



Republic of the Philippines
CITY COUNCIL
Quezon City
15th City Council

PR2002-434

54th Regular Session

RESOLUTION NO. SP-**1911**S-2002

A RESOLUTION AUTHORIZING THE CITY MAYOR, HONORABLE FELICIANO R. BELMONTE, JR., TO MAKE AVAILABLE FROM THE CALAMITY FUND OF THE QUEZON CITY BUDGET FOR CALENDAR YEAR 2002 SUCH AMOUNT AT HIS DISCRETION AS MAY BE DEEMED NECESSARY AND APPROPRIATE TO MEET SUCH EMERGENCIES, DISASTERS AND CALAMITIES THAT ARE CAUSED BY TERRORISM, VIOLENCE AND INCREASE IN CRIMINALITY, AND IN FINANCIAL ASSISTANCE TO THE CENTRAL POLICE DISTRICT (CPD) FOR IT TO EFFECTIVELY CARRY OUT ITS MANDATE OF SECURING AND MAINTAINING PEACE AND ORDER.

Introduced by Councilors VICTOR V. FERRER, JR., JESUS MANUEL C. SUNTAY, WILMA AMORANTO-SARINO, VINCENT P. CRISOLOGO, ELIZABETH A. DELARMENTE, BERNADETTE HERRERA-DY, ROMMEL R. ABESAMIS, VOLTAIRE GODOFREDO L. LIBAN III, AIKO MELENDEZ-YLLANA, RAMON P. MEDALLA, ALLAN "BUTCH" T. FRANCISCO, ERIC Z. MEDINA, MARY ANN L. SUSANO, JORGE L. BANAL, JULIAN M.L. COSETENG, FRANZ S. PUMAREN, WENCEROM BENEDICT C. LAGUMBAY, DIORELLA MARIA SOTTO-DE LEON, DANTE M. DE GUZMAN, ALMA F. MONTILLA, ANTONIO E. INTON, JR., JANET M. MALAYA, RICARDO R. DEL ROSARIO, RESTITUTO B. MALAÑGEN, XYRUS A. LANOT and JUNIE MARIE L. CASTELO.

WHEREAS, recent events of terrorism and violence and the extraordinary increase in criminality as exemplified by bombing of malls, shopping centers, forts, churches, buses and other crowded places, whereby Quezon City has become a target, having a public utility bus of Golden Highway Bus Lines, Inc. exploded by terror elements, killing two of its passengers and injuring scores of the others, gripping the citizenry in fear, causing confusion and suspicion among them and hindering economic growth and development;

WHEREAS, recent developments indicate an increase in the number and strength of terror cells and criminal bands and groups, including local organizations such as the New People's Army (NPA), the Alex Boncayao Brigade (ABB), the Moro Islamic Liberation Front (MILF), the Abu Sayyaf Group (ASG) and other smaller organizations, bands and groups, and still many others are being organized for the undertaking of terroristic and criminal activities, for gain of media mileage for world attention, for political motives, and for other illegitimate objectives;

WHEREAS, in order to meet such contingencies, among others, Republic Act No. 7160, otherwise known as the Local Government Code of the Philippines, in Section 324 thereof on budgetary requirements, provides and mandates:

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"SEC. 324. Budgetary Requirements. - The budgets of local government units for any fiscal year shall comply with the following requirements:

XXX




(d) Five percent (5%) of the estimated revenue from regular sources shall be set aside as an annual lump sum appropriation for unforeseen expenditures arising from occurrence of calamities. XXX

WHEREAS, the President of the Republic, Her Excellency Gloria Macapagal Arroyo recognizes the existence of a state of emergency arising from calamities that are brought about by terrorism, violence and increase in criminality, that she issued Memorandum Order No. 77 entitled, "DIRECTING THE NATIONAL POLICE COMMISSION TO EMPOWER THE MAYORS OF ALL THE CITIES AND MUNICIPALITIES IN THE NATIONAL CAPITAL REGION TO EFFECTIVELY CARRY OUT THEIR RESPONSIBILITY OF MAINTAINING PEACE AND ORDER IN THEIR RESPECTIVE TERRITORIAL JURISDICTIONS", wherein it is provided in the Fifth Whereas Clause thereof that "there is a need to institute mechanisms which will ensure and support the performance by the mayors of the cities and municipalities in the National Capital Region of their functions relative to the maintenance of peace and order and to the exercise of operational supervision and control over the units of the Philippine National Police within their respective territorial jurisdictions";

WHEREAS, the Central Police District (CPD) which is the unit of the Philippine National Police (PNP) operating within the territorial jurisdiction of Quezon City, through its District Director, Police Senior Superintendent Napoleon C. Castro, in a memorandum for the City Mayor, Honorable Feliciano R. Belmonte, Jr. regarding Priority Logistical Requirements, admits lack of financial capacity of their organization in the undertaking of the mandate of the Philippine National Police to secure and maintain peace and order, and requests financial assistance from the Local Government of Quezon City;

WHEREAS, the local government of Quezon City has financial capacity, through the mandatory five percent (5%) Calamity Fund, to accommodate the request of the Central Police District for financial assistance and, otherwise, under Republic Act No. 7160, otherwise known as the Local Government Code of the Philippines, in Section 322 thereof on Reversion of Unexpended Balances of Appropriations, it is provided:

"SEC. 322. Reversion of Unexpended Balances of Appropriations, Continuing Appropriations. - Unexpended balances of appropriations authorized in the annual appropriations ordinance shall revert to the unappropriated surplus of the general fund at the end of the fiscal year and shall not thereafter be available for expenditure except by subsequent enactment. XXX"



WHEREAS, A strengthened police force, logistically able, plays a vital role in the fight against terrorism, violence and increasing criminality, and for the maintenance of peace and order;

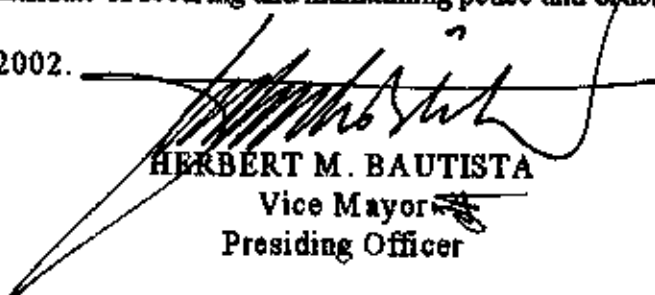
WHEREAS, Republic Act No. 7160, otherwise known as the Local Government Code of the Philippines, in Section 16 thereof on General Welfare, provides:

"SEC. 16. General Welfare. - Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental of its efficient and effective governance, and those which are essential to the promotion 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 he people to a balance 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 the inhabitants."

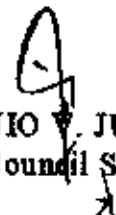
NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED, to authorize, as it does hereby authorize, the City Mayor, Honorable Feliciano R. Belmonte, Jr., to make available from the Calamity Fund of the Quezon City Budget for Calendar Year 2002 such amount at his discretion as may be deemed necessary and appropriate to meet such emergencies, disasters and calamities that are caused by terrorism, violence and increase in criminality, and in financial assistance to the Central Police District (CPD) for it to effectively carry out its mandate of securing and maintaining peace and order.

ADOPTED: December 17, 2002.


HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:


EUGENIO V. JURILLA
City Council Secretary

CERTIFICATION

This is to certify that this Resolution which was APPROVED on Second Reading on December 17, 2002, was CONFIRMED by the City Council under Suspended Rules on the same date.


EUGENIO V. JURILLA
City Council Secretary