



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 9
Series of 2023

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR, VICTOR MA. REGIS N. SOTTO TO ENTER INTO NEGOTIATION WITH JEREMY SUNICO, PATRICK SUNICO, AND JAMIE SUNICO, FOR THE ACQUISITION OF A PARCEL OF LAND WITH AN AREA OF NINE HUNDRED FIFTY - FOUR (954) SQUARE METERS MORE OR LESS, WITH A TOTAL AGGREGATE AREA OF DESCRIBED UNDER TRANSFER CERTIFICATE OF TITLE NO. 011-2011001019 LOCATED AT CARUNCHO AVENUE, BARANGAY STO. TOMAS, PASIG CITY TO BE USED AS THE PASIG TRANSPORTATION HUB, AND TO EXPROPRIATE THE SAME IF NEGOTIATIONS FAIL.

Authors: Councilor Mark Gil M. Delos Santos and Councilor Quin A. Cruz

WHEREAS, Section 16 of the Republic Act No. 7160 otherwise known as the Local Government Code of 1991 ("code"), provides that, every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, Section 17 (b) (2) (viii) and Section 17 (b) (13) (vii) in relation to Section 17 (b) (4) of the same code provides that, the City has the duties and responsibility of constructing infrastructure facilities intended primarily to service the needs of its residents including the construction of roads, multi-purpose buildings, housing facilities, among others;

WHEREAS, there is an urgent need for the City Government of Pasig to construct a transportation hub for the concurrence of both its constituents and visitors;

WHEREAS, under Section 19 of the code, it is provided that "a local government unit, may through its Chief Executive and acting pursuant to an ordinance, exercise the power of eminent domain for public use, or purpose of welfare for the benefit of the general welfare upon payment of just compensation;



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WHEREAS, the property of Jeremy Sunico, Patrick Sunico and Jamie Sunico covered by Transfer Certificate of Title No. 011-2011001019 containing an area of Nine Hundred Fifty-Four (954) square meters more or less ("subject property") was identified as suitable for the construction a transportation hub considering its location and size;

NOW THEREFORE, be it **ORDAINED** as it is hereby **ORDAINED** by the Sangguniang Panlungsod of Pasig in a session duly assembled, the following:

SECTION 1. NEGOTIATIONS. – The Honorable City Mayor Victor Ma. Regis N. Sotto is hereby authorized to negotiate and/or initiate expropriation proceedings for the acquisition of the subject property measuring a total area of Nine Hundred Fifty-Four (954) square meters, more or less, located at Barangay Sto. Tomas, Pasig City, and the payment of just compensation thereof to the registered owners. For this purpose, the City Mayor may delegate and/or authorize the Land Management and Recovery Office – Pasig City (LMRO) to represent him or the Office of the City Mayor to make the written offers and negotiate with the affected owners.

SECTION 2. NEGOTIATED SALES. – The City Mayor is further authorized, in case of a negotiated sale, to pay just compensation for the subject property, to enter into and sign, for and on behalf of the City Government of Pasig, a Deed of Absolute Sale with the registered owners taking into consideration the recommendation of the City Appraisal Committee of the City Government of Pasig and/or the LMRO, the current Bureau of Internal Revenue (BIR) Zonal Value and Classification of the subject property, last recorded sales, available appraisal reports and other factors, subject to existing COA accounting rules and regulations.

SECTION 3. EXPROPRIATION. – In the event that the negotiation with the owner/s of the subject property fails, the City Mayor is hereby authorized to initiate and pursue expropriation proceedings to acquire and compensate the subject property. The City Mayor and the City Treasurer are hereby authorized to deposit in court fifteen (15%) percent of the fair market value of the subject property sought to be expropriated based on the current tax declaration or so much as may be necessary to be determined by the proper court, subject to existing COA rules and regulations.



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SECTION 4. CONSTRUCTION OF TRANSPORT HUB. – The City Mayor is authorized to engage the services of a duly licensed and qualified contractor for the design and construction of the transportation hub.

SECTION 5. APPROPRIATIONS. – The amount to be used for the payment of just compensation shall be taken from the land capital outlay of the City Government of Pasig, subject to existing COA rules and regulations.

SECTION 6. SEPARABILITY CLAUSE. – Should any article, section or regulation of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole, or any portion thereof other than the article, section or regulation so declared to be unconstitutional or invalid.

SECTION 7. REPEALING CLAUSE. – All ordinances or portions of ordinances in conflict with this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 8. EFFECTIVITY. – This Ordinance shall take effect immediately.

APPROVED, this 16th day of **February 2023** at Pasig City.

HON. RAYMUND FRANCIS S. RUSTIA
City Councilor

HON. CORAZON M. RAYMUNDO
City Councilor

HON. SIMON BERARD R. TANTOCO
City Councilor

HON. SYVEL ASILO-GUPILAN
City Councilor

HON. PAUL ROMAN C. SANTIAGO
City Councilor

HON. NOEL L. AGUSTIN
City Councilor



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HON. RODERICK MARIO U. GONZALES
City Councilor
HON. QUIN A. CRUZ
City Councilor
HON. REGINO S. BALDERRAMA
City Councilor
HON. MARION ROSALIO M. MARTIRES
City Councilor
HON. RIGOR WENRIQUEZ
LIGA President

(On Leave)

HON. GEORGIA LYNNE P. CLEMENTE
SK Fed. President
HON. MARIA LUISA M. DE LEON
City Councilor
Minority Floor Leader
HON. MARK GIL M. DELOS SANTOS
City Councilor
Majority Floor Leader

Attested by:

HON. ROBERT VINCENT JUDE B. JAWORSKI, JR.
City Vice-Mayor
Presiding Officer



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LUNGSOD NG

APPROVED:

HON. VICTOR MA. REGIS N. SOTTO
City Mayor

Attested by:

LOIDA U. VILLANUEVA
Acting City Council Secretary

UMAAGOS ANG PAG-ASA