

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE SB SESSION ROOM, MUNICIPAL HALL ON THURSDAY , MARCH 10, 2016

Present: Councilor Ernesto P. Go, Temporary Presiding Officer  
Councilor Alvin Dale M. Sibal  
Councilor Robin S. Mangiliman  
Councilor July A. Vitug  
Councilor Rainier Q. Rivera  
Councilor Danilo L. Lugtu  
Councilor Noel S. Rivera  
Councilor Reynaldo L. Pangilinan, Sr.  
Councilor Jose M. Salting, Jr., Pres., Liga ng mga Barangay

Absent: Vice-Mayor Salvador L. Pascual

RESOLUTION NO. 357, SERIES OF 2016

REQUESTING THE PROVINCIAL GOVERNMENT OF TARLAC TO INITIATE LEGAL PROCEEDINGS IN ORDER TO ENSURE THAT THE MUNICIPALITY OF BAMBAN/PROVINCE OF TARLAC WOULD NOT BE CONTINUALLY DEPRIVED OF THE INCOMES OR INTERNAL REVENUE SHARE OVER THE CONTESTED TERRITORIES ( OCT NO. 1 REGISTERED IN THE NAME OF BCDA AND PORTION OF SACOBIA AREA) WHILE THE ISSUE IS STILL SUBJECT FOR RESOLUTION

WHEREAS, sometime in July 2011, the Municipality of Bamban raised a concern before the Senate of the Philippines on the passage of a bill ( HB 2509/4736) converting the Municipality of Mabalacat into a component city , specifically, it opposed an attempt by Mabalacat to annex a portion of the territory of Bamban to its land area;

WHEREAS, in the meticulous review of supporting documents of the said house bill it was discovered that indeed, the then Municipality of Mabalacat attempted to annex a 2,132 hectares portion of Sacobia (in the Municipality of Bamban ) and more than 6,045 hectares of “ open territory” in the former US Military Reservation (otherwise known as OCT No. 1, registered in the name of the Bases Conversion and Development Authority) thereby substantially increasing the land area of Mabalacat beyond the approved 8,318 hectares;

WHEREAS, while the Municipality of Bamban with the support of the Province of Tarlac succeeded in maintaining its territorial integrity , resolution of the issue over the contested areas has not been fully achieved and meanwhile, the City of Mabalacat continues to enjoy the benefits of taxes and revenues generated from the contested territories ;

WHEREAS, even if the contested territory (OCT No. 1) is titled as within the territory of Mabalacat, Province of Pampanga we in the Municipality of Bamban believe that it was titled in haste and registered sometime in 2004 without having been surveyed, and despite the lack of necessary supporting document such as joint resolution from the affected adjoining municipalities and their respective duly approved political boundary maps , as required by DENR DAO 2007-29 and DMC 2010-13;

WHEREAS, this Body questions the exercise of inherent taxing power of the City of Mabalacat over the contested territories because those are beyond its approved land area;

WHEREAS, this Body believes that a legal action – with the assistance of the Provincial Government - must be taken so that the internal revenue generated from the contested territories may be enjoyed equitably by the City of Mabalacat and Municipality of Bamban;

NOW THEREFORE, on motion of Councilor Noel S. Rivera unanimously seconded:

BE IT RESOLVED, that this Sangguniang Bayan hereby requests the Provincial Government of Tarlac to initiate legal proceedings in order to ensure that the Municipality of Bamban /Province of Tarlac would not be continually deprived of the incomes or internal revenue share over the contested territories (OCT No. 1, registered in the name of BCDA and portion of Sacobia area ) while the issue on the said contested areas is still subject for resolution

RESOLVED FURTHER, let copies of this resolution be forwarded to the Provincial Government of Tarlac thru the Hon. Governor Victor A. Yap, the Sangguniang Panlalawigan thru the Hon. Vice-Governor Enrique Cojuangco, Jr. for their information and consideration and be furnished the Hon. Mayor Jose Antonio T. Feliciano, Municipal Mayor, and others concerned, for their information.

CARRIED UNANIMOUSLY.

Certified correct:

MARLENE C. PANGILINAN  
SB Secretary

Attested:

ERNESTO P. GO  
SB Member & Presiding Officer Pro Tempore