



Republic of the Philippines  
Province of Cavite  
City of Bacoor



### 5<sup>th</sup> SANGGUNIANG PANLUNGSOD

COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER	
Committee on Peace & Order and Public Safety		<b>FROM THE OFFICE OF CITY LEGAL SERVICES: LEGAL OPINION ON THE PROPOSED CITY RESOLUTION ENTITLED: A RESOLUTION AUTHORIZING THE CITY MAYOR, HON. STRIKE B. REVILLA, TO CAUSE THE CONSTRUCTION OF A NEW POLICE STATION AND FIRE STATION AT BARANGAY _____, BACOOR CITY, CAVITE TO PROMOTE THE GENERAL WELFARE, AND SUGGESTING TO CHANGE THE TITLE FROM ("TO CAUSE" THE CONSTRUCTION TO "TO ORDER" THE CONSTRUCTION)</b>	PCR-224-2023	
V E N U E	SP Session Hall 2 <sup>nd</sup> floor, Bacoor Government Center		D A T E / T I M E	February 20, 2023/ 11:00 AM

#### COMMITTEE REPORT No. POPS-011-S-2023

After a thorough review of all the documents presented regarding the above-mentioned subject matter, a close consultation and coordination with all the members of the Council, the undersigned arrived at a conclusion that all the documents are in order.

Thus, the Committee respectfully reports that the construction of police and fire station are considered as basic services and facilities which can be exercised by the Local Government Unit under the Local Government Code of 1991.

In addition, the suggestion to change the title of the City resolution from "A Resolution Authorizing the City Mayor, Hon. Strike B. Revilla, to Cause the Construction of a new Police Station and Fire Station at Barangay \_\_\_\_\_, Bacoor City,



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Cavite to promote the General Welfare” to “A Resolution Authorizing the City Mayor, Strike B. Revilla, to **Order** the Construction of a new Police Station and Fire Station at Barangay \_\_\_\_\_, Bacoor City, Cavite to promote the General Welfare.”

### RECOMMENDATION:

In view of the foregoing, the Committee respectfully recommends for the **APPROVAL** and immediate implementation of the proposed City Resolution.

**WE HEREBY CERTIFY** that the contents of the foregoing report are true and correct.

**Signed** this 27<sup>th</sup> day of February, 2023 at the City of Bacoor, Cavite.

  
\_\_\_\_\_  
**COUN. ALEJANDRO F. GUTIERREZ**  
*Chairman*

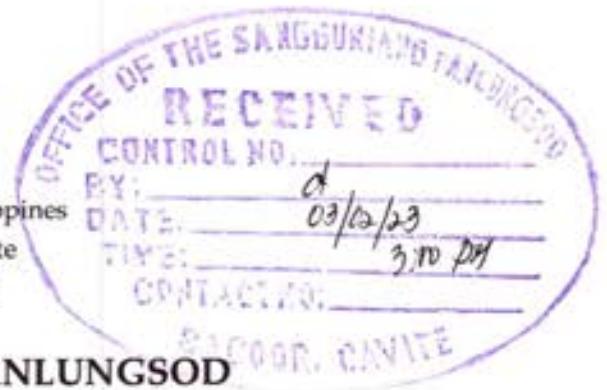
  
\_\_\_\_\_  
**COUN. REYNALDO PALABRICA**  
*Vice-Chairman*

  
\_\_\_\_\_  
**COUN. ALDE JOSELITO PAGULAYAN**  
*Member*

  
\_\_\_\_\_  
**COUN. MICHAEL SOLIS**  
*Member*



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VENUE	SP Session Hall 2 <sup>nd</sup> floor, Bacoor Government Center		TIME / DATE	February 20, 2023/ 11:00 AM

### MINUTES OF THE COMMITTEE HEARING No. POPS-011-S-2023

During the Council's executive session last February 20, 2023, Councilor Alejandro F. Gutierrez moved for the approval of a resolution authorizing the City Mayor, Hon. Strike B. Revilla to cause the construction of a new police and fire station at the City of Bacoor, Cavite to promote the general welfare, and suggesting to change the title from "**to cause**" the construction to "**to order**" the construction. Since, the internal rules were already suspended, the motion met no objection and was unanimously seconded by the Council.



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## 5<sup>th</sup> SANGGUNIANG PANLUNGSOD

Prepared by:

  
**Ma. Cristina A. Gorospe**  
*Local Legislative Staff Assistant I*

Attested by:

  
**Councilor Alejandro A. Gutierrez**  
*Chairman*  
*Committee on Peace & Order and Public Safety*



**F.2 For First Reading: PCR 224-2023 – FROM THE OFFICE OF THE CITY LEGAL SERVICES: LEGAL OPINION ON THE PROPOSED CITY RESOLUTION ENTITLED: A RESOLUTION AUTHORIZING THE CITY MAYOR, HON. STRIKE B. REVILLA, TO CAUSE THE CONSTRUCTION OF A NEW POLICE STATION AND FIRE STATION AT BARANGAY \_\_\_\_\_, BACCOOR CITY, CAVITE TO PROMOTE THE GENERAL WELFARE, AND SUGGESTING TO CHANGE THE TITLE FROM (“TO CAUSE” THE CONSTRUCTION TO “TO ORDER” THE CONSTRUCTION).**

is SR finished  
of this L.O.?  
if not, pls cny  
finish SR



Republic of the Philippines  
Province of Cavite  
**CITY OF BACOOR**



**OFFICE OF THE CITY LEGAL SERVICE**

**LEGAL OPINION NO. 07 SERIES OF 2023**

**TO :** HON. STRIKE B. REVILLA  
*City Mayor*

**THRU:** ATTY. PAUL MICHAEL G. SANGALANG  
*Office of the City Mayor*

Received by: *[Signature]* 4:52 pm  
MARISA P. SUCLOS  
Secretary Office  
02/10/2023

**RE :** Proposed City Resolution – “A Resolution Authorizing the City Mayor, Hon. Strike B. Revilla, to Cause the Construction of a New Police Station and Fire Station at Barangay \_\_\_\_\_, Bacoor City, Cavite to Promote the General Welfare”

**DATE :** 09 February 2023

**ANTECEDENT FACTS**

The Office of the City Mayor transmitted to this Office the Sangguniang Panlungsod’s draft City Resolution above-titled for its review. Upon a careful perusal thereof, this Office is constrained to request for revisions in the said Proposed City Resolution. Hence, this legal opinion.

**DISCUSSIONS**

According to Republic Act No. 7160, otherwise known as the Local Government Code, in particular Section 17 thereof, enumerated what are considered as ‘Basic Services and Facilities’, to wit:

- (a) Local government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to this Code. Local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities enumerated herein.
- (b) Such basic services and facilities include, but are not limited to, the following:
  - (1) For a Barangay:
    - (i) Agricultural support services which include planting materials distribution system and operation of farm produce collection and buying stations;
    - (ii) Health and social welfare services which include maintenance of Barangay health center and day-care center;





- (iii) Services and facilities related to general hygiene and sanitation, beautification, and solid waste collection;
- (iv) Maintenance of Katarungang Pambarangay;
- (v) Maintenance of Barangay roads and bridges and water supply systems;
- (vi) Infrastructure facilities such as multi- purpose hall, multipurpose pavement, plaza, sports center, and other similar facilities;
- (vii) Information and reading center; and
- (viii) Satellite or public market, where viable.

(2) For a municipality:

- (i) Extension and on-site research services and facilities related to agriculture and fishery activities which include dispersal of livestock and poultry, fingerlings, and other seeding materials for aquaculture; palay, corn, and vegetable seed farms; medicinal plant gardens, fruit tree, coconut, and other kinds of seedling nurseries; demonstration farms; quality control of copra and improvement and development of local distribution channels, preferably through cooperatives; inter -Barangay irrigation system; water and soil resource utilization and conservation projects; and enforcement of fishery laws in municipal waters including the conservation of mangroves;
- (ii) Pursuant to national policies and subject to supervision, control and review of the DENR, implementation of community-based forestry projects which include integrated social forestry programs and similar projects; management and control of communal forests with an area not exceeding fifty (50) square kilometers; establishment of tree parks, greenbelts, and similar forest development projects;
- (iii) Subject to the provisions of Title Five, Book I of this Code, health services which include the implementation of programs and projects on primary health care, maternal and child care, and communicable and non-communicable disease control services; access to secondary and tertiary health services; purchase of medicines, medical supplies, and equipment needed to carry out the services herein enumerated;
- (iv) Social welfare services which include programs and projects on child and youth welfare, family and community welfare, women's welfare, welfare of the elderly and disabled persons; community-based rehabilitation programs for vagrants, beggars, street children, scavengers, juvenile delinquents, and victims of drug abuse; livelihood and other pro-poor projects; nutrition services, and family planning services;





- (v) Information services which include investments and job placement information systems, tax and marketing information systems, and maintenance of a public library;
  - (vi) Solid waste disposal system or environmental management system and services or facilities related to general hygiene and sanitation;
  - (vii) Municipal buildings, cultural centers, public parks including freedom parks, playgrounds, and sports facilities and equipment, and other similar facilities;
  - (viii) **Infrastructure facilities intended primarily to service the needs of the residents of the municipality and which are funded out of municipal funds** including, but not limited to, municipal roads and bridges; school buildings and other facilities for public elementary and secondary schools; clinics, health centers and other health facilities necessary to carry out health services; communal irrigation, small water impounding projects and other similar projects; fish ports; artesian wells, spring development, rainwater collectors and water supply systems; seawalls, dikes, drainage and sewerage, and flood control; traffic signals and road signs; and similar facilities;
  - (ix) Public markets, slaughterhouses and other municipal enterprises;
  - (x) Public cemetery;
  - (xi) Tourism facilities and other tourist attractions, including the acquisition of equipment, regulation and supervision of business concessions, and security services for such facilities; and
  - (xii) **Sites for police and fire stations and substations and the municipal jail;**
- (3) For a Province:
- (i) Agricultural extension and on-site research services and facilities which include the prevention and control of plant and animal pests and diseases; dairy farms, livestock markets, animal breeding stations, and artificial insemination centers; and assistance in the organization of farmers' and fishermen's cooperatives and other collective organizations, as well as the transfer of appropriate technology;
  - (ii) Industrial research and development services, as well as the transfer of appropriate technology;
  - (iii) Pursuant to national policies and subject to supervision, control and review of the DENR, enforcement of forestry laws limited to community-based forestry projects, pollution control law, small-scale mining law, and other laws on the protection of the environment; and mini-hydroelectric projects for local purposes;







- (iv) Subject to the provisions of Title Five, Book I of this Code, health services which include hospitals and other tertiary health services;
- (v) Social welfare services which include programs and projects on rebel returnees and evacuees; relief operations; and, population development services;
- (vi) Provincial buildings, provincial jails, freedom parks and other public assembly areas, and other similar facilities;
- (vii) Infrastructure facilities intended to service the needs of the residents of the province and which are funded out of provincial funds including, but not limited to, provincial roads and bridges; inter-municipal waterworks, drainage and sewerage, flood control, and irrigation systems; reclamation projects; and similar facilities.
- (viii) Programs and projects for low-cost housing and other mass dwellings, except those funded by the Social Security System (SSS), Government Service Insurance System (GSIS), and the Home Development Mutual Fund (HDMF); Provided, That national funds for these programs and projects shall be equitably allocated among the regions in proportion to the ratio of the homeless to the population;
- (ix) Investment support services, including access to credit financing.
- (x) Upgrading and modernization of tax information and collection services through the use of computer hardware and software and other means;
- (xi) Inter-municipal telecommunications services, subject to national policy guidelines; and
- (xii) Tourism development and promotion programs; (Emphasis supplied)

Based from the foregoing, it can be gleaned that municipalities are mandated to exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities enumerated herein including the following: (1) **Identification of sites for police stations and substations;** and (2) **Infrastructure facilities intended primarily to service the needs of the residents of the municipality and which are funded out of municipal funds.**

In like manner, the Local Government Code under the same section extended these two (2) functions and responsibilities to a City, viz:

**(4) For a City:**

**All the services and facilities of the municipality and province, and in addition thereto, the following:**





- (i) Adequate communication and transportation facilities;
- (ii) Support for education, police and fire services and facilities.  
**(Emphasis supplied)**


Accordingly, this Office humbly suggests that Basic Services and Facilities Mandate under the Local Government Code of 1991 be made part of the Whereas Clauses of the City Resolution in addition to the general welfare clause under the City Charter of Bacoor. This addition will help establish the legal basis of the City Resolution where the grant of authority by the Sangguniang Panlungsod emanates.

On another note, this Office likewise humbly suggests to change the title of the City Resolution from "A Resolution Authorizing the City Mayor, Hon. Strike B. Revilla, to Cause the Construction of a New Police Station and Fire Station at Barangay \_\_\_\_\_, Bacoor City, Cavite to Promote the General Welfare" to "***A Resolution Authorizing the City Mayor, Hon. Strike B. Revilla, to Order the Construction of a New Police Station and Fire Station at Barangay \_\_\_\_\_, Bacoor City, Cavite to Promote the General Welfare.***"

#### **RECOMMENDATION**

**WHEREFORE**, this Office respectfully approve the proposed City Resolution. We also humbly recommend that the Sangguniang Panlungsod consider the proposed revision based on the above-mentioned discussions prior to the approval or notation of the Honorable City Mayor Strike B. Revilla.

Respectfully,

  
**ATTY. REY MARCO B. MENDOZA**  
*Office of the City Legal Services*





CITY RESOLUTION NO. \_\_\_\_  
Series of 2023

A RESOLUTION AUTHORIZING THE CITY MAYOR, HON. STRIKE B. REVILLA, TO CAUSE THE CONSTRUCTION OF A NEW POLICE STATION AND FIRE STATION AT BARANGAY \_\_\_\_\_, BACCOOR CITY, CAVITE TO PROMOTE THE GENERAL WELFARE.

Sponsored by:

(ALL)

WHEREAS, Section 8 (b) (1) of Republic Act No. 10160 (the "Charter of the City of Bacoor") empowered the City Mayor to "exercise those powers expressly granted to him by law, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for the effective and efficient governance of the City and those which are essential for the promotion of the general welfare";

WHEREAS, the City Mayor, Hon. Strike B. Revilla, formally requested the Sangguniang Panlungsod on \_\_\_\_\_ 2023 to authorize him to cause the construction of a new police station and fire station at \_\_\_\_\_ Barangay \_\_\_\_\_, Bacoor City, Cavite to further improve the peace and order situation in the City;

WHEREAS, the Sangguniang Panlungsod deliberated on the said request and was informed by Ms. Elynia Guerrero, the City Budget Officer, that the city government has enough funds to finance the construction of the said facilities.

NOW THEREFORE, upon motion of Hon. \_\_\_\_\_ duly seconded by Hon. \_\_\_\_\_, BE IT RESOLVED AS IT IS HEREBY RESOLVED by the 5<sup>th</sup> Sangguniang Panlungsod of the City of Bacoor to authorize the City Mayor, Honorable Strike B. Revilla, to cause the construction of a new police station and fire station at \_\_\_\_\_ Barangay \_\_\_\_\_, Bacoor City, Cavite subject to his compliance to pertinent laws, government regulations, and city ordinances.

RESOLVED LASTLY, to furnish the City Mayor, Hon. Strike B. Revilla, the University of the Philippines-Office of the National Administrative Registrar (UP-ONAR), and other government offices concerned with copies of this Resolution.

APPROVED UNANIMOUSLY this \_\_ day of \_\_\_\_\_ 2023 at the City of Bacoor, Cavite by the 5<sup>th</sup> Sangguniang Panlungsod of the City of Bacoor, Cavite.

*I hereby certify that the foregoing Resolution was duly approved in accordance with law.*

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA  
City Vice Mayor/Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.  
Sangguniang Panlungsod Secretary



Approved by:

**HON. STRIKE B. REVILLA**  
*City Mayor*

Date of Approval: \_\_\_\_\_ 2023