



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
19th City Council

PR19CC-140

1st Special Session

RESOLUTION NO. SP- 5841 S-2013,

A RESOLUTION AUTHORIZING THE CITY MAYOR, HONORABLE HERBERT M. BAUTISTA, TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH SAN PEDRO IX SUBDIVISION HOMEOWNERS ASSOCIATION, INC. REPRESENTED BY ITS PRESIDENT ENGINEER GODOFREDO SANCHEZ, FOR THE SUPERVISION, MAINTENANCE, SECURITY AND UTILIZATION OF ROADS, EASEMENTS AND ALLEYS IN SAN PEDRO IX SUBDIVISION, BARANGAY BAGBAG, QUEZON CITY.

Introduced by Councilors JESUS MANUEL C. SUNTAY, EUFEMIO C. LAGUMBAY and GODOFREDO T. LIBAN II.

Co-Introduced by Councilors Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Dorothy A. Delarmente, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Ramilfo Z. Ludovica, Ramon P. Medalla, Franz S. Pamaren, Jaime F. Borres, Bayani V. Hipol, Karl Edgar C. Castelo, Candy A. Medina and Marivic Co-Pilar and Melencio "Bobby" T. Castelo Jr.

WHEREAS, faithful to the State's policy as embodied in Sections 2 and 10 (c) and (d) of Republic Act No. 9904, otherwise known as "Magna Carta for Homeowners and Homeowners' Associations:"

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To this end, the State shall endeavor to make available resources and assistance that will help them fulfill their roles in serving the needs and interests of their communities, in complementing the efforts of local government policies, programs, rules and ordinances for the development of the nation.

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(c) Regulate the use, maintenance, repair, replacement and modification of common areas and cause additional improvements to be made part of the common areas; Provided, That the aforementioned do not contradict the provisions of the approved subdivision plan; X

[Handwritten signatures and initials]

(d) Regulate access to, or passage through the subdivision/village roads for purposes of preserving privacy, tranquility, internal security, and safety and traffic order: Provided, that (1) public consultations are held; (2) existing laws and regulations are met; (3) the authority of the concerned government agencies or units are obtained; and (4) the appropriate and necessary memoranda of agreement are executed among the concerned parties;"

WHEREAS, San Pedro IX Subdivision Homeowners Association Inc., herein represented by Engineer Godofredo Sanchez is a duly organized and registered non-stock, non-profit corporation composed of bona fide members and occupants of San Pedro IX Subdivision;

WHEREAS, San Pedro IX Subdivision Homeowners Association Inc., recognizes the rights and powers of the Quezon City Government as the true and registered owner of open spaces, easements and alleys within San Pedro IX Subdivision by virtue of a Deed of Donation entered into by the Quezon City Government and Labrador Development Corporation on 18 June 1990;

WHEREAS, in furtherance of the aforementioned state policies, San Pedro IX Homeowners Association Inc., seeks concessions from the Quezon City Government that they be authorized to exercise joint administration over the said open spaces, easements and alleys by way of adopting appropriate maintenance and security measures and allowing free and sensible use and access over subject premises, assuming all appurtenant expenses that such undertakings entail and ensuring that such measures for joint administration shall be with prior approval of the Quezon City Government and within the bounds of applicable laws;

WHEREAS, toward this end, San Pedro IX Subdivision Inc., wishes to enter into contract with the Quezon City Government through a Memorandum of Agreement which shall enumerate with specificity the limits of the proposed joint administration between the two parties;

WHEREAS, Honorable Mayor Herbert M. Bautista, in his capacity as the local chief executive shall represent the Quezon City Government in this proposed joint undertaking;

WHEREAS, Section 22 (c) of Republic Act No. 7160, otherwise known as "The Local Government Code of 1991" laid out the prerequisites before the local chief executive can enter into a contract: }
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(c) Unless otherwise provided in this Code, no contract may be entered into by the local chief executive in behalf of the local government unit without prior authorization by the sanggunian concerned. A legible copy of such contract shall be posted at a conspicuous place in the provincial capitol or the city, municipal or barangay hall.

NOW, THEREFORE,


BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN SPECIAL SESSION ASSEMBLED, to authorize, as it does hereby authorize the City Mayor, Honorable Herbert M. Bautista, to enter into a Memorandum of Agreement with San Pedro IX Subdivision Homeowners Association, Inc. herein represented by its president Engineer Godofredo Sanchez, for the supervision, maintenance, security and utilization of roads, easements and alleys in San Pedro IX Subdivision, Barangay Bagbag, Quezon City.

RESOLVED, FURTHER, that the Memorandum of Agreement be made an integral part of this Resolution.

ADOPTED: December 20, 2013.



MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

CERTIFICATION

This is to certify that this Resolution was APPROVED by the City Council on Second Reading on December 20, 2013 and was CONFIRMED on January 27, 2013.


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III