

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE EIGHTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON DECEMBER 14, 2000

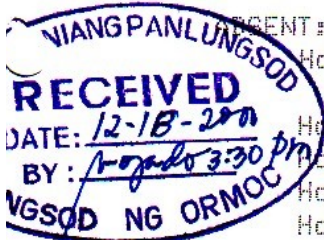
PRESENT:

Hon. Celso P. Adolfo, City Vice Mayor & Presiding Officer
Hon. Nepomuceno P. Aparis I, City Councilor, Majority Floor Leader
Hon. Dennis Y. Capuyan, City Councilor, Assist. Maj. Floor Leader
Hon. Alfredo F. Capahi, City Councilor
Hon. Claudio P. Larrazabal, City Councilor
Hon. Fernando P. Parrilla, Ex-Officio City Councilor,
Chapter President, Liga ng mga Barangay ng Ormoc
Hon. Chiqui B. Labagala, Ex-Officio City Councilor,
SK Federation President
Hon. Fe S. Lladoc, (Appointed in lieu of Hon. Benjamin B.
Lladoc (Deceased)), City Councilor



PRESENT:

Hon. Jose S. Serafica, (Sick Leave), City Councilor,
Minority Floor Leader
Hon. Mariano Y. Corro, (Sick Leave), City Councilor
Hon. Sotero M. Pepito, (O.B. - La Union), City Councilor
Hon. Eduardo P. Tan, (Filial Leave), City Councilor
Hon. Jose C. Alfaro, Jr., (O.B. - La Union), City Councilor



RESOLUTION NO. 2000-219

A RESOLUTION AUTHORIZING THE CITY ACCOUNTANT TO CHARGE
AGAINST THE FIVE PERCENT (5%) CALAMITY FUND THE AMOUNT
OF ELEVEN MILLION TWO HUNDRED SEVENTY THOUSAND PESOS
(P11,270,000.00) AS CALAMITY AID TO BE GIVEN TO
REGULAR, PLANTILLA CASUAL AND EMERGENCY CASUAL
EMPLOYEES OF THE LOCAL GOVERNMENT UNIT OF ORMOC CITY.

WHEREAS, this Sanggunian is in receipt of letter dated 08 December
2000 from the Honorable City Mayor Eufrocino M. Codilla, Sr., requesting
this august Body to pass a resolution authorizing the City Accountant to
Charge against the Five Percent (5%) Calamity Fund the amount of ELEVEN
MILLION TWO HUNDRED SEVENTY THOUSAND PESOS (P11,270,000.00) as Calamity
Aid to be given to regular and casual employees of the Local Government
Unit of Ormoc City not later than December 20, 2000, to wit:

REGULAR	524	X	P 10,000.00	P 5,240,000.00
PLANTILLA	378	X	P 10,000.00	P 3,780,000.00
EMERGENCY CASUAL	1,125	X	P 2,000.00	P 2,250,000.00
	2,027			P11,270,000.00

and requesting URGENT favorable action on said request;

WHEREAS, the City Budget Officer through 3rd Indorsement dated 11
December 2000 has stated that authority be granted the City Accountant
to charge said request against the Five Percent (5%) Calamity Fund for
CY 2000;

WHEREAS, the City Treasurer, through 5th Indorsement dated 12
December 2000 has certified that funds are available subject however to
accounting and auditing rules and regulations;

WHEREAS, the City Legal Officer through 7th Indorsement dated 12 December 2000 has this to say as to the legality of utilizing the 5% Calamity Fund for CY 2000 as calamity aid to the regular and casual employees:

"In its Resolution No. 2000-14 dated December 7, 2000, SP has already declared the City of Ormoc under the "State of Calamity" due to the extent of damage caused by typhoon "TOYANG." Section 5, par. 1 of the Rules and Regulations Implementing R.A. No. 8185 provides:

"The 5% calamity fund shall be set aside as annual lump sum appropriations every calendar year in the annual budget of LGUs to be allocated in the area affected by a disaster or calamity, as determined and declared by the Local Sangguniang concerned as calamity area"

Par. b-1 of the same Section provides:

"The Calamity Fund shall be utilized for the relief, reconstruction, rehabilitation, and other works or services. In connection with the calamities which may occur during the budget year. Provided, that such fund shall be used/utilized only in the area of the LGU affected by the disaster or calamity as determined and declared under the state of calamity by the Sangguniang concerned by way of a resolution."

The extension of financial assistance to calamity victims embraced in the definition of "Other Works and Services" as defined in Section 3 (g) of the RRI Ra. 8185 which is quoted hereunder:

"Other Works and Services - any related activities undertaken in the course of rehabilitation or reconstruction such as but not limited to; medical services; repair of equipment; financial assistance to calamity victims, and such other activities essential to disaster control and management."

Moreover, under Section 5, b.2 provides:

"A portion of the Calamity Fund may also be authorized to be used by the LGU concerned to provide financial assistance to other LGUs whose area or portion thereof had been declared under the state of calamity by its Sanggunian."

If the LGU is authorized to use a portion of its calamity fund to provide financial assistance to other LGUs whose area had been declared under the state of calamity by its Sanggunian, a fortiori, the LGU is necessarily authorized to extend assistance to itself. To interpret otherwise is absurd and would render nugatory the allocation of 5% calamity fund of the LGU in its own annual budget. Charity begins at home.

(SGD) CLETO L. EVANGELISTA, JR.
City Legal Officer

WHEREFORE, foregoing premises considered, on motion of City Councilor Alfredo F. Capahi, Chairman, Committee on Finance, severally seconded by City Councilors, Dennis Y. Capuyan, Fernando P. Parrilla & Chiqui B. Labagala; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution AUTHORIZING THE CITY ACCOUNTANT TO CHARGE AGAINST THE FIVE PERCENT (5%) CALAMITY FUND THE AMOUNT OF ELEVEN MILLION TWO HUNDRED SEVENTY THOUSAND PESOS (P11,270,000.00) AS CALAMITY AID TO BE GIVEN TO REGULAR, PLANTILLA CASUAL AND EMERGENCY CASUAL EMPLOYEES OF THE LOCAL GOVERNMENT UNIT OF ORMOG CITY;

ADOPTED, December 14, 2000.

RESOLVED, FURTHER, to furnish copies of this resolution each to His Honor, the City Mayor, the City Administrator, the City Treasurer, the City Legal Officer, the City Budget Officer, the City Accountant, the City Auditor and others concerned, -all in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

OSCAR LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:

CELSO P. ADOLFO
City Vice Mayor & Presiding Officer

APPROVED:

EUFROCINO M. CODILLA, SR.
City Mayor

12-18-2000
(Date)