



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
21st City Council

PR21CC-1541

97th Regular Session

RESOLUTION NO. SP-**8959**, S-2022

A RESOLUTION AUTHORIZING THE QUEZON CITY GOVERNMENT, THROUGH THE CITY MAYOR, HONORABLE MA. JOSEFINA G. BELMONTE, TO ENTER INTO A RIGHT-OF-WAY USAGE AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF EDUCATION FOR THE CONSTRUCTION, OPERATION, MANAGEMENT AND MAINTENANCE OF THE EDSA GREENWAYS PROJECT.

Introduced by Councilors FRANZ S. PUMAREN and DONATO "Donny" C. MATIAS.

Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Dorothy A. Delarmente, M.D., Tany Joe "TJ" L. Calalay, Nicole Ella V. Crisologo, Victor V. Ferrer, Jr., Winston "Winnie" T. Castelo, Atty. Bong Liban, Eden Delilah "Candy" A. Medina, Ramon P. Medalla, Mikey F. Belmonte, Estrella C. Valmocina, Kate Galang-Coseteng, Matias John T. Defensor, Wencerom Benedict C. Lagumbay, Jorge L. Banal, Sr., Peachy V. De Leon, Imee A. Rillo, Marra C. Suntay, Irene R. Belmonte, Resty B. Malañgen, Ivy L. Lagman, Hero M. Bautista, Jose A. Visaya, Karl Castelo, Patrick Michael Vargas, Shaira L. Liban, Ram V. Medalla, Allan Butch T. Francisco, Marivic Co Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto-Antonio, Freddy S. Roxas and Noe Dela Fuente.

WHEREAS, as part of the Build Build Build Infrastructure Program, the Department of Transportation (DOTr) is implementing the EDSA Greenways Project, aiming to improve five kilometers of elevated walkways to address the needs of the elderly, persons with disabilities (PWDs), and people travelling with children by connecting MRT and LRT stations. The project includes the construction of footbridges (and relocation of affected utilities of private and/or government entities) in four areas of EDSA - Balintawak, Cubao, Guadalupe and Taft;

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WHEREAS, after having completed the engineering designs at the appropriate level, there has been a determination that certain areas or portions of the lands owned by the Quezon City Government where the Cubao Elementary School, Cubao, Quezon City and Bonifacio Elementary School, Balintawak, Quezon City are located, will be affected by the project's alignment or the project's required physical footprint;




WHEREAS, for the implementation of works required of the project along the alignment, there is a need to require the permanent or temporary (as applicable) acquisition of Right-of-Way in accordance with "Right-of-Way Act of 2016", its Implementing Rules and Regulations, and other pertinent laws, from the available and existing right-of-way of the Quezon City Government;

WHEREAS, the Quezon City Government and DepEd, as the latter is currently in possession of the subject properties, have agreed and committed to extend their full cooperation for the prompt completion of the Project by granting DOTr the possession and right to use of the abovementioned ROW in Cubao and Bonifacio Elementary Schools and the same shall be used by the DOTr exclusively for the construction, operation, management and maintenance of the project;

WHEREAS, pursuant to Section 455 (b)(1)(vi) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the City Mayor shall represent the City in all its business transactions and sign in its behalf all bonds, contracts and obligations and such other documents upon the authority of the Sangguniang Panlungsod or pursuant to law or ordinance.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED, to authorize, as it does hereby authorize, the Quezon City Government, through the City Mayor, Honorable Ma. Josefina G. Belmonte, to enter into a Right-of-Way Usage Agreement with the Department of Transportation and the Department of Education for the construction, operation, management and maintenance of the EDSA Greenways Project.




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RESOLVED FURTHER, that a copy of the subject Right-of-Way Usage Agreement shall form an integral part of this Resolution.

ADOPTED: June 27, 2022.



ERIC Z. MEDINA
Minority Floor Leader
Acting 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 June 27, 2022 under Suspended Rules and was CONFIRMED on the same date.


Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III
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