

Republika ng Pilipinas
Lungsod Quezon
SANGGUNIANG PANLUNGSOD
(City Council)

PR99-111

4th Special Session

RESOLUTION NO. SP- 1148, S-99

A RESOLUTION AUTHORIZING THE CITY LEGAL OFFICER, ATTY. JOSE PUHAWAN AND THE CITY COUNCIL SECRETARY, ATTY. EUGENIO V. JURILLA, AS THE LEGAL COUNSEL AND SPECIAL COUNSEL, RESPECTIVELY, TO REPRESENT THE CITY COUNCIL, THE CITY VICE MAYOR, AND ANY MEMBER OF THE CITY COUNCIL, IN THEIR OFFICIAL CAPACITY, AS A PARTY IN ALL CIVIL CASES AND SPECIAL PROCEEDINGS AND TO APPEAR FOR SAID PARTY/IES DURING THE PRE-TRIAL CONFERENCE AND IN ALL STAGES OF THE PROCEEDINGS.

Introduced by Councilors BAYANI V. HIPOL, GODOFREDO T. LIBAN II, VINCENT P. CRISOLOGO, and JORGE L. BANAL.

Co-Introduced by Councilors Wilma Amoranto-Sarino, Elizabeth A. Delarmente, Rommel R. Abesamis, Ma. Fresca M. Biglang-awa, Eric Z. Medina and Almario E. Franciso.

WHEREAS, lawsuits and legal actions involving various causes of action had been brought against the City Council, the City Vice-Mayor and other members of the City Council in their official capacity in various courts of justice;

WHEREAS, pursuant to existing jurisprudence, the City Legal Officer who is the chief legal counsel of the City government or any official thereof shall represent them in all civil actions and special proceedings in their official capacity as a party;

WHEREAS, in several cases where the City Council is made a party respondent or defendant, the City Council Secretary, Atty. Eugenio V. Jurilla, had been authorized to act as counsel for the City Council in collaboration with and under the control of the City Legal Officer either upon the request of the City Legal Officer or designation by the City Council, the most recent one being Civil Case No. Q-98-3180, entitled, "Topmost Gaming Corporation, petitioner, versus, City of Quezon, acting through its Sangguniang Panlungsod, et. al, respondents" now pending at the Regional Trial Court, Branch 90, Quezon City;

WHEREAS, generally, the authority to appear as counsel during the mandatory pre-trial conference stage of the proceedings is given in the form of special power of attorney signed by the City Vice-Mayor in her capacity as the Presiding Officer of the City Council;

9/00

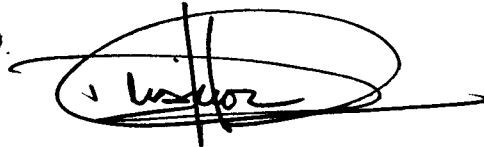
WHEREAS, in one case, Civil Case No. Q-98-34003, entitled, "Felt Food, Inc., doing business under the name and style Club Giorgio, plaintiff, versus, the Hon. Mayor and the City Council of Quezon City, defendants" of the Regional Trial Court, Branch 220, in Quezon City, the appearance of the City Legal Officer, Atty. Jose Puhawan and Atty. Jurilla during the pre-trial conference of the case was questioned by the opposing counsel contending that the authority presented was merely a special power of attorney signed by the Vice Mayor which should have been a Resolution adopted by the City Council;

WHEREAS, to obviate such contingency and to get off on procedural points and the concomitant embarrassment arising therefrom, it is now necessary to change such practice by granting the desired authority by means of an approved resolution;

NOW, THEREFORE,


BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED, to authorize, as it does hereby authorize, the City Legal Officer, Atty. Jose Puhawan and the City Council Secretary, Atty. Eugenio V. Jurilla, as the Legal Counsel and Special Counsel, respectively, to represent the City Council, the City Vice Mayor, and any member of the City Council, in their official capacity, as a party/ies in all civil cases and special proceedings and to appear for said party during the pre-trial conference and in all stages of the proceedings.

ADOPTED: April 29, 1999.



MARCEL C. RILLO
Acting Presiding Officer

ATTESTED:



EUGENIO V. JURILLA
City Council Secretary

