



MUNICIPALIDAD PROVINCIAL DEL CUSCO

“Cusco, Patrimonio Cultural de la Humanidad”

MUNICIPAL AGREEMENT N ° 66 – 2021 – MPC

Cusco, August twenty-six, two thousand twenty-one

THE MUNICIPAL COUNCIL OF THE PROVINCIAL MUNICIPALITY OF CUSCO

VIEW:

In Extraordinary Session of the Municipal Council dated August twenty-six, two thousand twenty-one and;

CONSIDERING:

That, in accordance with the provisions of article 194 of the Political Constitution of Peru, as amended by Law N° 30305, Law amending articles 191, 194 and 203 of the Political Constitution of Peru on denomination and immediate non-reelection of authorities of regional governments and mayors, points out that “Provincial and district municipalities are bodies of local government. They enjoy political, economic, and administrative autonomy on the matters within their jurisdiction (...)”,

That, the Provincial Municipality of Cusco is a body of local government emanating from the popular will with legal status under public law, with political, economic and administrative autonomy in matters within its competence and in accordance with the provisions of Articles I and X of the Preliminary Title of the Organic Law of Municipalities, Local Governments are basic entities of the territorial organization of the State and immediate channels of neighborhood participation in public affairs that institutionalize and autonomously manage the interests of the corresponding communities, being essential elements of the local government, the territory, the population and the organization, the local governments promote integral development to enable economic growth and social justice;

That, Article VIII of the Preliminary Title of Law N° 27972, Organic Law of Municipalities, establishes that local governments are subject to the laws and provisions that, in general and in accordance with the Political Constitution of Peru, regulate the activities and functioning of the Public Sector; as well as the technical norms referring to public services and goods, and to the State's administrative systems that by their nature are of mandatory observance and compliance and that the specific municipal powers and functions are fulfilled in harmony with national and regional policies and plans and development premises. On the other hand, paragraph 8 of article 9 indicates that it is the responsibility of the Municipal Council to approve, modify or repeal the ordinances and render the agreements without effect;

That, public entities are subject to the order and rule of the Law, in that understanding numeral 1.1 of article IV of the Preliminary Title of the Single Ordered Text of Law N° 27444, Law of General Administrative Procedure, approved by Supreme Decree N° 004 – 2019 – JUS, notes; “(...) The administrative authorities must act with respect to the Constitution, the Law and the law within the powers attributed to them and in accordance with the purposes for which they were conferred”;



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That, Municipal autonomy, consists of the capacity for independent management within the matters attributed as belonging to the Municipality. That is, Municipal autonomy is the ability to decide and order (self-regulate), within the exclusive functions and powers that cannot be exercised by any other institution, and administrative autonomy is reflected in the possibility of issuing regulations and various administrative acts in the internal organization;

That, article 18 of the Regulation of Distinctions, Titles and Decorations of the Provincial Municipality of Cusco, approved Municipal Agreement N° 82 – 2020 – MPC, dated December 18, 2020, states: “The Title Ciudad Aliada, is the one granted by the Honorable Provincial Municipality of Cusco, to the city of Peru and the World, that establishes cooperation and solidarity alliance relations with Cusco without having to be inscribed on the World Heritage List of the Organization for Education, Science and Culture – UNESCO. It requires the approval of the Twinning Agreement of both municipal councils or their equivalents. The declaration will be made in the Solemn Hall of the Municipal Council as appropriate”;

That, the City of Madison, was created in 1836, it is a city located in Dane County and the state capital of the state of Wisconsin, United States of America. In the 2010 Census it had a population of 233,209 inhabitants and a population density of 957.57 people per km². It has a total area of 243.54 km². The current Governor is Tony Evers. Madison is famous for hosting the University of Wisconsin, it is considered one of the American cities with the highest quality of life, combining unemployment rates located among the lowest in the country and a high educational level of its inhabitants, in addition to the presence of numerous technology companies that provide a high standard of living to the city;

That, by Letter S/N, dated January 12, 2021, the Provincial Municipality of Cusco, received a communication from the representative of the Madison-Cusco Twinning Project, Mr. Víctor Villacrez, in which it is proposed to strengthen ties of friendship, through a Twinning with the City of Madison, State of Wisconsin – United States of America, in order to develop joint actions for the benefit of the populations of both cities, on various issues;

That, with Letter N° 002 – MPC – OGCT – 2021, dated February 2, the Director of the General Office for Technical Cooperation, responds to Mr. Villacrez, thanking the willingness to seek a rapprochement between Cusco and Madison; It also indicates that the approach that can be promoted is Ciudad Aliada, the same that is granted to the cities with which cooperation and solidarity alliance relationships are established;

That, by means of the Letter S/N, dated June 16, 2021, the president of the Mundo Esperanza Organization, invites the Mayor of the Provincial Municipality of Cusco to visit the city of Madison on July 3 and 4 of 2021, in order to consolidate the friendship relationship between both cities, and the inter relationship with professionals, business leaders and politicians of that city;

That, through Report N° 032 – 2021 – MPC – OGCT, dated July 30, 2021, the Director of the General Office for Technical Cooperation states that “regarding the proposal to establish an Alliance link with the city of Madison and considering the enormous possibilities of technical assistance, exchange of experiences and learning in diverse topics in which Madison has developed and that can be summarized as: Environmental Care and Solid Waste Management, Economic Development, Art and Culture Exchange, Sustainable Tourism, Rapid and



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Humanitarian Response to Natural Disasters and Medical Emergencies, as well as Spiritual exchange between Indigenous Peoples; This Directorate believes that the signing of an Agreement that makes it possible for Cusco and Madison to be Allied cities is favorable, much more so in the current context in which approaches like this allow to contribute efficiently to the development of our city and open learning opportunities mutual”;

That, through Report N° 354 – 2021 – OGAJ / MPC, dated August 3, 2021, the General Director of Legal Counsel, opines on the Provenance of the Granting of the Title of Allied City to the City of Madison (Capital of Wisconsin – United States), in accordance with the provisions of the Regulation of Distinctions, Titles and decorations granted by the Provincial Municipality of Cusco, approved by Municipal Agreement N° 82 – 2020 – MPC;

That, finally, articles 39 and 41 of the Organic Law of Municipalities, establish that the Municipal Councils exercise their government functions through the approval of municipal ordinances and agreements; and that the agreements are decisions made by the Municipal Council, referring to specific matters of public, neighborhood or institutional interest that express the will of the governing body to practice a certain act or to be subject to an institutional conduct or norm.

THEREFORE, being in accordance with the provisions of Article 41 of the Organic Law of Municipalities – Law N° 27972, the Municipal Council of the Provincial Municipality of Cusco, by **UNANIMITY**;

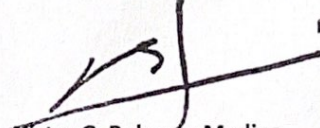
AGREED:

FIRST ARTICLE.- APPROVE, the granting of the Title of Allied City to the City of Madison (Capital of Wisconsin – United States), in order to develop joint actions for the benefit of both populations, on various issues.

SECOND ARTICLE.- ENCOURAGE the Municipal Management, the General Office for Technical Cooperation, to take the corresponding measures to comply with this Municipal Agreement.

ARTICLE THREE.- INSTRUCT the General Office for Technical Cooperation and the Office of the General Secretariat, to communicate with the Mayor of Madison Santya Rhodes-Conway in order to have the approval of the present in their respective instances.

SIGN UP, COMMUNICATE AND ENFORCE


Victor G. Boluarte Medina
MAYOR