsod authorizing the City Mayor, Hon. Lani Mercado-Revilla, to negotiate with the Philippine Reclamation Authority (PRA) for the formulation of a new Memorandum of Agreement involving the reclamation of
certain portions of Bacoor Bay within the territorial jurisdiction of the City of Bacoor, Cavite.

NOW THEREFORE, upon motion of Councilor Venus De Castro, unanimously seconded by the Body, BE IT RESOLVED AS IT IS HEREBY RESOLVED by the Sangguniang Panlungsod in regular session duly assembled to authorize the City Mayor, Hon. Lani Mercado-Revilla, to negotiate with the Philippine Reclamation Authority (PRA) for the formulation of a new Memorandum of Agreement involving the reclamation of certain portions of Bacoor Bay within the territorial jurisdiction of the City of Bacoor, Cavite.

RESOLVED LASTLY, to furnish the Office of the City Mayor, the PRA, and other government agencies concerned with copies of this Resolution.

ADOPTED UNANIMOUSLY by the Sangguniang Panlungsod this 22nd day of April 2019 at the City of Bacoor, Cavite.

I hereby certify that the foregoing Resolution was duly passed in accordance with law and that its contents are true and correct.

Certified by:

HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Noted by:

HON. LANI MERCADO-REVILLA
City Mayor