



18th CITY COUNCIL

Cagayan de Oro

AGENDA



76th Regular Session
Monday / March 05, 2018
2:30 PM
Session Hall


HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



CAGAYAN DE ORO MARCH

CAGAYAN DE ORO OUR PRIDE
OUR BELOVED CITY
THY MOUNTAINS, RIVERS, PLAINS AND SEAS
THY PEOPLE CONTENTED HAPPY

CAGAYAN DE ORO OUR PRIDE
OUR BELOVED CITY
WE ARE SINGING PRAISES IN LOUD VOICE
FOREVER TO THEE TO THEE

THE GATEWAY TO THE LAND OF PROMISE
BRAVE MEN OF OLD FOUGHT FOR THY SAKE
INSPIRATION THEY HAVE LEFT FOR US
TO SERVE YOU FOREVER FREE

THE GOLD IN BRILLIANT GLITTERING
YOU'LL FIND NOT IN VERDANT MOUNTAIN VALES
BUT DEEP IN HOMES AND HEARTS DIVINE
HERITAGE FOR YOU AND MANKIND, AH!

THE BEAUTIFUL, THE PLACE OF GOLD
OUR BELOVED CITY
THE NAME WE PRIDE WE ALL ENDEAR
THY BANNER UP HIGH TO FLUTTER FREE

THE BEAUTIFUL, THE PLACE OF GOLD
OUR BELOVED CITY
TILL FOREVER AND FOREVER
FOR THY GLORY THY GLORY BE...



Republic of the Philippines
CITY OF CAGAYAN DE ORO

OFFICE OF THE CITY COUNCIL

(088) 857-2258; 857-4029; 857-4032; 857-4035 / www.cdeo-sanggunian.online



March 2, 2018

THE HONORABLE MEMBERS

18TH CITY COUNCIL (*SANGGUNIANG PANLUNGSOD*)
CAGAYAN DE ORO CITY

Gentlemen and Ladies:

Please be informed that the **76th Regular Session** of the 18th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro will be on **Monday, 5 March 2018 at 2:30 PM** at the Session Hall, Legislative Bldg., City Hall, this City.

Thank you very much.

Very truly yours,

ARTURO S. DE SAN MIGUEL
CITY SECRETARY

THE HONORABLE MEMBERS

18TH CITY COUNCIL (*SANGGUNIANG PANLUNGSOD*)
CAGAYAN DE ORO CITY

HON. RAINEIR JOAQUIN V. UY CITY VICE MAYOR	
<i>First District</i>	<i>Second District</i>
HON. ZALDY O. OCON CITY COUNCILOR	HON. NADYA EMANO-ELIPE CITY COUNCILOR
HON. LORDAN G. SUAN CITY COUNCILOR	HON. MARIA LOURDES S. GAANE CITY COUNCILOR
HON. EDNA M. DAHINO CITY COUNCILOR	HON. DOMETILO C. ACENAS JR. CITY COUNCILOR
HON. JAY R. PASCUAL CITY COUNCILOR	HON. IAN MARK Q. NACAYA CITY COUNCILOR
HON. ROMEO V. CALIZO CITY COUNCILOR	HON. LEON D. GAN JR. CITY COUNCILOR
HON. GEORGE S. GOKING CITY COUNCILOR	HON. TEODULFO E. LAO JR. CITY COUNCILOR
HON. ANNIE Y. DABA CITY COUNCILOR	HON. SUZETTE G. MAGTAJAS-DABA CITY COUNCILOR
HON. REUBEN R. DABA CITY COUNCILOR	HON. ENRICO D. SALCEDO CITY COUNCILOR
<i>Ex-Officio Member</i>	



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HON. YAN LAM S. LIM

CITY COUNCILOR

LIGA NG MGA BARANGAY PRESIDENT

**AGENDA OF THE 76TH REGULAR SESSION OF THE 18TH CITY COUNCIL
(SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO ON
MONDAY, 5 MARCH 2018**

Order of Business

- A. CALL TO ORDER BY THE HONORABLE CHAIR AND PRESIDING OFFICER**
- B. INVOCATION BY HONORABLE CITY COUNCILOR LORDAN G. SUAN**
- C. SINGING OF THE NATIONAL ANTHEM**
- D. SINGING OF THE CAGAYAN DE ORO MARCH**
- E. ROLL CALL AND DETERMINATION OF QUORUM BY THE CITY SECRETARY**
- F. READING, CORRECTIONS, IF ANY, AND APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR SESSION ON FEBRUARY 26, 2018
(SEE APPENDIX "A" / Pages 1-11)**
- G. SPECIAL REPORT**
- H. AGENDA PROPER:**
 - 1] PROPOSED ORDINANCE NO. 2018-28 – protecting the travel of unaccompanied minors to and from Cagayan de Oro City without proper documentation in the manner specified herein, providing penalty for violation thereof, and for other purposes.
(SEE APPENDIX "B" / Pages 12-25)**

AUTHOR: COUNCILOR EDNA M. DAHINO

Note: Deferred during the 65th Regular Session on November 6, 2017 under Motion No. 23430-2017.

Document/s on file:

- *Draft Ordinance*
- *Resolution No. 0002-2018 of the City Inter Agency Against Trafficking (CIACAT)*
- *Opinion of the City Legal Office dated 15 February 2018*

COMMITTEE SPONSOR/S:

- | | | |
|--|-------|---|
| COMMITTEE ON WOMEN AND FAMILY RELATIONS | - | COUNCILOR EDNA M. DAHINO, CHAIRPERSON |
| | - | COUNCILOR SUZETTE G. MAGTAJAS-DABA, MEMBER |
| | - | COUNCILOR MARIA LOURDES S. GAANE, MEMBER |
|
COMMITTEE ON LAWS AND RULES |
- |
COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON |
| | | COUNCILOR ROMEO V. CALIZO, MEMBER |
| | | COUNCILOR GEORGE S. GOKING, MEMBER |

2) PROPOSED ORDINANCE NO. 2018-29 - approving the application of A. Brown Company, Incorporated, represented by Engr. John L. Batac, for Preliminary Approval and Locational Clearance (PALC) of Xavier Estates Phase 4F Subdivision project, containing 64 lots/units, with an area of 34,711 square meters, located in Barangay Balulang, this City, subject to the herein conditions as recommended by the City Engineer's Office per technical evaluation dated January 26, 2018, which shall be complied with upon its Development Permit (DP) Application, to wit:

- A consolidated drainage lay-out plan shall be provided;
- Detention Pond shall be provided within the project area prior to discharge to any existing defined waterway;
- Cleared right of way and drainage structure of offsite drainage to connect any existing functional drainage system, be duly delineated with technical description and shall form part of the plans for development.

(SEE APPENDIX "C" / Pages 26-36)

Document/s on file:

- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated February 9, 2018*
- *Endorsement of the Cagayan de Oro Housing Board dated February 1, 2018*
- *Endorsement of the City Planning and Development Office dated January 30, 2018*
- *PALC Application*
- *Technical Evaluation of the City Engineering Office dated January 26, 2018*
- *Project Profile*
- *Site Development Plan*

COMMITTEE SPONSOR/S:

COMMITTEE ON **SUBDIVISION AND LANDED ESTATE**

-

COUNCILOR DOMETILO C. ACENAS, JR.,
CHAIRPERSON

COMMITTEE ON **LAWS AND RULES**

-

COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
COUNCILOR ROMEO V. CALIZO, MEMBER
COUNCILOR GEORGE S. GOKING, MEMBER

- 3) **PROPOSED ORDINANCE NO. 2018-30-** appropriating the sum of ₱9,605,785.20 from the Continuing Appropriation CY 2013 - "Non-Office: Land Acquisition/ Expropriation" to be made available for the full payment of the claim for just compensation (₱9,351,600.00) and for the registration and documentation expenses (₱254,185.20) of Lot No. 3-A with an area of 7,793 square meters located in Barangays Gusa, this City, and owned by the Capistrano Development Corporation, which was affected by the existing 10.00-M. wide road from junction J.R. Borja Extension to Bigaan River; and for this purpose, authorizing the Honorable City Mayor to sign the Deed of Absolute Sale thereof.

(SEE APPENDIX "D" / Pages 37-40)

Document/s on file:

- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated September 26, 2017*
- *Endorsement of the City Mayor Oscar S. Moreno dated May 28, 2015*
- *Certificate of Availability of Funds (CAF) dated November 8, 2016*
- *Letter of the City Legal Office dated April 24, 2015*
- *Appraisal Report dated August 11, 2010*
- *Survey Plan*

COMMITTEE SPONSOR/S:

COMMITTEE OF THE WHOLE	-	CITY VICE MAYOR, RAINEIR JOAQUIN V. UY, CHAIRPERSON
	-	COUNCILOR IAN MARK Q. NACAYA, MEMBER
	-	COUNCILOR ROMEO V. CALIZO, MEMBER
	-	COUNCILOR GEORGE S. GOKING, MEMBER

- 4) **PROPOSED ORDINANCE NO. 2018-31** authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement (MOA) with the Department of Agriculture – Regional Field Office 10, represented by Regional Executive Director Carlene C. Collado, covering the grant to the City of One (1) Unit Mechanical Sheller for Corn Set, under the terms and conditions stated therein

(SEE APPENDIX "E" / Pages 45-55)

Document/s on file:

- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated February 7, 2018*
- *Endorsement of the City Mayor Oscar S. Moreno dated January 31, 2018*
- *Letter of the City Legal Office dated January 29, 2018*
- *Letter of the City Agriculture Office dated January 25, 2018*
- *Draft MOA*

COMMITTEE SPONSOR/S:

COMMITTEE ON **AGRICULTURE & FISHERIES**

- COUNCILOR JAY R. PASCUAL CHAIRPERSON
- COUNCILOR LORDAN G. SUAN, MEMBER
- COUNCILOR TEODULFO E. LAO, JR., MEMBER
- COUNCILOR SUZETTE G. MAGTAJAS-DABA, MEMBER
- COUNCILOR LEON D. GAN, JR, EX-OFFICIO MEMBER

COMMITTEE ON **LAWS AND RULES**

- COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
- COUNCILOR ROMEO V. CALIZO, MEMBER
- COUNCILOR GEORGE S. GOKING, MEMBER

- 5) PROPOSED ORDINANCE NO. 2018-32** - authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement (MOA) with the Department of Agriculture – Regional Field Office 10, represented by Regional Executive Director Carlene C. Collado, covering the grant to the City of One (1) Unit Pump and Engine Set, under the terms and conditions stated therein.

(SEE APPENDIX "F" / Pages 56-64)

Document/s on file:

- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated February 1, 2018*
- *Endorsement of the City Mayor Oscar S. Moreno dated January 24, 2018*
- *Letter of the City Legal Office dated January 23, 2018*
- *Letter of the City Agriculture Office dated January 18, 2018*
- *Draft MOA*

COMMITTEE SPONSOR/S:

COMMITTEE ON **AGRICULTURE & FISHERIES**

- COUNCILOR JAY R. PASCUAL CHAIRPERSON
- COUNCILOR LORDAN G. SUAN, MEMBER
- COUNCILOR TEODULFO E. LAO, JR., MEMBER
- COUNCILOR SUZETTE G. MAGTAJAS-DABA, MEMBER
- COUNCILOR LEON D. GAN, JR, EX-OFFICIO MEMBER

COMMITTEE ON **LAWS AND RULES**

- COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON

COUNCILOR ROMEO V. CALIZO, MEMBER

COUNCILOR GEORGE S. GOKING, MEMBER

- 6] PROPOSED ORDINANCE NO. 2018-33-** extending the deadline for the filing of business permit renewal application in the City's public markets and terminals from February 28, 2018 to March 25, 2018.

(SEE APPENDIX "G" / Pages 65-70)

Document/s on file:

- *Letter of the City Economic Enterprises Department dated February 28, 2018*
- *Letter of the Cogon United Market Vendors Association (CUMVA) dated February 27, 2018*
- *Letter of the Carmen United Vendors Association dated February 27, 2018*

COMMITTEE SPONSOR/S:

COMMITTEE ON **ECONOMIC ENTERPRISES**

-

COUNCILOR, IAN MARK Q. NACAYA, CHAIRPERSON

COUNCILOR GEORGE S. GOKING, MEMBER

COMMITTEE ON **LAWS AND RULES**

-

COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON

COUNCILOR ROMEO V. CALIZO, MEMBER

COUNCILOR GEORGE S. GOKING, MEMBER

**MINUTES OF THE 75TH REGULAR SESSION OF THE 18TH CITY COUNCIL
(SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO ON
MONDAY, 26 FEBRUARY 2018**

City Vice Mayor **RAINEIR JOAQUIN V. UY**, Presiding Officer, called the session to order at exactly 3:50 P.M.

The members present were the following:

- City Vice Mayor **RAINEIR JOAQUIN V. UY**

First District:

- City Councilor **LORDAN G. SUAN**
- City Councilor **EDNA M. DAHINO**
- City Councilor **GEORGE S. GOKING**
- City Councilor **ROMEO V. CALIZO**
- City Councilor **JAY R. PASCUAL**
- City Councilor **REUBEN R. DABA**

Second District:

- City Councilor **DOMETILO C. ACENAS, JR.**
- City Councilor **TEODULFO E. LAO, JR.**, ASST. MAJORITY FLOOR LEADER
- City Councilor **IAN MARK Q. NACAYA**, MAJORITY FLOOR LEADER
- City Councilor **LEON D. M. GAN, JR.**, MINORITY FLOOR LEADER
- City Councilor **SUZETTE G. MAGTAJAS-DABA**

Ex-Officio Member:

- City Councilor **YAN LAM S. LIM**, PRESIDENT, LIGA NG MGA BARANGAY

On Leave:

- City Councilor **ANNIE Y. DABA**
- City Councilor **NADYA EMANO-ELIPE**, ASSISTANT MINORITY FLOOR LEADER
- City Councilor **MARIA LOURDES S. GAANE, MD.**

Absent:

- City Councilor **ZALDY O. OCON**, PRESIDING OFFICER PROTEMPORE
- City Councilor **ENRICO D. SALCEDO**

After determining that a quorum existed, the City Council proceeded to do business.

A. ON MINUTES OF THE 74TH REGULAR SESSION ON FEBRUARY 19, 2018

MOTION NO. 23549-2018

MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE 74TH REGULAR SESSION ON FEBRUARY 19, 2018, AND TO CONSIDER THE FURNISHING OF THE COPIES THEREOF TO EACH MEMBER AS THE READING ITSELF

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino, Reuben R. Daba & Romeo V. Calizo, UNANIMOUSLY CARRIED.

MOTION NO. 23550-2018

MOTION TO APPROVE THE MINUTES OF THE 74TH REGULAR SESSION ON FEBRUARY 19, 2018

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino & Jay R. Pascual, UNANIMOUSLY CARRIED.

B. ON SPECIAL REPORT

- i. Councilor Nacaya reported that if GSIS really wants to be responsive to the needs of its members, it should lower its loan interest rates and apply a diminishing balance policy thereof, among other things.

Action taken: The body adopted Resolution No. 12921 - 2018

C. ON MINUTES OF THE 75TH REGULAR SESSION ON FEBRUARY 26, 2018

ORDINANCE NO. 13384-2018

AN ORDINANCE APPROPRIATING THE SUM OF ₱1,275,894.00 FROM THE ITEM: "CONTINUING APPROPRIATION, ANNUAL BUDGET CY2015, NON-OFFICE-ECONOMIC SECTOR- LAND ACQUISITION/EXPROPRIATION" TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION INCLUDING DOCUMENTATION AND REGISTRATION EXPENSES OF LOT 4386-A-1-A, LOT 4386-A-2-A & LOT 4386-A-3 (PORTIONS OF LOT NO. 4386-A), WITH AN AREA OF 1,034 SQUARE METERS AND OWNED BY GERALD TIMOTHY G. QUIMPO, TIMOTHY JOSEPH G. QUIMPO AND JOSINE RAMONA G. QUIMPO-GREY, WHICH WERE AFFECTED BY THE 20.00-METER WIDE MACAPAGAL DRIVE LOCATED IN BARANGAY CANITOAN, THIS CITY; AND FOR THIS PURPOSE, AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE CORRESPONDING DEED OF ABSOLUTE SALE THEREOF; AND REPEALING ORDINANCE NO. 13047-2016

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino, Teodulfo E. Lao, Jr., George S. Goking & Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 23551-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13384-2018**.

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino & Reuben R. Daba, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13385-2018

AN ORDINANCE APPROPRIATING THE SUM OF ₱795,204.00 FROM THE NON-OFFICE-ECONOMIC SECTOR-LAND ACQUISITION/EXPROPRIATION UNDER THE "CONTINUING APPROPRIATION, ANNUAL BUDGET CY 2015 (COVERED PER ORDINANCE NO. 13047-2016) - ₱789,882.00 AND ANNUAL BUDGET CY 2017 - ₱5,322.00, TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION INCLUDING DOCUMENTATION AND REGISTRATION EXPENSES OF LOT 4386-C-1 AND LOT 4386-C-2 (PORTIONS OF LOT NO. 4386-A), WITH AN AREA OF 644 SQUARE METERS AND OWNED BY THE HEIRS OF TIMOTEO AND PRAXEDES QUIMPO, WHICH WERE AFFECTED BY THE 20.00-METER WIDE MACAPAGAL DRIVE LOCATED IN BARANGAY CANITOAN, THIS CITY; AND FOR THIS PURPOSE, AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE CORRESPONDING DEED OF ABSOLUTE SALE THEREOF

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Teodulfo E. Lao, Jr., George S. Goking & Edna M. Dahino, UNANIMOUSLY CARRIED.

MOTION NO. 23552-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13385-2018**.

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino, Reuben R. Daba, Jay R. Pascual & George S. Goking, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13386-2018

AN ORDINANCE AMENDING ORDINANCE NO. 12786-2014, ENTITLED: "AN ORDINANCE APPROPRIATING THE SUM OF ₱382,089.00 FROM THE ITEM "NON-OFFICE: LAND ACQUISITION/EXPROPRIATION" IN THE 2014 ANNUAL BUDGET TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION INCLUDING DOCUMENTATION AND REGISTRATION EXPENSES FOR LOT NO. 3741-B-2-C-1, WITH AN AREA OF 120 SQUARE METERS, MORE OR LESS, OWNED BY ASITO BACONGA (DECEASED), WHICH WAS AFFECTED BY THE EXISTING NVPAS-DACUDAO CONCRETE ROAD LOCATED AT BARANGAY LAPASAN, THIS CITY; AND FOR THIS PURPOSE; AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN

THE CORRESPONDING DEED OF ABSOLUTE SALE THEREOF; SO AS TO CHANGE THE AFFECTED LOT MENTIONED THEREIN FROM "LOT NO. 3741-B-2-C-1" TO "3741-B-2-C-2-B-11"

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Teodulfo E. Lao, Jr., Reuben R. Daba, George S. Goking, Jay R. Pascual & Edna M. Dahino, UNANIMOUSLY CARRIED.

MOTION NO. 23553-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13386-2018.**

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino, George S. Goking & Reuben R. Daba, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13387-2018

AN ORDINANCE APPROVING THE APPLICATION FOR SIMPLE SUBDIVISION PROJECT OF MR. JUAN L. MAANDIG, JR., COVERING LOT 16-E, (LRC) PSD-4552 WITH AN AREA OF 240 SQUARE METERS, CONTAINING 2 LOTS, LOCATED IN BARANGAY MACASANDIG, THIS CITY

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino, Teodulfo E. Lao, Jr., Jay R. Pascual & Reuben R. Daba, UNANIMOUSLY CARRIED.

MOTION NO. 23554-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13387-2018.**

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilor Edna M. Dahino, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13388-2018

AN ORDINANCE CHANGING THE NOMENCLATURE OF THE CO-TERMINOUS POSITIONS "SENIOR ADMINISTRATIVE ASSISTANT III (SALARY GRADE 15 – ITEM NO. 5)" AND "ADMINISTRATIVE OFFICER II (SALARY GRADE 11 – ITEM NO.8)" TO "PRIVATE SECRETARY II (GRADE 15)" AND "PRIVATE SECRETARY I (GRADE 11)", RESPECTIVELY; AND FURTHER CHANGING THE CO-TERMINOUS EMPLOYMENT STATUS OF THE SIX (6) WATCHMAN III (SALARY GRADE 7 – ITEM NOS. 11, 12, 13, 14, 15 & 16) TO REGULAR/PERMANENT ITEMS, ALL IN THE PLANTILLA OF PERSONNEL OF THE CITY CHIEF EXECUTIVE OFFICE, PURSUANT TO CIVIL SERVICE COMMISSION RESOLUTION NO. 1100187 PROMULGATED ON FEBRUARY 1, 2011

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino, George S. Goking, Reuben R. Daba & Romeo V. Calizo, UNANIMOUSLY CARRIED.

MOTION NO. 23555-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13388-2018.**

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino, George S. Goking & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

MOTION NO. 23556-2018

MOTION TO INCLUDE IN TODAY'S REGULAR AGENDA THE FOLLOWING, AS ITEM:

- 5] PROPOSED RESOLUTION NO. 2018-58** – earnestly requesting Honorable Vincent F.B. Rosales, Presiding Judge, Branch 23, Regional Trial Court of Misamis Oriental, 10th Judicial Region, this City, to hold in abeyance until August 30, 2018 the implementation of the Writ of Possession issued by the said Honorable Court in Misc. Case No. 2003-80 entitled: *Ex-Parte for Issuance of a Writ of Possession under Act No. 3135 Development Bank of the Philippines, Petitioner vs. RitoY. Bacarro, Intervenor-Oppositor*, pending conduct of the socio-economic survey of the

affected residents thereof in Barangay Macasandig and their relocation to a suitable resettlement site of the City.

*Proponent: Councilor Zaldy O. Ocon
Chair, Committee on Urban & Rural Poor and Housing Development*

- 6) PROPOSED RESOLUTION NO. 2018-59** – appealing to the good sense of the members of the board of directors of the Government Service Insurance System (GSIS) that the interests on loans availed by the GSIS members be based on the diminishing balances thereof

Proponent: Councilor Ian Mark Q. Nacaya

Moved by Councilor Ian Mark Q. Nacaya, severally seconded by members present, UNANIMOUSLY CARRIED.

RESOLUTION NO. 12920-2018

RESOLUTION EARNESTLY REQUESTING HONORABLE VINCENT F.B. ROSALES, PRESIDING JUDGE, BRANCH 23, REGIONAL TRIAL COURT OF MISAMIS ORIENTAL, 10TH JUDICIAL REGION, THIS CITY, TO HOLD IN ABEYANCE UNTIL AUGUST 30, 2018 THE IMPLEMENTATION OF THE WRIT OF POSSESSION ISSUED BY THE SAID HONORABLE COURT IN MISC. CASE NO. 2003-80 ENTITLED: EX-PARTE FOR ISSUANCE OF A WRIT OF POSSESSION UNDER ACT NO. 3135 DEVELOPMENT BANK OF THE PHILIPPINES, PETITIONER VS. RITOY. BACARRO, INTERVENOR-OPPOSITOR, PENDING CONDUCT OF THE SOCIO-ECONOMIC SURVEY OF THE AFFECTED RESIDENTS THEREOF IN BARANGAY MACASANDIG AND THEIR RELOCATION TO A SUITABLE RESETTLEMENT SITE OF THE CITY.

Proponent: Councilor Zaldy O. Ocon

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Teodulfo E. Lao, Jr., Edna M. Dahino, Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 23557-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12920-2018**

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Edna M. Dahino, George S. Goking & Jay R. Pascual, UNANIMOUSLY CARRIED.

RESOLUTION NO. 12921-2018

RESOLUTION APPEALING TO THE GOOD SENSE OF THE MEMBERS OF THE BOARD OF DIRECTORS OF THE GOVERNMENT SERVICE INSURANCE SYSTEM (GSIS) TO APPLY A DIMINISHING INTEREST RATE ON THE LOANS AVAILED BY THE GSIS MEMBERS

Proponent: Councilor Ian Mark Q. Nacaya

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino, George S. Goking & Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 23558-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12921-2018**

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino & Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 23559-2018

MOTION TO ADJOURN THE 75TH REGULAR SESSION OF THE 18TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO HELD ON FEBRUARY 26, 2018

Moved by Councilor Ian Mark Q. Nacaya, severally seconded by the members present,
UNANIMOUSLY CARRIED.

The session adjourned at 4: 20 PM, February 26, 2018.

I hereby certify to the correctness of the foregoing Minutes.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as correct:

RAINEIR JOAQUIN V. UY
CITY VICE MAYOR
PRESIDING OFFICER



OFFICE OF THE CITY COUNCIL

(088) 857-2258; 857-4029; 857-4032; 857-4035 / www.cdeo-sanggunian.online

ORDINANCE NO. 13384-2018

AN ORDINANCE APPROPRIATING THE SUM OF ₱1,275,894.00 FROM THE ITEM: “CONTINUING APPROPRIATION, ANNUAL BUDGET CY2015, NON-OFFICE–ECONOMIC SECTOR- LAND ACQUISITION/EXPROPRIATION” TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION INCLUDING DOCUMENTATION AND REGISTRATION EXPENSES OF LOT 4386-A-1-A, LOT 4386-A-2-A & LOT 4386-A-3 (PORTIONS OF LOT NO. 4386-A), WITH AN AREA OF 1,034 SQUARE METERS AND OWNED BY GERALD TIMOTHY G. QUIMPO, TIMOTHY JOSEPH G. QUIMPO AND JOSINE RAMONA G. QUIMPO-GREY, WHICH WERE AFFECTED BY THE 20.00-METER WIDE MACAPAGAL DRIVE LOCATED IN BARANGAY CANITOAN, THIS CITY; AND FOR THIS PURPOSE, AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE CORRESPONDING DEED OF ABSOLUTE SALE THEREOF; AND REPEALING ORDINANCE NO. 13047-2016

BE IT ORDAINED by the 18th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session duly assembled that:

SECTION 1. The sum of ₱1,275,894.00 is hereby appropriated from the item: “Continuing Appropriation, Annual Budget CY2015, Non-Office–Economic Sector- Land Acquisition/ Expropriation” to be made available for the full payment of the claim for just compensation including documentation and registration expenses of Lot 4386-A-1-A, Lot 4386-A-2-A & Lot 4386-A-3 (portions of Lot No. 4386-A), with an area of 1,034 square meters and owned by Gerald Timothy G. Quimpo, Timothy Joseph G. Quimpo and Josine Ramona G. Quimpo-Grey, which were affected by the 20.00-meter wide Macapagal Drive located in Barangay Canitoan, this City.

SECTION 2. For this purpose, the Honorable City Mayor is hereby authorized to sign the corresponding Deed of Absolute Sale thereof.

SECTION 3. Ordinance No. 13047-2016, entitled: “*An Ordinance appropriating the sum of ₱2,065,776.00 from the item: “Non-Office–Land Acquisition/Expropriation” in the 2015 Annual Budget to be made available for the full payment of the claim for just compensation including documentation and registration expenses of Lot No. 4386 owned by Sps. Timoteo Quimpo and Praxedes Rivera, which portions thereof described as Lot 4683-A-1, 4386-C-1 & 4386-C-2 with an area of 1,031 square meters, 630 square meters and 14 square meters, respectively, which were affected by the proposed 20.00- meter wide road of Macapagal Drive located at Barangay Canitoan, this City; and for this purpose, authorizing the Honorable City Mayor to sign the corresponding Deed of Absolute Sale thereof*”, is hereby repealed.

SECTION 4. This Ordinance shall take effect upon its approval.

UNANIMOUSLY APPROVED.

Present:

<i>1st District:</i>	- Councilor Lordan G. Suan	- Councilor Romeo V. Calizo
	- Councilor Edna M. Dahino	- Councilor George S. Goking
	- Councilor Reuben R. Daba	- Councilor Jay R. Pascual
<i>2nd District:</i>	- Councilor Ian Mark Q. Nacaya	- Councilor Teodulfo E. Lao, Jr.
	- Councilor Suzette G. Magtajas-Daba	- Councilor Leon D. Gan, Jr.
	- Councilor Dometilo C. Acenas, Jr.	
<i>Ex Officio Member:</i>	- Councilor Yan Lam S. Lim (<i>President, Liga ng mga Barangay</i>)	
<u>On Leave:</u>	- Councilor Nadya B. Emano-Elipe	- Councilor Annie Y. Daba



Republic of the Philippines
CITY OF CAGAYAN DE ORO

OFFICE OF THE CITY COUNCIL

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Page 2 of 2 of Ordinance No. 13384-2018

- Councilor Maria Lourdes S. Gaane

Absent:

- Councilor Zaldy O. Ocon

- Councilor Enrico D. Salcedo

ENACTED this 26th day of February 2018 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

TEODORO A. SABUGA-A, JR.
ACTING CITY ADMINISTRATOR



OFFICE OF THE CITY COUNCIL

(088) 857-2258; 857-4029; 857-4032; 857-4035 / www.cdeo-sanggunian.online

ORDINANCE NO. 13385-2018

AN ORDINANCE APPROPRIATING THE SUM OF ₱795,204.00 FROM THE NON-OFFICE-ECONOMIC SECTOR-LAND ACQUISITION/EXPROPRIATION UNDER THE “CONTINUING APPROPRIATION, ANNUAL BUDGET CY 2015 (COVERED PER ORDINANCE NO. 13047-2016) - ₱789,882.00 AND ANNUAL BUDGET CY 2017 - ₱5,322.00”, TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION INCLUDING DOCUMENTATION AND REGISTRATION EXPENSES OF LOT 4386-C-1 AND LOT 4386-C-2 (PORTIONS OF LOT NO. 4386-A), WITH AN AREA OF 644 SQUARE METERS AND OWNED BY THE HEIRS OF TIMOTEO AND PRAXEDES QUIMPO, WHICH WERE AFFECTED BY THE 20.00-METER WIDE MACAPAGAL DRIVE LOCATED IN BARANGAY CANITOAN, THIS CITY; AND FOR THIS PURPOSE, AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE CORRESPONDING DEED OF ABSOLUTE SALE THEREOF

BE IT ORDAINED by the 18th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session duly assembled that:

SECTION 1. The sum of ₱795,204.00 is hereby appropriated from the Non-Office-Economic Sector-Land Acquisition/Expropriation under the “Continuing Appropriation, Annual Budget CY 2015 (covered per Ordinance No. 13047-2016) - ₱789,882.00 and Annual Budget CY 2017 - ₱5,322.00, to be made available for the full payment of the claim for just compensation including documentation and registration expenses of Lot 4386-C-1 and Lot 4386-C-2 (portions of Lot No. 4386-A), with an area of 644 square meters and owned by the Heirs of Timoteo and Praxedes Quimpo, which were affected by the 20.00-meter wide Macapagal Drive located in Barangay Canitoan, this City.

SECTION 2. For this purpose, the Honorable City Mayor is hereby authorized to sign the corresponding Deed of Absolute Sale thereof.

SECTION 3. This Ordinance shall take effect upon its approval.

UNANIMOUSLY APPROVED.

<u>Present:</u>	<i>1st District:</i>	- Councilor Lordan G. Suan	- Councilor Romeo V. Calizo
		- Councilor Edna M. Dahino	- Councilor George S. Goking
		- Councilor Reuben R. Daba	- Councilor Jay R. Pascual
	<i>2nd District:</i>	- Councilor Ian Mark Q. Nacaya	- Councilor Teodulfo E. Lao, Jr.
		- Councilor Suzette G. Magtajas-Daba	- Councilor Leon D. Gan, Jr.
		- Councilor Dometilo C. Acenas, Jr.	
	<i>Ex Officio Member:</i>	- Councilor Yan Lam S. Lim (<i>President, Liga ng mga Barangay</i>)	
<u>On Leave:</u>		- Councilor Nadya B. Emano-Elipse	- Councilor Annie Y. Daba
		- Councilor Maria Lourdes S. Gaane	
<u>Absent:</u>		- Councilor Zaldy O. Ocon	- Councilor Enrico D. Salcedo

ENACTED this 26th day of February 2018 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

Attested:

OSCAR S. MORENO
CITY MAYOR

TEODORO A. SABUGA-A, JR.
ACTING CITY ADMINISTRATOR



OFFICE OF THE CITY COUNCIL

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ORDINANCE NO. 13386-2018

AN ORDINANCE AMENDING ORDINANCE NO. 12786-2014, ENTITLED: “AN ORDINANCE APPROPRIATING THE SUM OF P382,089.00 FROM THE ITEM “NON-OFFICE: LAND ACQUISITION/EXPROPRIATION” IN THE 2014 ANNUAL BUDGET TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION INCLUDING DOCUMENTATION AND REGISTRATION EXPENSES FOR LOT NO. 3741-B-2-C-1, WITH AN AREA OF 120 SQUARE METERS, MORE OR LESS, OWNED BY ASITO BACONGA (DECEASED), WHICH WAS AFFECTED BY THE EXISTING NVPAS-DACUDAO CONCRETE ROAD LOCATED AT BARANGAY LAPASAN, THIS CITY; AND FOR THIS PURPOSE; AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE CORRESPONDING DEED OF ABSOLUTE SALE THEREOF; SO AS TO CHANGE THE AFFECTED LOT MENTIONED THEREIN FROM “LOT NO. 3741-B-2-C-1” TO “3741-B-2-C-2-B-11”

BE IT ORDAINED by the 18th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session duly assembled that:

SECTION 1. Ordinance No. 12786-2014, entitled: “*An Ordinance appropriating the sum of P382,089.00 from the item “Non-Office: Land Acquisition/Expropriation” in the 2014 Annual Budget to be made available for the full payment of the claim for just compensation including documentation and registration expenses for Lot No. 3741-B-2-C-1, with an area of 120 square meters, more or less, owned by Asito Baconga (deceased), which was affected by the existing NVPAS-Dacudao Concrete road located at Barangay Lapasan, this city,* is hereby amended by changing the affected lot mentioned therein from “Lot No. 3741-B-2-C-1” to “3741-B-2-C-2-B-11”.

SECTION 2. This Ordinance shall take effect upon its approval.

UNANIMOUSLY APPROVED.

<u>Present:</u>	<u>1st District:</u>	- Councilor Lordan G. Suan	- Councilor Romeo V. Calizo
		- Councilor Edna M. Dahino	- Councilor George S. Goking
		- Councilor Reuben R. Daba	- Councilor Jay R. Pascual
	<u>2nd District:</u>	- Councilor Ian Mark Q. Nacaya	- Councilor Teodulfo E. Lao, Jr.
		- Councilor Suzette G. Magtajas-Daba	- Councilor Leon D. Gan, Jr.
		- Councilor Dometilo C. Acenas, Jr.	
	<u>Ex Officio Member:</u>	- Councilor Yan Lam S. Lim (<i>President, Liga ng mga Barangay</i>)	
<u>On Leave:</u>		- Councilor Nadya B. Emano-Elipse	- Councilor Annie Y. Daba
		- Councilor Maria Lourdes S. Gaane	
<u>Absent:</u>		- Councilor Zaldy O. Ocon	- Councilor Enrico D. Salcedo

ENACTED this 26th day of February 2018 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

Attested:

OSCAR S. MORENO
CITY MAYOR

TEODORO A. SABUGA-A, JR.
ACTING CITY ADMINISTRATOR



OFFICE OF THE CITY COUNCIL

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ORDINANCE NO. 13387-2018

AN ORDINANCE APPROVING THE APPLICATION FOR SIMPLE SUBDIVISION PROJECT OF MR. JUAN L. MAANDIG, JR., COVERING LOT 16-E, (LRC) PSD-4552 WITH AN AREA OF 240 SQUARE METERS, CONTAINING 2 LOTS, LOCATED IN BARANGAY MACASANDIG, THIS CITY

BE IT ORDAINED by the 18th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session duly assembled that:

SECTION 1. The application for simple subdivision project of Mr. Juan L. Maandig, Jr., covering Lot 16-E, (LRC) Psd-4552 with an area of 240 square meters, containing 2 lots, located in Barangay Macasandig, this City, is hereby approved.

SECTION 2. This Ordinance shall take effect upon its approval.

UNANIMOUSLY APPROVED.

Present:

<i>1st District:</i>	- Councilor Jordan G. Suan	- Councilor Romeo V. Calizo
	- Councilor Edna M. Dahino	- Councilor George S. Goking
	- Councilor Reuben R. Daba	- Councilor Jay R. Pascual
<i>2nd District:</i>	- Councilor Ian Mark Q. Nacaya	- Councilor Teodulfo E. Lao, Jr.
	- Councilor Suzette G. Magtajas-Daba	- Councilor Leon D. Gan, Jr.
	- Councilor Dometilo C. Acenas, Jr.	
<i>Ex Officio Member:</i>	- Councilor Yan Lam S. Lim (<i>President, Liga ng mga Barangay</i>)	
<u>On Leave:</u>	- Councilor Nadya B. Emano-Elipse	- Councilor Annie Y. Daba
	- Councilor Maria Lourdes S. Gaane	
<u>Absent:</u>	- Councilor Zaldy O. Ocon	- Councilor Enrico D. Salcedo

ENACTED this 26th day of February 2018 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

TEODORO A. SABUGA-A, JR.
ACTING CITY ADMINISTRATOR



OFFICE OF THE CITY COUNCIL

(088) 857-2258; 857-4029; 857-4032; 857-4035 / www.cdeo-sanggunian.online

ORDINANCE NO. 13388-2018

AN ORDINANCE CHANGING THE NOMENCLATURE OF THE CO-TERMINOUS POSITIONS: “SENIOR ADMINISTRATIVE ASSISTANT III (SALARY GRADE 15 – ITEM NO. 5)” AND “ADMINISTRATIVE OFFICER II (SALARY GRADE 11 – ITEM NO.8)” TO “PRIVATE SECRETARY II (SG 15)” AND “PRIVATE SECRETARY I (SG 11)”, RESPECTIVELY; AND FURTHER CHANGING THE CO-TERMINOUS EMPLOYMENT STATUS OF THE SIX (6) POSITIONS OF WATCHMAN III (SALARY GRADE 7 – ITEM NOS. 11, 12, 13, 14, 15 & 16) TO REGULAR/PERMANENT ITEMS, ALL IN THE PLANTILLA OF PERSONNEL OF THE CITY CHIEF EXECUTIVE OFFICE, PURSUANT TO CIVIL SERVICE COMMISSION RESOLUTION NO. 1100187 PROMULGATED ON FEBRUARY 1, 2011

BE IT ORDAINED by the 18th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session duly assembled that:

SECTION 1. The nomenclature of the coterminous positions: “Senior Administrative Assistant III (SG 15 – Item No. 5)” and “Administrative Officer II (SG 11 – Item No. 8)”, both in the Plantilla of Personnel of the City Chief Executive Office, is hereby changed to “Private Secretary II (SG 15)” and “Private Secretary I (SG 11)”, respectively, pursuant to Civil Service Commission Resolution No. 1100187 Promulgated on February 1, 2011.

SECTION 2. The employment status of the six (6) positions of Watchman III (SG 7 – Item Nos. 11, 12, 13, 14, 15 & 16), all in the Plantilla of Personnel of the City Chief Executive Office, is hereby changed from “coterminous” to “regular/permanent”, likewise pursuant to the above-mentioned CSC Resolution.

SECTION 3. This Ordinance shall take effect upon its approval.

UNANIMOUSLY APPROVED.

<u>Present:</u>	<u>1st District:</u>	- Councilor Lordan G. Suan	- Councilor Romeo V. Calizo
		- Councilor Edna M. Dahino	- Councilor George S. Goking
		- Councilor Reuben R. Daba	- Councilor Jay R. Pascual
	<u>2nd District:</u>	- Councilor Ian Mark Q. Nacaya	- Councilor Teodulfo E. Lao, Jr.
		- Councilor Suzette G. Magtajas-Daba	- Councilor Leon D. Gan, Jr.
		- Councilor Dometilo C. Acenas, Jr.	
	<u>Ex Officio Member:</u>	- Councilor Yan Lam S. Lim (<i>President, Liga ng mga Barangay</i>)	
<u>On Leave:</u>		- Councilor Nadya B. Emano-Elipe	- Councilor Annie Y. Daba
		- Councilor Maria Lourdes S. Gaane	
<u>Absent:</u>		- Councilor Zaldy O. Ocon	- Councilor Enrico D. Salcedo

ENACTED this 26th day of February 2018 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

Attested:

OSCAR S. MORENO
CITY MAYOR

TEODORO A. SABUGA-A, JR.
ACTING CITY ADMINISTRATOR

Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(SANGGUNIANG PANLUNGSOD)
18th CITY COUNCIL

(088) 857-4026; 857-4032; 857-4035; 857-2258

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Ordinance protecting the travel of unaccompanied minors to and from Cagayan de Oro City without proper documentation in the manner specified herein, providing penalty for violation thereof, and for other purposes.

Author: Councilor Edna M. Dahino

Respectfully referred to the **COMMITTEE on LAWS AND RULES**, the herein communications for study, investigation, report and recommendation.

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: March 1, 2018

for inclusion

HON. IAN MARK Q. NACAYA, Chairman

HON. ZALDY O. OCON, Vice Chairman

HON. GEORGE S. GOKING, Member

HON. ROMEO V. CALIZO, Member

HON. ENRICO S. SALCEDO, Member

DISSENTING

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY COUNCIL

Comm. No.: _____

Received by: _____

From: _____

Date: _____

Subject: RESOLUTION HIGHLY RECOMMENDING THE APPROVAL OF THE PROPOSED UNACCOMPANIED MINOR/CHILD TRAVEL PROTECTION ORDINANCE OF 2018.

Respectfully referred to the Committee on WOMEN & FAMILY RELATIONS, the herein communication for study, investigation, report and recommendation.

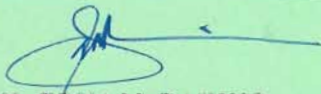
For the City Vice Mayor and Presiding Officer
City Council

ARTURO S. DE SAN MIGUEL
City Secretary

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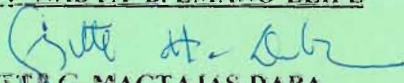
COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: February 22, 2018 (Perusal)
For recommending approval - CR


Chairman: HON. EDNA M. DAHINO

Vice-Chairman: HON. NADYA B. EMANO-ELIPE

Member: HON. ANNIE Y. DABA


Member: HON. SUZETTE G. MAGTAJAS-DABA


Member: HON. MARIA LOURDES S. GAANE

Ex-Officio-Member: _____

Ex-Officio-Member: _____

DISSENTING

Member

Member

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AN ORDINANCE PROTECTING THE TRAVEL OF UNACCOMPANIED MINORS TO AND FROM CAGAYAN DE ORO CITY WITHOUT PROPER DOCUMENTATION IN THE MANNER SPECIFIED HEREIN, PROVIDING PENALTY FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES

INTRODUCED BY COUNCILOR EDNA M. DAHINO

Whereas, Section 12, Article II of the 1987 Constitution provides that the State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution;

Whereas, Section 1. ART. XV of the same provides that the State recognizes the Filipino Family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development;

Whereas, it shall be a policy of the Local Government Unit to recognize the equal rights and inherent human dignity of women and men as enshrined in the United Nations Universal Declaration on Human Rights, United Nations Convention on the Rights of the Minor, United Nations Convention on the Protection of Migrant Workers and their Families. United Nations Convention Against Transnational Organized Crime Including its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and all other relevant and universally accepted human rights instruments and other international conventions to which the Philippines is a signatory.

Whereas, Cagayan de Oro City has been flagged as a human-trafficking hot bed being second only in the island of Mindanao and fourth in the whole country where minors are primary victims;

Whereas, it is a compelling state interest to protect minors from the evil of human trafficking and enact administrative measures to detect potential victims of human trafficking;

NOW, THEREFORE:

BE IT ENACTED by the 18th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro City, as follows:

SECTION 1. – Title - This Ordinance shall be known as the “UNACCOMPANIED MINOR TRAVEL PROTECTION ORDINANCE OF 2018”.

SECTION 2. - Declaration of Policy. – In line with the Constitutional mandate that the State, recognizes the sanctity of the family life, and shall protect the family, as a basic social institution, this travel ban ordinance has been promulgated to protect the minor/minor from the evil of human trafficking and similar heinous offenses.

SECTION 3. Purposes. - This ordinance is enacted for the following purposes:

- a. To monitor the travel of minors into and out of the City with a view to protect minors against minor trafficking;
- b. To ensure that the parent(s), legal guardian or custodian have direct knowledge of the minor’s whereabouts, who he/she is travelling with, and the purpose of his/her travel;

- c. To penalize person(s) responsible for the making of fraud documents or papers to comply with the requirements set forth in Sections 4, 5, 6, 7, 8, and 9 hereunder; and
- d. To ensure the investigation of parent(s), legal guardian, or custodian who consents to the travel of the minor for the purpose of exploitation, which included at a minimum, the exploitation or the prostitution or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs and of other person(s) involved.

SECTION 4. - Definition of Terms. –

- a) **“Travel Protection”** means the control and prohibition of minor from travelling outside Cagayan de Oro City, not in the company of their parents and family members.
- b) **“Person”** refers to any natural person and shall include minor.
- c) **“Minor”** – refers to a person below eighteen (18) years of age or those over who cannot fully take care of himself/herself from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.

For the purpose of this Ordinance, a minor shall refer to a person regardless of age who is presented, depicted or portrayed as a minor defined herein.

- d) **“Parental authority (*patria potestas*)”** is defined as the “mass of rights and obligations which parents have in relation to the person and property of their Children until their emancipation, and even after this under certain circumstances.
- e) **“Territorial Jurisdiction”** refers to within the boundaries of the City of Cagayan de Oro.
- f) **“Chaperone”** – any person of legal age who accompanies and looks after the minor/minor during the travel, whether parent, legal guardian, custodian, or other persons such as grandparent, uncle, aunt, cousin, sibling, teacher, coach, friend, or etc.
- g) **“Children’s Desk”** is an amenity available in every land, air and seaport within the City with assigned Women and Children Protection Desk Officer, if not available, any trained Police Woman Officer of the PNP, and a trained social worker from City Social Welfare and Development Department (CSWDD)
- h) **“Minor Trafficking”** – refers to the recruitment, transportation, transfer or harbor or receipts of minors with or without the victim’s consent or knowledge, within or across national borders for the purpose of exploitation which included at a minimum, the exploitation or the prostitution or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.
- i) **“City”** – Cagayan de Oro City
- j) **“CSWDO”** – City Social Welfare and Development Office
- k) **“Custodian”** – is any person of legal age who is acting in loco parentis (“in the place of a parent”) to a minor/minor.
- l) **“Legal guardian”** - is a person appointed by the court to act as guardian over the person or property or both of the minor in the absence, death or incapacity of his/her parents on petition by any relative or friend of the family.
- m) **“Parent”** – is the natural or adoptive parent of the minor.
- n) **“Parental Travel Permit”** - A Parental Travel Permit is a document issued by the DSWD to a minor traveling abroad accompanied only by one parent or persons exercising parental authority.
- o) **“PNP”** – Philippine National Police

- 104 p) **“Trafficking in Persons”** – refers to the recruitment, transportation, transfer or
105 harboring, or receipt of persons with or without the victim’s consent or knowledge,
106 within or across national borders by means of threat or use of force, or other forms of
107 coercion, abduction, fraud, deception, abuse of power or of position, taking advantage
108 of the vulnerability of the person, or, the giving or receiving of payments or benefits
109 to achieve the consent of a person having control over another person for the purpose
110 of exploitation which includes at a minimum, the exploitation or the prostitution of
111 others or other forms of sexual exploitation, forced labor or services, slavery, servitude
112 or the removal or sale of organs.
- 113 q) **“Travel Clearance”** – A Travel Clearance is a document issued by the DSWD
114 (Department of Social Welfare and Development) to a Filipino minor (below 18 years
115 of age) traveling abroad alone or with someone other than his/her parents, legal
116 guardian, or custodian. A travel clearance certificate shall be valid for a period of one
117 (1) year from the date of issuance and shall be valid for multiple travels within the
118 validity period, provided that the conditions under which the travel clearance was
119 issued have not changed. If a change in condition occurs, e.g., a change in traveling
120 companion, a new travel clearance must be obtained.
- 121 r) **“BCPC”** refers to Barangay Council for the Protection of Children.

122
123 **SECTION 5. Legal Basis** - The travel restriction for unaccompanied minor is based
124 on the following:

- 125 a) It is a natural right and duty of the parents to protect their Children (Art. 209 of the
126 Family Code);
- 127 b) It cannot be renounce, transferred, or waived except in the cases authorized by law
128 (Art. 210, of the Family Code);
- 129 c) It is jointly exercised by the father and the mother (Art. 211 of the Family Code);
- 130 d) Parental authority includes parental “responsibility.”

131 It is for this reason that minors are restricted from travelling outside their residences
132 without consent, authority and guidance of their parents.

133
134 **SECTION 6. Regulation.** –

- 135
- 136 a. Minors shall not be allowed to travel into and out of the City alone or unaccompanied by
137 parent/s, guardian/s, or custodian/s without (1) complying with the requirements imposed
138 herein; and (2) undergoing primary assessment at the Children’s Desk.
- 139 b. It shall be unlawful for any person other than the parent or legal guardian/custodian to
140 accompany a minor in traveling to or from Cagayan de Oro City without complying with
141 the requirements herein.
- 142 c. Parents or legal guardian/custodian of a minor found traveling alone or with another
143 person or another minor to or from Cagayan de Oro City without valid documents shall
144 be subsidiary liable.

145
146 **SECTION 7. Requirement/s** - To facilitate the protection of minors, it is necessary
147 that when they travel outside the territorial jurisdiction of Cagayan de Oro City
148 unaccompanied by their parents, guardians, or custodian, the person who is with them in the
149 said specific travel either by land, sea or air shall have the following documents, to wit:

150 **A. For traveling minors where the legal guardian or custodian other than the parent/s is**
151 **travelling with the minor or with a person(s) exercising temporary or substituted parental**
152 **authority/custody including the minor’s next of kin (who is of legal age and discernment**

- 153 *or related within the 4th civil degree of consanguinity or affinity to the minor is travelling*
154 *with the minor), the presentation of any of the following is sufficient:*
155
156 (1) Birth certificate reflecting the particulars of the parents of the minor; or
157 (2) Proof of adoption by means of an adoption certificate, if the minor is adopted; or
158 (3) Court order granting custody or legal guardianship; or
159 (4) Notarized letter of consent from the parent(s)/guardian of the minor confirming that
160 he or she has permission to travel with the minor; or
161 (5) Certification from the barangay that the person accompanying the minor is authorized
162 by the parents/guardian to travel with the minor ;
163 (6) If traveling abroad, Parental Travel Permit issued by the DSWD aside from other
164 travel requirements of the Bureau of Immigration.
165
166 ***B. For the traveling minors where the minor is travelling with a person(s) who is not a next***
167 ***of kin or related within the 4th civil degree of consanguinity or affinity to the travelling***
168 ***minor, the presentation of any the following requirements are sufficient;***
169
170 (1) Birth certificate of the minor;
171 (2) Proof of adoption, if the minor is adopted;
172 (3) Notarized letter of consent from the parent(s), custodian, or legal guardian of the
173 minor confirming that he or she has permission to travel with the minor, Provided
174 that in the case where one parent provides a notarized letter of consent, that parent
175 must also provide a copy of a court order issued to him or her in terms of which he or
176 she has been granted full responsibilities and rights in respect of the minor; or a
177 Certification from the barangay that the person accompanying the minor is authorized
178 by the parents/guardian to travel with the minor; Except in the following
179 circumstances where notarization of the letter of consent is not mandatory;
180 a. School related activities authorized by the agency concerned with travel order
181 or special order signed by the head of the agency;
182 b. Church related activities where church concerned is duly registered with
183 Securities and Exchange Commission;
184 c. Accredited non-government organizations
185
186 (4) Copies of the identity documents or passports of the parents or parent (if the other
187 parent is dead or absent), custodian, or legal guardian;
188 (5) Contact details of the parents or parent (if the other parent is dead or absent),
189 custodian, or legal guardian of the minor;
190 (6) Where applicable, a death certificate of the other parent registered as a parent of the
191 minor on the birth certificate;
192 (7) Travel clearance issued by the DSWD, if traveling abroad, aside from other travel
193 requirements of the Bureau of Immigration.
194
195 ***C. For the travel of unaccompanied minors, the presentation of any the following***
196 ***requirements are sufficient;***
197
198 (1) Notarized letter of consent from his/her parents or parent (if the other parent is dead
199 or absent), custodian or legal guardian, as the case may be, for the minor to travel into
200 or depart from the City; *Provided*, that in the case where one parent provides a
201 notarized letter of consent, that parent must also provide a copy of a court order issued
202 to him or her in terms of which he or she has been granted full responsibilities and
203 rights in respect of the minor;
204 (2) Where applicable, a death certificate of the other parent registered as a parent of the
205 minor on the birth certificate;
206 (3) Basic Information and contact number of the person who is to receive the minor
207 (4) Contact details of the parents or parent (if the other parent is dead or absent),
208 custodian, or legal guardian of the minor;

- 209 (5) Travel clearance issued by the DSWD, if traveling abroad, aside from other travel
210 requirements of the Bureau of Immigration.
211 (6) For minors ages 15 to 17, school identification or a certification issued by the barangay
212 is sufficient.

213

214

SECTION 8. Duties of Bus operators, airlines, shipping lines:

215

- 216 a. Bus operators, airlines, shipping lines shall be required to disseminate information and
217 orient properly their drivers, conductors, inspectors and airlines/shipping personnel
218 regarding the provisions of this Ordinance for its effective implementation.

219

- 220 b. Bus operators, airlines or shipping lines shall establish internal mechanisms, provide
221 contractual stipulations, and other similar documentary requirements as maybe further
222 defined by the Implementing Rules and Regulations of this Ordinance, which shall aid in
223 identifying minors who are high risk of being trafficked or prevent one from being
224 committed.

225

226

227 **SECTION 9. *Children's Desk*** - There shall be at least one (1) Children's Desk
228 available in every land, air and seaport within the City with assigned Women and Children
229 Protection Desk Officer, if not available, any trained Police Woman Officer of the PNP, and
230 a trained social worker from City Social Welfare and Development Department (CSWDD)
231 who, before the minor's departure from or after arrival in the City, shall check and verify the
232 completeness and validity of the requirements for the travel. Further, the assigned officers
233 shall conduct an interview with the minor and his/her chaperone other than his parent to
234 confirm the purpose of the travel and to determine if there is reasonable suspicion that the
235 minor is a potential victim of trafficking in persons.

235

236

SECTION 10. *Primary Assessment*:

237

- 238 a. In cases where there is doubtful purpose of travel or based on reasonable genuine
239 suspicion or risk assessment, the minor is a potential victim of trafficking in persons, the
240 CSWD Social Worker shall conduct a primary assessment with the minor(s) at the
241 Children's Desk while the PNP Officer shall conduct the primary assessment with the
242 minor's chaperone(s). The minor(s) and his or her chaperone(s) shall be assessed
243 simultaneously.

244

- 245 b. The purpose of the assessment shall be to confirm the purpose of the travel and to find
246 out whether there is minor trafficking or not.

247

- 248 c. The CIACAT-VAWC through its Technical Working Group shall formulate its Minor
249 Assessment Guide to be used in the assessment with the minor(s) and the minor's
250 chaperone(s).

251

- 252 d. After interviews, the CSWD Social Worker and PNP Officer assigned officers shall jointly
253 review the results of the assessment whether it raises a doubtful purpose of travel, or who,
254 based on reasonable suspicion or risk assessment, could be a potential victim of trafficking
255 in persons.

256

257

SECTION 11. *Procedure in the Children's Desk*. –

258

259

A. Departure out of the City or Arrival in the City

260

- 261 a) For the departing or arriving minor/minor and his or her chaperone, they shall
262 proceed to the Minor's Desk in the land, sea, or airport and present to the PNP and
263 CSWDO assigned thereat all the documents and papers required for the travel of the
264 minor/minor out or arrival of the City.

- 265 b) The PNP and CSWD Social Worker shall check the completeness and validity of all
266 the documents and papers as provided in Section 7 of this ordinance and shall
267 interview the minor/minor alone or the minor/minor together with his/her chaperone
268 other than his/her parent/s to confirm the purpose of the travel and to find out whether
269 there is probable cause of minor trafficking or not.
- 270 c) After assessment of documents and interview, if it is confirmed that there is no minor
271 trafficking, the assigned officers shall issue one (1) original and two (2) certified true
272 copies of the permit for the minor/minor to travel. The original shall be kept in the
273 minor's desk, one copy shall be kept by the minor/minor and the other copy shall be
274 kept by the port officer who shall admit the minor/minor and his/her chaperone to the
275 plane, bus, or vessel on the day of the departure or admission in the city after arrival
276 upon presentation by the minor/minor of his copy of the permit. Both copies must be
277 personally delivered by the PNP to the port officer and to the minor/minor.
- 278 d) On the time of departure or after arrival, the minor/minor shall present to the port
279 officer his permit being issued by the Minor Desk and he shall verify whether such
280 copy is the same as port officer's copy as furnished by the Minor Desk. If their copies
281 are identical, the port officer shall admit the minor/minor to the bus, vessel, or port or
282 to the city after arrival.
- 283 e) In cases where documents and papers are incomplete or invalid but complied in good
284 faith and after interview by the assigned officers, if it is confirmed that there is no
285 minor trafficking, the Children's Desk Officers shall issue a permit to the
286 minor/minor and his/her chaperone.
- 287 f) If the documents and papers are found to be invalid by reason of fraud or were
288 complied in bad faith, the chaperone and the person(s) responsible shall be penalized.
- 289 g) If, upon interview, it is found that there is minor trafficking or the possibility of minor
290 trafficking, the minor/minor shall be sent home or temporarily he cannot be sent
291 home, shall be under the custody of the CSWDO and the person(s) responsible shall
292 be further investigated by law enforcers. They shall be given two (2) days to comply
293 with prescribed requirements.
- 294 h) If, upon investigation, it is found that there is no minor trafficking, the minor/minor
295 and his/her chaperone, the PNP and CSWDO shall issue a permit for the minor/minor
296 to travel out of the City.
- 297 i) If, upon investigation, it is found that there is minor trafficking, the minor/minor
298 shall be sent home or temporarily if he cannot be sent home, he shall be under the
299 custody of the CSWDO and the person(s) shall be further investigated by law
300 enforcers.

301
302 **SECTION 12. *Filing of Cases*** – A Social Worker of the CSWDD and the Police Officer
303 assigned in the Children's Desk, who has personal knowledge of the commission of the offense
304 may file a complaint before the City Prosecutor's Office.
305

306 **SECTION 13. *Penalties and Sanctions***. – (a) Any person found violating the
307 provisions of this Ordinance shall suffer the penalty of imprisonment of not less than six (6)
308 months but not more than one (1) year or a fine of not less than ₱3,000.00 but not more than
309 ₱5,000.00, or both.
310

311 (b) The business licenses of operators of buses, airlines, shipping lines, trains and
312 other similar conveyance, whether public or private, whose employees violate the pertinent
313 provisions of this Ordinance shall be revoked.

314 (c) When an offense punishable under RA 10364 as amended or any other offense in
315 relation thereto or in furtherance thereof has been committed, or is actually being committed

316 in the presence of a law enforcement officer, CSWD Social Worker or any private person by
317 virtue of citizen's arrest in Rules of Court, shall immediately cause the interception and/or
318 arrest of the persons involved;
319

320 (d) A law enforcement officer, on a reasonable suspicion that a person is a victim of
321 any offense defined by RA 10364 as amended, including attempted trafficking, shall
322 immediately place that person in the temporary custody of the CSWDD or any accredited or
323 licensed shelter institution devoted to protecting trafficked persons after the rescue as
324 provided in Section 17-A of RA 9208.
325

326 **SECTION 14. *Implementing Rules and Regulations*** – The CSWDD through the
327 appropriate committee, shall formulate the necessary Implementing Rules and Regulations
328 within sixty (60) days from the effectivity of this Ordinance.
329

330 **SECTION 15. *Severability***. – If any provision of this Ordinance is declared
331 unconstitutional or invalid, the other provisions not affected thereby shall continue to be in
332 force and effect.
333

334 **SECTION 16. *Repealing Clause***. - All local executive orders, administrative orders,
335 rules and regulations and ordinances inconsistent with or contrary to the provisions of this
336 Ordinance are deemed amended, modified or repealed accordingly.
337

338 **SECTION 17. *Effectivity***. – This Ordinance shall take effect upon approval and after
339 fifteen (15) days following the complete publication in the Official Gazette or in a local
340 newspaper of general circulation.
341

342 **APPROVED.**

Respectfully filed:

EDNA M. DAHINO
City Councilor
Author

RESOLUTION NO. 0002-2018

RESOLUTION HIGHLY RECOMMENDING THE APPROVAL OF THE PROPOSED UNACCOMPANIED MINOR/CHILD TRAVEL PROTECTION ORDINANCE OF 2018

Whereas, the Local Government of Cagayan de Oro organized the City Inter Agency against Trafficking to address the increasing incidents of Human Trafficking in the locality;

Whereas, reports indicate that there is a growing trend of minors being trafficked within our local jurisdiction with the use of fraud, stealth, intimidation and other illegal means;

Whereas, it is the policy of the Local Government Unit to recognize the equal rights and inherent human dignity of women and men as enshrined in the United Nations Universal Declaration on Human Rights, United Nations Convention on the Rights of the Child, United Nations Convention on the Protection of Migrant Workers and their Families. United Nations Convention Against Transnational Organized Crime Including its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and all other relevant and universally accepted human rights instruments and other international conventions to which the Philippines is a signatory;

Whereas, Cagayan de Oro City has been flagged as a human-trafficking hot bed being second only in the island of Mindanao and fourth in the whole country where minors are the primary victims;

Whereas, it is a compelling state interest to protect minors from the evil of human trafficking and enact administrative measures to detect potential victims of human trafficking;

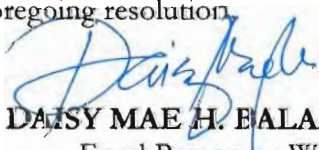
Whereas, RA 10364, otherwise known as the Anti-Trafficking in Persons Act of 2003, as amended by RA 9208, provides ample legal basis to empower the local government unit to enact measure to prevent the commission of such heinous crime such as travel deferments, trafficking detection, and incident reporting among others;

Whereas, *The Unaccompanied Minor/Child Travel Protection Ordinance of 2018* addresses a key concern by employing preventive and crime detecting measures in our points of entry particularly for the protection of minors who are unaccompanied by parents and their legal guardians entering in our local jurisdiction;

WHEREFORE, be it resolved by the City Inter Agency Against Trafficking to highly recommend the approval of the proposed Unaccompanied Minor/Child Travel Protection Ordinance of 2018

APPROVED BY THE INTER AGENCY COMMITTEE, in its meeting held on _____ 2018.

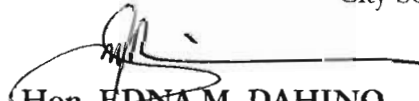
I hereby certify to the correctness of the foregoing resolution.


DAISY MAE H. EALABA, RSW
Focal Person on Women

City Social Welfare and Development Department

Approved:

Chairman:


Hon. EDNA M. DAHINO

Chair, Committee on Women and Family Relations
City Councilor

RESOLUTION NO. 0002-2018

Approved:

Co-chair: **Hon. REUBEN R. DABA**
Chairman, Committee on Social Services
Chairperson, CCPC
City Councilor

: **Hon. TEODULFO E. LAO, JR.**
Chairman, Committee on Public Services
City Councilor

Vice Chair: **Mr. IGNACIO G. BORJA**
Managing Director
TOUCH Foundation, Inc.

Members: **Pros. CHARISSE GALARITTA BITOON**
Chief City Prosecutor
City Prosecutors Office

: **Atty. SALLY HANS C. BARBASO**
Officer – In – Charge
National Bureau of Investigation (NBI)

: **PSSUPT ROBERT ROY V. BAHIAN**
City Police Director, Cagayan de Oro

: **Engr. JANE J. DOCALLOS, MNSA, CESO V**
City Director
Department of Interior and Local Governments

: **Dr. JONATHAN S. DELA PEÑA, CESO VI**
Schools Division Superintendent
Department of Education

: **J/Insp. HAIDEE G. MACANDILI**
Warden of Ladies
Bureau of Jail Management and Penology

: **Ms. NIDA B. PAÑA**
Assistant City Social Welfare & Dev't. Officer
City Social Welfare and Development Department

: **Dr. FE S. BONGCAS**
City Health Officer

: **Engr. ISIDRO G. BORJA**
City Planning and Development Officer
City Planning and Development Department

: **Atty. BEDA JOY B. ELOT**
City Accountant
Chairperson, GFOS TWG

: **Atty. ERNESTO B. NERI**
Chairperson
Oro Youth and Development Council

: **Ms. JENNIFER JADE G. CAMASURA**
Project Coordinator
MALISA HOME Inc.

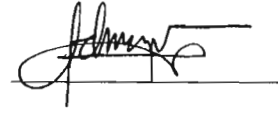
RESOLUTION NO. 0002-2018

Approved:

Members:

Ms. LUCIA D. MAGSAYO

Program Coordinator
World Vision



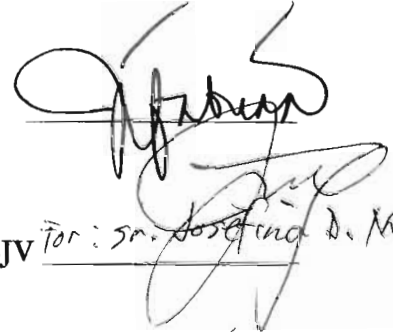
: **Atty. NORMITA V. BATULA**

Executive Director
Balaod Mindanaw, Inc.

W. Gargan
For: MARYLAND GARGAR

: **Atty. JEANNE IVY F. ABRINA**

Regional Director
Commission on Human Rights



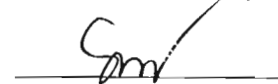
: **Msgr. EUTQUIANO M. LEGITIMAS, PC, SSJV**

Director
Migrants Ministry

For: *Sr. Josefina D. Molera, UMS*

: **Ms. ELEONY A. MONDING**

Drop-in Belen
TISAKA



: **Ms. RHODORA S. BOLOSAN**

Coordinator
GABRIELA

For: *Anita Parulan*

: **DR. JOSE C. CHAN**

Medical Center Chief II
Northern Mindanao Medical Center

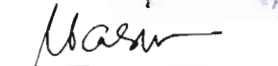


: **Ms. FELISA N. ORONGAN**

Regional Director
Maritime Industry Authority (MARINA)

: **Ms. MARICEL CASIÑO-RIVERA**

Officer – In – Charge
City Information Office



: **Ms. NELIA B. LEE**

President
Cagayan de Oro Hotel and Restaurant Association (COHORA)

For: 

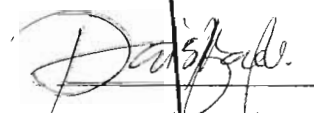
: **Hon. YAN LAM LIM**

President
Liga Ng Mga Barangay



: **Ms. DAISY MAE H. BALABA, RSW**

Focal Person on Women
City Social Welfare and Development Department



: **Ms. SABRINA G. BALAIS**

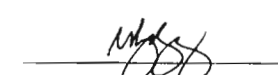
Representative
Balay Mindanao Foundation, Inc.



For 15/18

: **Ms. IMEE GANADEN MANGINSAY**

Chairperson, Pilipina Incorporated
CdeO Chapter





15 February 2018

MARIETTA A. PALAGBAS

Local Legislative Staff Officer V
Chief, Executive Committees Division

Dear Ms. Palagbas:

GREETINGS!

This is in response to your letter dated 12 February 2018 seeking for review and legal opinion on the *Proposed Ordinance entitled "Ordinance Protecting the Travel of Children or Minors alone or unaccompanied by parents or guardians to and from Cagayan de Oro City without proper documentation in the manner specified herein, providing penalty for violation thereof, and for other purposes."*

In this connection, kindly be informed that this Office has thoroughly reviewed the above-mentioned proposed ordinance and the following observations are recommendations are respectfully forwarded:

1. As to Section 8, item b, it is suggested that the proposed inclusion be worded as follows:

"c. Bus operators, airlines, shipping lines shall establish internal mechanisms, provide contractual stipulations, and other similar documentary requirements as maybe further defined by the Implementing Rules and Regulations which shall aid in identifying minors who are high risk of being trafficked or prevent one from being committed."

2. As to Section 11, it is suggested that this be removed and be articulated in the implementing rules and regulations. It should be further emphasized that the Primary assessment be utilized only when there is "doubtful purpose of travel or based on reasonable genuine suspicion or risk assessment" as this is the standard used in Revised Rules and Regulations Implementing Republic Act. No 10364.

3. Since there has been prior review by this Office on the substance of this proposed Ordinance, it appears that the suggestion made in a prior opinion has been complied with as it does not place an unreasonable burden on the minor's right to travel as well as the parents' authority over their children. This ordinance, as worded, operates only when there is absence of parents or legal guardian when the child is being transported in and out of the city's territorial jurisdiction.

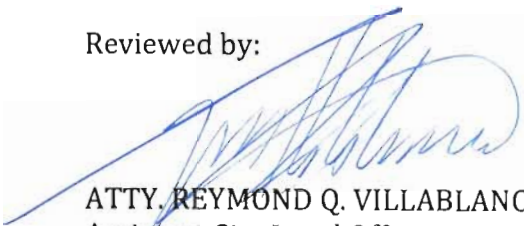
For your guidance and information.

Prepared by:



ATTY. ERNESTO B. NERI
City Legal Team

Reviewed by:



ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer
Cagayan de Oro City

Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(SANGGUNIANG PANLUNGEDO)
15th CITY COUNCIL

(088) 857-4026; 957-4032; 857-4035; 857-2258

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Ordinance approving the application of A. Brown Company, Incorporated, represented by Engr. John L. Batac, for Preliminary Approval and Locational Clearance (PALC) of Xavier Estates Phase 4F subdivision project, containing 64 lots/units, with an area of 34,711 square meters, located at Barangay Balulang, this city, subject to the herein conditions which shall be complied with upon Development Permit (DP) Application as recommended by the City Engineer's Office per technical evaluation dated January 26, 2018

Respectfully referred to the COMMITTEE on LAWS AND RULES, the herein communications for study, investigation, report and recommendation.

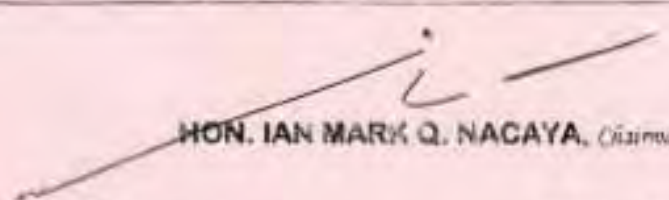
FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

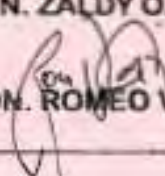
ARTURO S. DE SAN MIGUEL
City Council Secretary

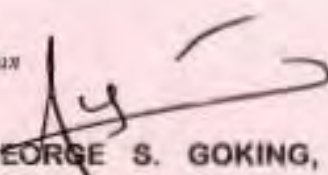
COMMITTEE REPORT AND RECOMMENDATION

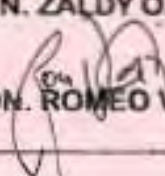
Date of Meeting: March 1, 2018

for inclusion


HON. IAN MARK Q. NACAYA, *Chairman*


HON. ZALDY O. OCON, *Vice Chairman*


HON. GEORGE S. GOKING, *Member*


HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY COUNCIL

Comm. No. 2018-1400

Received by: _____

From: _____

Date: _____

SUBJECT MATTER: APPLICATION FOR PRELIMINARY APPROVAL AND LOCATIONAL CLEARANCE (PALC) OF XAVIER ESTATE PHASE 4F REPRESENTED BY ENGR. JOHN L. BATA, A. BROWN CO., INCORPORATED LOCATED AT BARANGAY BALULANG, THIS CITY, COVERING AN AREA OF 34,711 SQUARE METERS CONTAINING 64 LOTS/UNITS WITH THE INFORMATION THAT THE FINDINGS/REMARKS OF THE CITY ENGINEER'S OFFICE SHALL BE COMPLIED DURING THE DEVELOPMENT PERMIT APPLICATION.

Respectfully referred to the Committee on SUBDIVISION & LANDED ESTATE, the herein communication for study, investigation, report and recommendation.

For the City Vice Mayor and Presiding Officer
City Council

ARTURO S. DE SAN MIGUEL
City Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 2-28-2018

Unanimously approved

Chairman: HON. DOMETILO C. ACENAS JR.

Vice-Chairman: HON. ENRICO S. SALCEDO

Member: HON. JAY R. PASCUAL

Member: HON. REUBEN R. DABA

Member: HON. MARIA LOURDES S. GAANE

DISSENTING

Member

Member



Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY VICE MAYOR



2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

DATE:

FEB 09 2018

From

CAGAYAN DE ORO HOUSING BOARD

SUBJECT MATTER: PRELIMINARY APPROVAL AND LOCATIONAL CLEARANCE (PALC) APPLICATION OF XAVIER ESTATES PHASE 4F REPRESENTED BY ENGR. JOHN L. BATAAC, A BROWN CO., INC., LOCATED AT BRGY. BALULANG, THIS CITY, COVERING AN AREA OF 34,711 SQUARE METERS MORE OR LESS, CONTAINING 64 LOTS/UNITS TO INCLUDE THE FINDING/REMARKS FROM CITY ENGINEER'S OFFICE WHICH SHALL BE COMPLIED DURING THE DEVELOPMENT PERMIT APPLICATION.

ACTION: REFER TO COMMITTEE ON SUBDIVISION AND LANDED ESTATE.

HON. RAINEIR JOAQUIN V. UY,
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



Republic of the Philippines
City of Cagayan de Oro

OFFICE OF THE CITY MAYOR

CAGAYAN DE ORO HOUSING BOARD

1ST Endorsement

February 1, 218

Respectfully forwarded to Committee Chairperson on Subdivision and Landed Estate, Office of the City Council the enclosed pertinent documents of the following applications after the deliberations of the CdeO Housing Board on 1 February 2018.

1. Simple Subdivision of **Sps. Asisculo and Aurora Daayata**, located at Upper Balulang, covering an area of 150 square meters, containing 2 lots.
- 2 Preliminary Approval and Locational Clearance (PALC) application of **The Terraces in Xavier Estates** represented by Engr. John L. Batac, A brown Co., Inc., located at Brgy. Balulang, this City, covering an area of 28,763 square meters more or less, containing 46 lots/units to include the finding/remarks from City Engineer's Office which shall be complied during the Development Permit application.
- 3 Preliminary Approval and Locational Clearance (PALC) application of **Xavier Estates Phase 4F** represented by Engr. John L. Batac, A brown Co., Inc., located at Brgy. Balulang, this City, covering an area of 34,711 square meters more or less, containing 64 lots/units to include the finding/remarks from City Engineer's Office which shall be complied during the Development Permit application.
- 4 Preliminary Approval and Locational Clearance (PALC) application of **Xavier Estates Phase 5B Ventura Residence II** represented by Engr. John L. Batac, A brown Co., Inc., located at Brgy. Balulang, this City, covering an area of 20,852 square meters more or less, containing 73 lots/units which to include the finding/remarks from City Engineer's Office shall be complied during the Development Permit application.
- 5 Preliminary Approval and Locational Clearance (PALC) application of **Xavier Estates Phase 6 Ignatius Enclave** represented by Engr. John L. Batac, A brown Co., Inc., located at Brgy. Balulang, this City, covering an area of 90,573 square

meters more or less, containing 251 lots/units to include the finding/remarks from City Engineer's Office which shall be complied during the Development Permit application.

6. Preliminary Approval and Locational Clearance (PALC) application of **Breeza Subdivision of Johndorf Ventures Corp.** represented by Mr. Robin Peter R. Cui, located at Upper Carmen, this City, covering an area of 204,524.62 square meters more or less, containing 677 lots/units to include the finding/remarks from City Engineer's Office which shall be complied during the Development Permit application.
7. Alteration of Plan application of Tuscania Subdivision represented by Ms. Vivian S. Vestil, General Manager Land Resources Development Corporation, located at Barangay Kauswagan, this City, covering an area of 500 square meters more or less.
8. Alteration of Plan application of Cinderella Homes particularly the change of location of cross drains, lateral drains, and omitted two (2) units detention pond into one with a capacity of 420 cu.m., which complied the minimum requirement represented by Victor S. Uy, President/General Manager, located at Brgy. Bulua this City.
9. Application for Change of subdivision name from Carmenville to Forever Homes and change of name of Developer/owner from BDNME Builders Corporation to Prohomes Development Inc.
10. Alteration of Plan application of PN. Roa Subdivision represented by Ms. Evelyn Roa Clapano, President-PN. Roa Realty Corp. with the information that the said alteration is for lot consolidation only.

For your appropriate action.


RAMON L. FERNANDEZ
Vice Chairperson



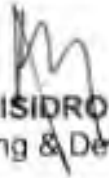
Republic of the Philippines
City of Cagayan de Oro
CITY PLANNING AND
DEVELOPMENT OFFICE



18-D-092

2nd Endorsement
January 30, 2018

Respectfully forwarded to **Cagayan de Oro City Housing Board**, the herein plans and documents relative to the application for Preliminary Approval and Locational Clearance (PALC) of **Xavier Estates Phase 4F** represented by **Engr. John L. Batac, A. Brown Co., Inc.** located at Barangay Balulang, this City, covering an area of 34,711 square meters, containing 73 lots/units with the information that the herein findings/remarks from the City Engineering Office shall be complied during the development permit application, for deliberation of the said board


Engr. ISIDRO G. BORJA
City Planning & Dev't. Coordinator



PALC NO. _____
APPLICATION NO. _____
DATE ISSUED: 01-30-2018

**PRELIMINARY APPROVAL &
LOCATIONAL CLEARANCE**

[X] Covered by Sec. 18 R.A. 7279
[] Not covered by Sec 18 R.A. 7279

NAME OF APPLICANT/DEVELOPER:
Engr. John L. Batac

NAME OF PROJECT:
Xavier Estates Phase 4F

ADDRESS AND TEL. NO.:
A. Brown Co. Inc.

AREA AND LOCATION:
34,711 sq.m.
Brgy. Balulang, Cagayan de Oro City

RIGHT OVER LAND
See summary

PROJECT CLASSIFICATION:
RESIDENTIAL

BASIS FOR CLEARANCE:
Pertaining provisions of Zoning Ordinance 2006
and other related City Ordinances.

SITE ZONING CLASSIFICATION:
Medium Density Residential Zone (R2)

DOMINANT LAND USES IN VICINITY OF 1 KM. RADIUS:
Residential

EVALUATION OF FACTS:
Pursuant to the implementing rules and regulations of P.D. 957 and Section 458(a)(2)(x) of R.A. No. 7160 and provisions of Zoning Ordinance 2006 and other related City Ordinances.

RECOMMENDATION FOR APPROVAL:
Recommended for Preliminary Approval and Locational Clearance.

CONDITIONS:

1. All conditions stipulated herein form part of DECISION and are subject to monitoring;
2. Non-compliance therewith shall be a cause for cancellation or legal action and disapproval of development permit;
3. This clearance does not exempt the project from pertinent requirements from line agencies;
4. Approved preliminary plans must be essentially the same as final size development plan;
5. Any misrepresentation or material falsehood on your part shall be a sufficient cause for the cancellation of this approval and or legal action;
6. Secure Environmental Clearance from City Local Environment and Natural Resources Office (CLENRO);
7. Secure Social Acceptability duly approved by the City Mayor.
8. Secure Environmental Compliance Certificate (ECC) from Department of Environment And Natural Resources;
9. Provision for rainharvesting facilities equivalent of 0.02 cu.m./sq.m. of roof area and detention/retention pond equivalent of 0.01 cu.m./sq.m. of gross applied area;
10. Secure Barangay Resolution for Social Acceptability;
11. Secure certificate of project in conformity with proper setback from road widening from DPWH.
12. All application shall conform with the minimum design standard set forth in the Revised Implementing Rules and Regulations of P.D. 957 in HLURB 2009;
13. Remarks from the City Engineering Office in transmittal dated January 26, 2018 shall be considered upon development permit application.
 - ✓ Consolidated drainage lay-out plan shall be provided.
 - ✓ Detention pond shall be provided within the project area prior to discharge to any existing defined waterway.
 - ✓ Cleared right of way & drainage structure of offsite drainage to connect any existing functional drainage system, be duly delineated with technical description and shall form part of the plans for development.

Engr. ISIDRO G. BORJA
City Planning & Dev't Coordinator *per*



Republic of the Philippines
OFFICE OF THE CITY ENGINEER
CITY ENGINEER'S OFFICE
Kauswagan, Cagayan de Oro City



January 26, 2018

To : **ENGR. ISIDRO G. BORJA**
City Planning & Development Coordinator
City Planning & Development Office
Cagayan de Oro City

Subject: Technical Evaluation re: Application for Preliminary Approval and Locational Clearance (PALC) of **A. BROWN CO. INC.**, for their subdivision project, Xavier Estates Phase 4F, covering an area of 34,711 square meters consisting of 64 saleable lots represented by Mr. John L. Batac of A. Brown Co., Inc.

Location : Balulang, Cagayan de Oro City

Enclosure : Plans & other supporting documents.

Remarks : Plans duly signed & evaluated. The following shall be considered upon Development Permit application, to wit :

- A consolidated drainage lay-out plan shall be provided;
- Detention Pond shall be provided within the project area prior to discharge to any existing defined waterway;
- Cleared right of way and drainage structure of offsite drainage to connect any existing functional drainage system, be duly delineated with technical description and shall form part of the plans for development.


ROLANDO M. PACURIBOT C.E, ME
City Engineer

File:trans-borja-xavier crattaon p-4 (palc)
code:65

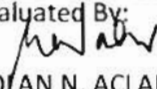
A BROWN CO/SAY MAGAGAN-0917-7186922

PROJECT PROFILE

PROJECT NAME : XAVIER ESTATES PHASE 4F
APPLICANT : ENGR. JOHN L. BATAK
DEVELOPER : A. BROWN CO. INC.
LOCATION : BRGY. BALULANG, CDOC
TOTAL AREA : 34,711.00 SQ. M
NO. OF LOTS/UNITS : 64
PROJECT ZONIFICATION : RESIDENTIAL
ZONING/LANDUSE : RESIDENTIAL
CLASSIFICATION : RESIDENTIAL
TYPE OF APPLICATION : Preliminary Approval and Locational Clearance (PALC)
: PD 957

ALTERATION PERMIT APPLICATION PARTICULARS

PARAMETERS	REQUIRED AREA/LINEAR METER	PROPOSED AREA /LINEAR METER	REMARKS
Parks & Playground Communities Facilities	1,214.90 sq.m 347.11 sq.m	1,913. 00 sq.m 414.00sq.m	Complied/More than the required area. Complied/More than the required area.
Road Right of Way (OEPNMARKET/MEDIUM COST)			
Major	12.00	12.00	Proposed ROAD RIGHT OF WAY is in Accordance with road hierarchy of PD 957
Collector			
Minor	10.00	10.00	
Motor Court			
Alley			
Pathway			
Planting Strips/ Sidewalks			
15m ROW			
12m ROW			
10m ROW			
8m ROW			
6m ROW			
Saleable Lots		64	
RECOMMENDATION : As per evaluation for the application of PALC of plan were found in accordance with the PD 957 guidelines and recommending for approval.			

Evaluated By:

ROLAN N. ACLAN

Reviewed By:

Engr. ROLANDO PACURIBOT
City Engineer

Engr. ISIDRO G. BORJA
City Planning & development Coordinator



APPLICATION FOR PRELIMINARY APPROVAL
AND LOCATIONAL CLEARANCE

JANUARY 15, 2018

Date

THE CITY PLANNING & DEVELOPMENT COORDINATOR

City Planning and Development Office
Cagayan de Oro City

Sir;

In accordance with Section 18 of RA 7279 and Section 4 of PD 957 (Subdivision and Condominium Buyer's Protective Decree) and its implementing Standards, Rules and Regulations as amended by Executive Order No. 648 dated 07 February 1981 and R.A. 7160 and its implementing Rules. I am applying for a Preliminary Approval and Locational Clearance of the following Subdivision Projects;

MAIN SUBDIVISION
PROJECT

SOCIALIZED HOUSING
PROJECT PER SEC. 18
R.A. 7279

Name of Project:
Location:
Type of Development:
Total Project Area:
No. of Saleable Lots/Units:
Application Law BP 220/PD 957:
Mode of Compliance:

XAVIER ESTATES PHASE 4F
BALULANG, CDO
CONDOMINIUM
34, 711 sq.m.
64 units
PD 957

Not Applicable

- ☐ Project Area
☐ Project Cost
☐ New Settlement
☐ Slum Upgrading
☐ Comm. Mortgage Proj.

Attached herewith are the required technical documents pertinent to my application.

Very truly yours,

JOHN L. BATAAC
A BATAAC COMPANY, INC.

Applicant

Address: XAVIER ESTATES, UPPER BALULANG, CDO

Tel. No.: 851-5879

TIN: 002-724-446

17.6 JAN 2018

SUBSCRIBED AND SWORN to before me this _____ day of _____ Affiant exhibiting
before me his/her Residence Certificate No. _____ issued at _____ on _____

Doc. No.: 2/3
Page No.: 63
Book No.:
Series of: 024

Atty. Scott Anthony P. Viloria
Notary Public
My Commission Expires on December 31, 2018
PTR No. 8286189414 June 2017 / CDO
IBP No. 00411 17 May 2017 / Mis. Cr.
Roll No. 07487 May 24, 2017

Name of Applicant: _____
Type of Application: ☐ Simple ☐ Complex
Date Filed: _____

List of requirements for Application of Preliminary Approval and Locational Clearance:

I. Main Project

- 1. Six (6) sets of the following documents duly signed by a Licensed Architect/Engineer;
 - ☐ a.) Site Development Plan (Schematic Plan showing the proposed layout and topographic map),
 - ☐ b.) Vicinity map indicating the adjoining land uses, access as well as existing facilities and utilities at least within 100 meters from the property boundaries of the project, drawn to scale;
 - ☐ c.) Survey plan of the lot(s) as described in the title.
- ☐ 2. Four (4) copies of Certified True Copy of Title(s) and Current Tax Receipt;
- ☐ 3. Authority from the lot owner (if applicant is not the lot owner);
- ☐ 4. Right to use or Deed of Sale of right-of-way for access road and other utilities when applicable;
- ☐ 5. Zoning Certificate,
- ☐ 6. Certificate from City Engineer whether proposed location is not affected by any proposed road construction or widening.

II. Socialized Housing Project ☐ Within ☐ Outside

- ☐ New Settlement
- ☐ Slum Upgrading
- ☐ Joint Venture

III. Other Requirements: ☐ _____
☐ Tax Identification Number (TIN) _____

Evaluated by: _____
Date: _____

Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(SANGGUNIANG PANLUNGSOD)
18th CITY COUNCIL

(088) 857-4026; 857-4032; 857-4035; 857-2258

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER:

Proposed Ordinance appropriating the sum of P9,605,785.20 from the Continuing Appropriation CY 2013, "Non-Office: Land Acquisition/Expropriation" to be made available for the full payment of the claim for just compensation (P9,351,600.00) and for the registration and documentation expenses (P254,185.20) of Lot No. 3-A with an area of 7,793 square meters located in Barangays Gusa, this City, and owned by Capitrano Development Corporation, which was affected by the existing 10.00 M. wide road from junction J.R. Borja extension to Bigaan River; and for this purpose, authorizing the Honorable City Mayor to sign the Deed of Absolute Sale thereof.

Respectfully referred to the **COMMITTEE of the WHOLE**, the herein communications for study, investigation, report and recommendation.

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL

City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: March 1, 2018

for inclusion

HON RAINEIR JOAQUIN V. UY , <i>Chairman</i>	HON. NADYA EMANO-ELIPE , <i>Member</i>
HON. ZALDY O. OCON , <i>Member</i>	HON. MARIA LOURDES S. GAANE , <i>Member</i>
HON. LORDAN G. SUAN , <i>Member</i>	HON. DOMETILO C. ACENAS, JR. , <i>Member</i>
HON. EDNA M. DAHINO , <i>Member</i>	HON. IAN MARK Q. NACAYA , <i>Member</i>
HON. JAY R. PASCUAL , <i>Member</i>	HON. LEON M. GAN JR. , <i>Member</i>
HON. ROMEO V. CALIZO , <i>Member</i>	HON. TEODULFO E. LAO JR. , <i>Member</i>
HON. GEORGE S. GOKING , <i>Member</i>	HON. SUZETTE M. DABA , <i>Member</i>
HON. ANNIE Y. DABA , <i>Member</i>	HON. ENRICO D. SALCEDO , <i>Member</i>
HON. REUBEN R. DABA , <i>Member</i>	HON. YAN LAM LIM , <i>Ex-Officio Member</i>

DISSENTING



Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY VICE MAYOR



2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

SEPTEMBER 26, 2016

FROM: MARIA YOLANDA B. CAPISTRANO
President of Capistrano Development Corp.

SUBJECT MATTER: REQUEST FOR JUST COMPENSATION OF THE PROPERTY
COVERED BY TCT NO. T-19900 AND TAX DECLARATION NO. G-228641.

ACTION: REFER TO COMMITTEE ON FINANCE, BUDGET AND APPROPRIATION.

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



Republic of the Philippines
City of Cagayan de Oro

OFFICE OF THE CITY MAYOR

Indorsement
28 May 2015

JUNE 1, 2015
1:45 pm
F.M. TACON
Subd # 0245-13

Respectfully forwarded to The HONORABLE MEMBERS OF THE CITY COUNCIL through City Vice Mayor CAESAR IAN E. ACENAS, the attached Resolutions from the Local Finance Committee relative to the following:

- 1 LFC Resolution No. 034-2015 with corresponding Certificate of Availability of Funds No. 040-2015, re payment of Just Compensation amounting to Php9,605,785.20 (including documentation and registration expenses) for TCT-19900 Lot No. 3-A owned by Capistrano Development Corporation which was affected by the existing 10.00m wide Road from Junction J.R. Borja Extension to Bigaan River located at Barangay Gusa, this city, chargeable against continuing appropriation CY 2013 "Non-Office: Land Acquisition/Expropriation";
- 2 LFC Resolution No. 040-2015 with corresponding Availability of Funds No. 035-2015, re full payment of Just Compensation amounting to Php2,635,837.78 (including registration expenses), for Lot No. 18630, owned by Mindanao Health Care Corp., which portion thereof with an area of 1,059 sq. m and described as Lot No. 18630-A which was affected by the Concreting of a Proposed Road Opening at the Junction RELC-Sta. Cruz towards Lapasan-Camaman-an Road passing to San Miguel Village, this city, chargeable against current appropriation "Non-Office: Land Acquisition/Expropriation"

Hereby requesting inclusion on the agenda for the forthcoming City Council session and passage of appropriate ordinance


OSCAR S. MORENO
City Mayor

City of Cagayan de Oro
JUN 01 2015
Subd. # 0245-13
Rpt + Cont - Subd.
Date: _____ City Secretary: _____
REMARKS: 9 ✓



Republic of the Philippines
Cagayan de Oro City

OFFICE OF THE CITY BUDGET OFFICE

CERTIFICATION

THIS IS TO CERTIFY that the amount of ₱ 9,605,785.20 from Continuing Appropriation CY 2013, Non-Office - Land Acquisition/ Expropriation, to cover payment of just compensation including documentation and registration expenses for the lot owned by Capistrano Development Corporation, which was affected by the existing 10.00m wide Road Junction J.R. Borja Extension to Bigaan River located at Barangay Gusa, this City, is available.

Issued this 8th day of November 2016 pursuant to Local Finance Committee Resolution No. 039-2015.


ATTY. PERCY G. SALAZAR
City Budget Officer
CAF-80-2016


ATTY. BEDA JOY B. ELOT, CPA
City Accountant
City Accounting Department


DR. GLENN C. BANEZ, MPA, Ph.D
Incharge of Office
City Finance Dept.



Republic of the Philippines
CITY LEGAL OFFICE
Cagayan de Oro City



24 April 2015

MR. GLENN C. BAÑEZ, MPA, PH.D.,
City Treasurer – Designate
Cagayan de Oro City

Dear Mr. Bañez;

This has reference to the hereto attached 4th Indorsement dated 1 February 2011 and letter dated 21 February 2012 both of this Office relative to our request for Certificate of Availability of Funds ("CAF") in the amount of Nine Million Six Hundred Five Thousand Four Hundred Nineteen and .20/100 (Php 9,605,419.20) for the payment of Lot No. 3-A owned by the Capistrano Development Corporation, which was affected by the existing 10.00 m. wide road from Junction J.R. Borja Extension to Bigaan River located at Barangay Gusa, this City.

In this regard, we would like to inform you that there has been changes in the above-mentioned requested "CAF" considering the recent updates made by the Bureau of Internal Revenue ("BIR") and the Office of the Register of Deeds of Cagayan de Oro of their respective fees, thus, this Office is requesting for the issuance of a Certificate of Availability of Funds 2015 budget (Land Acquisition/Expropriation) in the amount of Nine Million Six Hundred Five Thousand Seven Hundred Eighty Five Pesos and 20/100 (Php9,605,785.20). Hereunder is the new computation for your information.

Value of the Land	P	9, 351,600.00
Doc Stamp	P140,280.00	
Transfer fee	70,137.00	
Registration fee	43,228.20	
Annotation fee	90.00	
Entry fee	360.00	
LRF	90.00	254,185.20
		9,605,785.20

ATTY. DONALD G. DELEGENCIA
OIC-City Legal Office

CITY APPRAISAL COMMITTEE

APPRAISAL REPORT

ON A PARCEL OF LAND AFFECTED BY THE EXISTING 10.00 M. WIDE ROAD FROM JUNCTION J.R. BORJA EXTENSION TO BIGAAN RIVER LOCATED AT GUSA, THIS CITY.

THE DETERMINATION OF JUST COMPENSATION WAS MADE IN ACCORDANCE WITH THE RELEVANT STANDARDS PURSUANT TO SECTION 5 OF R.A. 8974.

I - OWNER OF PROPERTY : CAPISTRANO DEVELOPMENT CORPORATION
ADDRESS OF OWNER : Rizal-Chavez Sts., Cagayan de Oro City

II - LOCATION OF LAND : Gusa, Cagayan de Oro City

III - DESCRIPTION OF LAND:

- (1) Lot No. _____ Lot description: Lot 3-A
- (2) Title No. T-19900 Annex A
- (3) Area of Lot (Hectares/Square Meters) : 9,596 sq. meters
- (4) Area needed for Public Purposes : 7,793 sq. meters more or less Annex B
- (5) Classification of Lot: Residential Source of Information: Tax Dec. G-228641 (2011) Annex C
- (6) Appraisal of Property:
 - (a) Schedule of Market Values: P1,750.00/sq. meter Year: 2008 Annex D to D1
 - (b) BIR Zonal Value: P2,600.00/sq. meter Year: 2006 Annex E to E1
 - (c) Sales Data: P400.00/sq. meter Year: 2001 Annex F
 - (d) Offer to Sell: P1,200/sq. meter Annex G
 - (e) Government project near the area: Opening & concreting of J.R. Borja Road Extension Project at P1,200/sq. meter. Annex H

IV - Size, Shape or Location of Land:

Comment of the Committee: This lot is located in the rural barangay, its size and shape is described in the sketch plan marked as Annex I.

V - REFERENCES:

- (a) 1st Indorsement dated Dec. 22, 2009 from Atty. Maryanne C. Enteria Annex J
- (b) Letter request from Mr. Dino P. Nable, President, Capistrano Devt. Corp. Annex K
- (c) Sketch plan Annex I
- (d) Pictures Annex L1 to L6

VI - APPRAISAL OF THE COMMITTEE:

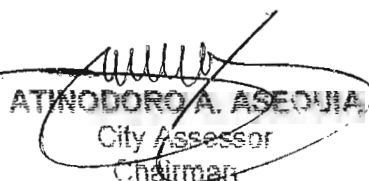
P1,200.00 per sq. meter for 7,793 sq. meters more or less or in the total amount of
P9,351,600.00

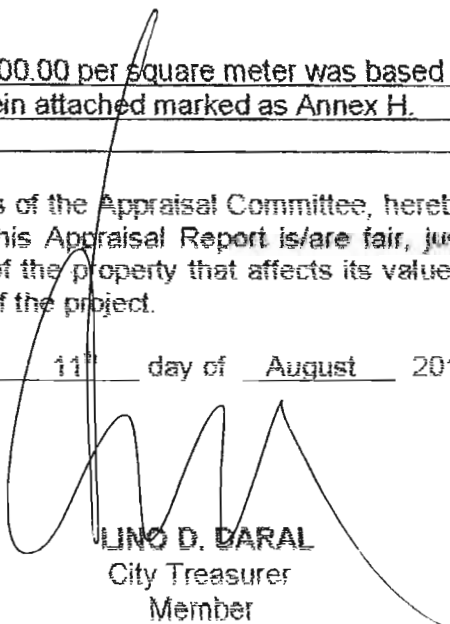
VII- REMARKS:

The appraised value of P1,200.00 per square meter was based on the Appraisal Report dated August 11, 2000, herein attached marked as Annex H.

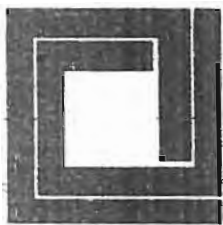
We, the undersigned members of the Appraisal Committee, hereby Certify that the market value of the property/ies as contained in this Appraisal Report is/are fair, just and reasonable, taking into account the attendant circumstance of the property that affects its value and the consequential benefit that inure to the parties as the result of the project.

At Cagayan de Oro City, this 11th day of August 2010.


ATINODORO A. ASEJUA
City Assessor
Chairman


LINO D. DARAL
City Treasurer
Member


JORIE V. BINGONA
City Engineer
Member



CAPISTRANO DEVELOPMENT CORPORATION

Serina St., Carmen, Cagayan de Oro City 9000 Philippines

Telephone No. (6388) 8583011

10 August 2016

Honorable Rainier Joaquin V. Uy

Vice Mayor, Cagayan de Oro City

Subject:
Compensation

Request for Inclusion of Claim for Just

Tax Declaration G-228641 TCT T-19900

Honorable Vice Mayor,

Good day!

We have been exerting collection efforts for just compensation for the property covered by TCT T-19900 covering 9,596 square meters more or less for a number of years now and were informed that this is now with the Ways and Means Committee along with other similar claims.

May we request that our claim be included in the agenda for the next regular session of the City Council?

We look forward to your kind consideration.

Thank you and best regards.

Very truly yours,


MARIA YOLANDA B. CAPISTRANO
President

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE CITY VICE MAYOR
CITY OF CAGAYAN DE ORO

RECEIVED

DATE: Aug 16, 2016
TIME: 7:51 PM
BY: ADMINISTRATIVE

att: ms. Ann
date: requesting Party for Palawan City
Refund on Monday.

Ms. Maria Carla Larrazabal-Licayan
Legislative Staff Officer V
Legislative Committees Division
Office of the Council of Cagayan de Oro

MADAM:

Greetings!

In compliance to the instruction of the Hon. Enrico Salcedo, City Councilor, this city, to submit to corresponding Appraisal Report and Survey Plan of affected area of Lot No. Lot 3-A of TCT No. 19900 (7,793 square meters) of the Road Widening Project at Bigaan Road, Barangay Gusa, this city, attached herewith are the required documents for the kind perusal and appropriate action of the Committee.

Respectfully submitted.

Very truly yours,

MARITES S. REPOSAR
Representative
Capistrano Development Corporation

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY COUNCILOR
Date received: **Nov 8 2016** Time: **8:55**
Comm. No.:
ACTION TAKEN: **Finance**
2016-88
Date: **Nov 8 2016** City Secretary: **3**
REMARKS:

Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(SANGGUNIANG PANLUNGSOD)
18th CITY COUNCIL
(088) 857-4026; 857-4032; 857-4035; 857-2258

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Ordinance authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement with the Department of Agriculture – Regional Field Office 10, represented by Regional Executive Director Carlene C. Collado, covering the grant of One (1) Unit Mechanical Sheller for Corn Set, under the terms and conditions stated therein

*Respectfully referred to the **COMMITTEE on LAWS AND RULES**, the herein communications for study, investigation, report and recommendation.*

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: March 1, 2018

> for inclusion

HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING



Communication Number: 2018-1385

Date: 02/05/2018

Receiver: JESSAMINE

From: CMO

Subject: MEMORANDUM OF AGREEMENT (MOA) TO BE EXECUTED BY AND BETWEEN THE CLGU CAGAYAN DE ORO AND THE DEPARTMENT OF AGRICULTURE-REGION 10 FOR THE GRANT OF ONE (1) UNIT MECHANICAL SHELLER FOR CORN OF THIS CITY, FURTHER REQUESTING THE CITY COUNCIL TO PASS AN ORDINANCE AUTHORIZING THE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE SAME.

Respectfully referred to **COMMITTEE ON AGRICULTURE & FISHERIES**
the herein communication for study, investigation, report and/or recommendation.

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: Feb. 7, 2018

UK - recommending approval

HON. ANNIE Y. DABA
Chairperson

HON. ENRICO D. SALCEDO
Member

HON. SUZETTE MAGTAJAS-DABA
Member

HON. JAY R. PASCUAL
Vice Chairperson

HON. LORDAN G. SUAN
Member

HON. TEODULFO E. LAO, JR.
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

HON. LEON D. M. GAN, JR.
Minority Floor Leader

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY VICE MAYOR



2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

DATE:

FEB 07 2018

From

CMO

SUBJECT MATTER: MEMORANDUM OF AGREEMENT (MOA) TO BE EXECUTED BY AND BETWEEN THE CLGU CAGAYAN DE ORO AND THE DEPARTMENT OF AGRICULTURE-REGION 10 FOR THE GRANT OF ONE (1) UNIT MECHANICAL SELLER FOR CORN OF THIS CITY, FURTHER REQUESTING THE CITY COUNCIL TO PASS AN ORDINANCE AUTHORIZING THE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE SAME.

ACTION: REFER TO COMMITTEE ON **AGRICULTURE AND FISHERIES.**

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



Republic of the Philippines
City of Cagayan de Oro

FEB 05 2018

OFFICE OF THE CITY MAYOR

[Handwritten signature]
January 31, 2018

**THE HONORABLE PRSEIDING OFFICER, and
THE HONORABLE MEMBERS OF THE SANGGUNIANG PANLUNGSOD
Cagayan de Oro City**

Sir/Ma'am:

Respectfully endorsing herein attached Memorandum of Agreement (MOA) to be executed by and between the CLGU Cagayan de Oro and the Department of Agriculture – Regional Field Office 10 for the grant of one (1) unit Mechanical Sheller for Corn of this city duly reviewed and recommended by the City Legal Office.

We would like to request the City Council for a resolution authorizing the undersigned to sign the MOA.

Thank you.

Very truly yours,

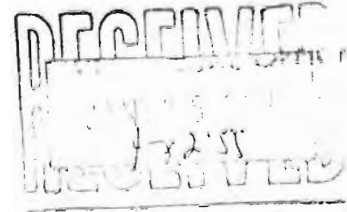
[Handwritten signature of Oscar S. Moreno]
OSCAR S. MORENO
City Mayor



Republic of the Philippines
City of Cagayan de Oro
CITY AGRICULTURE OFFICE

January 25, 2018

ATTY. DONALD G. DELEGENCIA
OIC – City Legal Office
Cagayan de Oro City



Sir:

Endorsing herein attached draft Memorandum of Agreement entered into by and executed by and between the Department of Agriculture – Regional Field Office 10 and the Local Government Unit of Cagayan de Oro City for the grant of one (1) unit Mechanical Sheller for Corn.

For your review and possible endorsement.

Thank you.

Very truly yours,


HECTOR R. SAN JUAN, DVM
City Agriculturist



Republic of the Philippines
CITY OF CAGAYAN DE ORO

CITY LEGAL OFFICE

PUE
057-0

29 January 2018

HECTOR R. SAN JUAN, DVM

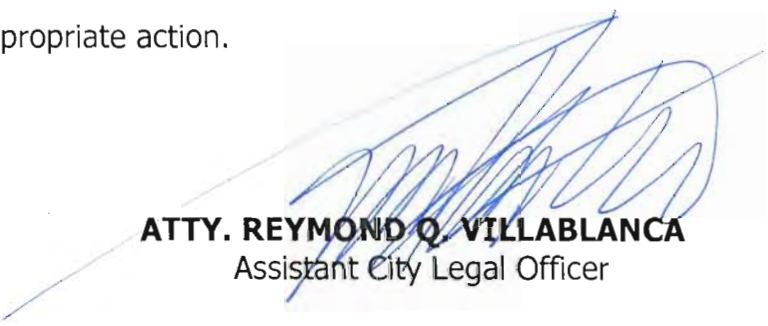
City Agriculturist
Cagayan de Oro City

Dear Dr. San Juan:

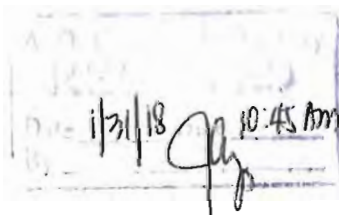
This pertains to your herein attached 1st Indorsement dated 25 January 2018, relative to the MEMORANDUM OF AGREEMENT ("MOA") between the Local Government Unit of Cagayan de Oro City and Department of Agriculture, Regional Field Office 10, for the grant of one (1) unit Mechanical Sheller for Corn, with a request for our review and legal opinion.

After a careful review, this Office finds the said Memorandum of Agreement to be in legal order. Thus, on the assumption that the City Government of Cagayan de Oro is willing and able to comply with its terms and condition, we recommend that it be duly forwarded to the City Council with a request that the necessary Ordinance authorizing the City Mayor, Hon. Oscar S. Moreno, to enter into and sign the same be duly enacted.

For your information and appropriate action.



ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer



MEMORANDUM OF AGREEMENT
(MECHANICAL SHELTER FOR CORN)

KNOW ALL MEN BY THESE PRESENTS:

This AGREEMENT is entered into by and between:

The DEPARTMENT OF AGRICULTURE- REGIONAL FIELD OFFICE 10, with office address at A. Luna St., Cagayan de Oro City, represented by its OIC Regional Director, CARLENE C. COLLADO, hereinafter referred to as "DA";

-and-

The LOCAL GOVERNMENT UNIT OF CAGAYAN DE ORO CITY, a Local Government Unit with office address at Cagayan De Oro City represented by its City Mayor OSCAR S. MORENO, SR. hereinafter referred to as "LGU";

WITNESSETH:

WHEREAS, the DA - RFO X pursuant to its mandated function of promoting agricultural development supports and undertakes activities to assist and promote RA 8435 otherwise known as **AGRICULTURE AND FISHERIES MODERNIZATION ACT OR (AFMA)** aims to strengthen the agriculture and fisheries sector through modernization, greater participation among the Farmers' Cooperative, Farmers and Fisherfolks, and Non-Governmental Organization for peoples empowerment;

WHEREAS, Section 34 of the Local Government Code of 1991 provides that Local Government Units shall promote the establishment and operation of people's and nongovernmental organizations to become active partners in the pursuit of local autonomy;

WHEREAS, the formulation and implementation of investment projects for agricultural developments concerning production, processing and marketing are within the Strategic Agriculture and Fisheries Development Zones (SAFDZs);

WHEREAS, the DA is implementing the **CORN/CASSAVA PROGRAM**, in which the program's thrusts are to increase corn and cassava productivity, increase competitiveness of domestic corn and cassava production and increase farm incomes by ensuring farm gate prices and the development of New Land for Yellow and White Corn Production and Cassava Production to support the Food Staple Sufficiency Plan of the Department;

WHEREAS, the DA will provide Mechanical Shelter as grant to qualified partners/beneficiaries in the different growing areas in the country;

WHEREAS, the Farm Mechanization Component of the Program includes the provision for the Procurement of **Thirty-Five (35) units Mechanical Shelter For Corn** with an Approved Budget for the Contract (ABC) amounting to **Six Million One Hundred Twenty-Five Thousand Pesos (PhP6,125,000.00)** or at **One Hundred Seventy-Five Thousand Pesos (PhP175,000.00)** per unit to be procured and distributed by DA-RFO X under full grant scheme;

WHEREAS, the said LGU, intends to avail **one (1) unit Mechanical Shelter for Corn** to provide services to farmer members/constituents and whenever feasible to support its processing activities;

NOW THEREFORE, for and in consideration of the foregoing premises the parties have agreed as they hereby agree to enter into this Agreement under the following terms and conditions:

**ARTICLE I
PROJECT**

SECTION 1. COVERAGE

This Memorandum of Agreement covers the distribution of **one (1) unit Mechanical Sheller for Corn**, a project under the **CORN PROGRAM** to be granted for _____, with an Approved Budget for the Contract (ABC) amounting to **One Hundred Seventy-Five Thousand Pesos (PhP175,000.00)** to be procured and distributed under full grant scheme with the following specifications:

- Capacity: 2 tons per hour
- Shelling recovery: 97%
- Purity: 98%
- Damage Kernels: <3.0%
- Peg tooth cylinder
- Shelling efficiency - 99.5%
- Net crack kernel - 5%
- Noise level - 96 db
- Prime mover: 12hp diesel engine, 4-stroke, water-cooled; continuous power rating must not less than 85 % of the plate rating
- With Differential housing for the pneumatic tire
- With brand new pneumatic tires, size 14" diameter wheel hub
- Property No.: _____
- Engine No.: _____

**ARTICLE II
DUTIES AND RESPONSIBILITIES OF THE PARTIES**

SECTION 2. THE "DA - RFO X" SHALL:

1. **Review and verify** the prepared documents submitted by the Recipient to facilitate the project implementation;
2. **Conduct** the procurement activity in accordance with R. A. 9184 and its Implementing Rules and Regulations (IRR) as amended, the amount of **One Hundred Seventy-Five Thousand Pesos (PhP175,000.00)** for the **one (1) unit Mechanical Sheller for Corn**;
3. **Pay** the 100% cost of the mechanization facility based on the bid price, directly to the winning bidder for the **one (1) unit Mechanical Sheller for Corn**;
4. **Require** the Recipient to provide permanent shed for the Mechanical Sheller as additional counterpart;
5. **Validate and inspect** the site thoroughly before project approval to establish the existence and readiness of the project;
6. **Extend** technical services as may be needed by the recipient relative to the project preparation;
7. **Conduct** regular monitoring and evaluation before, during, and after completion of the project to ensure sustainability;
8. **Require** the recipient to utilize the **one (1) unit Mechanical Sheller for Corn** in accordance with its intended use and to prioritize ~~mechanization~~ services belonging to the identified Corn Cluster Areas of the recipients and shall not in any way sell, mortgage or convey the same in whatever manner;

Accountant, DA RFO 10

HECTOR SAN JUAN
City Agriculturist

ENGR. ROXANA H. HOIAS, CESO IV
ARD for Operations

MAYOR OSCAR S. MORENO, SR.
City Mayor

CARLENE C. COLLADO, CPA
OIC Regional Director

Accountant, DA RFO 10.

HECTOR SAN JUAN
City Agriculturist

ENGR. ROXANA H. HOJAS, CESO IV
ARD for Operations

MAYOR OSCAR S. MORENO, SR.
City Mayor

CARLENE C. COLLADO, CPA
OIC Regional Director

- 9. **Review and evaluate** the project accomplishment report submitted by the Recipient as to the approved plans and activities of the project;
- 10. **Reserve** the right to intervene, institute corrective measures in case of non-compliance of the parties with the stipulations of this Agreement; and
- 11. **Issue** Turn-over Certificate to the Recipient upon receipt of **one (1) unit Mechanical Sheller for Corn** by the recipient.
- 12. Have the authority to withdraw the unit if there are violation to any of the provisions stipulated in this agreement.

SECTION 3. THE "LGU" SHALL:

- 1. **Accept** the **one (1) unit Mechanical Sheller for Corn** with the following specifications:
 - Capacity: 2 tons per hour
 - Shelling recovery: 97%
 - Purity: 98%
 - Damage Kernels: <3.0%
 - Peg tooth cylinder
 - Shelling efficiency - 99.5%
 - Net crack kernel - 5%
 - Noise level - 96 db
 - Prime mover: 12hp diesel engine, 4-stroke, water-cooled, continuous power rating must not less than 85% of the plate rating
 - With Differential housing for the pneumatic tire
 - With brand new pneumatic tires, size 14" diameter wheel hub
 - Property No.: _____
 - Engine No.: _____
- 2. **Secure** all legal documents necessary for project implementation;
- 3. **Provide** permanent shed for the Mechanical Sheller as additional counterpart secured with proper documents to establish the ownership of the same;
- 4. **Utilize** the Mechanical Sheller in accordance to its intended use and to prioritize mechanization services belonging to the identified Corn Cluster Areas of the recipients and shall not in any way sell, mortgage or convey the same in whatever manner;
- 5. **Submit** monthly accomplishment report;
- 6. **Ensure** maintenance and sustainable operation of the project and ensure further for its maximum utilization in accordance to its intended use so that farmer members/constituents will have access to the same;
- 7. **Issue** Certificate of Acceptance for the **one (1) unit Mechanical Sheller for Corn** received after completion of the project; and

**ARTICLE III
GENERAL PROVISION**

SECTION 4. All existing rules, policies and the provisions applicable for the Corn Program consistent with the existing Accounting, Auditing Rules and Regulations, and other government procedures and regulations shall form part of this Agreement.

ACKNOWLEDGMENT

Accountant, DA RFO 10

REPUBLIC OF THE PHILIPPINES)
_____) S.S.
X-----X

BEFORE ME, a Notary Public for and in the _____ this
day of _____ personally appeared:

Name Proof of Identity/CTC No.

1. CARLENE C. COLLADO, CPA _____
2. MAYOR OSCAR S. MORENO, SR. _____

Known to me to be the same persons who executed the foregoing Memorandum
of Agreement and acknowledge the same as their free and voluntary act and deed.

This instrument consists of five (5) pages including this page where this
acknowledgement is written, is signed by both parties and their witnesses on each and
every page thereof.

WITNESS MY HAND AND SEAL.

Notary Public

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2017.

HECTOR SAN JUAN
City Agriculturist

ENGR. ROXANA H. HOIAS, CESO IV
ARD for Operations

MAYOR OSCAR S. MORENO, SR.
City Mayor

CARLENE C. COLLADO, CPA
OIC Regional Director

**ARTICLE IV
ADDITIONAL PROVISION**

SECTION 5. MLGUs and/or PLGUs through the office of the Municipal/ Provincial Agriculturist shall likewise keep track of the progress of the project and for this purpose shall, from time to time, send representatives for field visit/ evaluation for recommendation to the DA-RFO X through the Corn Program in case of issues that may arise during or after the implementation of the project that may affect the sustainable operation of the same.

**ARTICLE V
AMENDMENTS**

SECTION 6. Any modifications or amendments in this Agreement shall be mutually agreed upon in writing by the PARTIES concerned.

**ARTICLE VI
EFFECTIVITY**

SECTION 7. This **MEMORANDUM OF AGREEMENT** shall take effect upon execution hereof and shall continue to be in full force and effect unless revoked in writing and shall be terminated upon satisfactory fulfillment of all terms and conditions embodied herein.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures on the _____ day of _____ at _____, Philippines.

**DEPARTMENT OF AGRICULTURE
REGIONAL FIELD OFFICE X
(DA-RFO X)**

CLGU- CAGAYAN DE ORO CITY

By:

By:

CARLENE C. COLLADO, CPA
OIC Regional Director

MAYOR OSCAR S. MORENO, SR.
City Mayor

Signed in the presence of:

ENGR. ROXANA H. HOJAS, CESO IV
Assistant Regional Director

Accountant, DA RFO 10

CLGU- CAGAYAN DE ORO CITY

HECTOR SAN JUAN
City Agriculturist

City Accountant

Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(SANGGUNIANG PANLUNGSOD)
18th CITY COUNCIL

(088) 857-4026; 857-4032; 857-4035; 857-2258

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Ordinance authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement with the Department of Agriculture – Regional Field Office 10, represented by Regional Executive Director Carlene C. Collado, covering the grant of One (1) Unit Pump and Engine Set, under the terms and conditions stated therein

Respectfully referred to the **COMMITTEE on LAWS AND RULES**, the herein communications for study, investigation, report and recommendation.

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

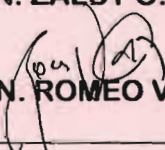
ARTURO S. DE SAN MIGUEL
City Council Secretary

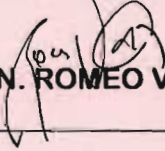
COMMITTEE REPORT AND RECOMMENDATION

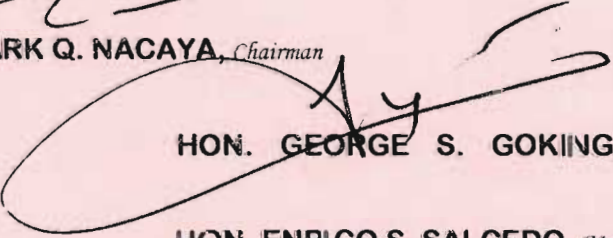
Date of Meeting: March 1, 2018

> for inclusion


HON. IAN MARK Q. NACAYA, Chairman


HON. ZALDY O. OCON, Vice Chairman


HON. ROMEO V. CALIZO, Member


HON. GEORGE S. GOKING, Member

HON. ENRICO S. SALCEDO, Member

DISSENTING



Communication Number: 2018-1384

Date: 02/01/2018

Receiver: JESSAMINE

From: CMO

Subject: MEMORANDUM OF AGREEMENT (MOA) TO BE EXECUTED BETWEEN THE CLGU CAGAYAN DE OR ORO AND THE DEPARTMENT OF AGRICULTURE-REG. 10 FOR THE GRANT OF ONE (1) UNIT PUMP AND ENGINE SET, FURTHER REQUESTING THE CITY COUNCIL TO PASS AN ORDINANCE AUTHORIZING THE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE SAME.

Respectfully referred to **COMMITTEE ON AGRICULTURE & FISHERIES**
the herein communication for study, investigation, report and/or recommendation.

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: Feb. 24, 2018

Unanimously approved

HON. ANNIE Y. DABA
Chairperson

HON. ENRICO D. SALCEDO
Member

HON. SUZETTE MAGTAJAS-DABA
Member

HON. JAY R. PASCUAL
Vice Chairperson

HON. LORDANG G. SUAN
Member

HON. TEODULFO E. LAO, JR.
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

HON. LEON M. GAN, JR.
Minority Floor Leader

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING



Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY VICE MAYOR



2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

DATE: FEB 01 2018

From: CMO

SUBJECT MATTER: MEMORANDUM OF AGREEMENT (MOA) TO BE EXECUTED BETWEEN THE CLGU CAGAYAN DE ORO AND THE DEPARTMENT OF AGRICULTURE-REG. 10 FOR THE GRANT OF ONE (1) UNIT PUMP AND ENGINE SET, FURTHER REQUESTING THE CITY COUNCIL TO PASS AN ORDINANCE AUTHORIZING THE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE SAME.

ACTION: REFER TO COMMITTEE ON **AGRICULTURE AND FISHERIES.**

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY MAYOR

January 24, 2018

**THE HONORABLE PRSEIDING OFFICER, and
THE HONORABLE MEMBERS OF THE SANGGUNIANG PANLUNGSOD
Cagayan de Oro City**

Sir/Ma'am:

Respectfully endorsing herein attached Memorandum of Agreement (MOA) to be executed by and between the CLGU Cagayan de Oro and the Department of Agriculture – Regional Field Office 10 for the grant of one (1) unit Pump and Engine Set of this city duly reviewed and recommended by the City Legal Office.

We would like to request the City Council for a resolution authorizing the undersigned to sign the MOA.

Thank you.

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY COUNCIL
Date Received: 2/1/18 Time: 1:10 pm
By: [Signature] Comm. No. _____
A TRUE COPY TAKEN
[Signature]
Date: _____
ARTURO S. DE SAN MIGUEL
City Secretary

Very truly yours,

[Signature]
OSCAR S. MORENO
City Mayor



Republic of the Philippines
CITY OF CAGAYAN DE ORO

CITY LEGAL OFFICE

23 January 2018

HECTOR R. SAN JUAN, DVM

City Agriculturist
Cagayan de Oro City

Dear Dr. San Juan:

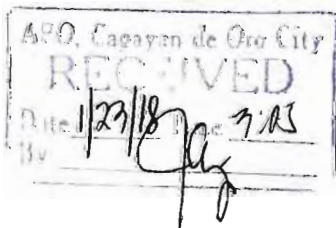
This pertains to your herein attached 1st Indorsement dated 18 January 2018, relative to the MEMORANDUM OF AGREEMENT ("MOA") between the City Local Government Unit of Cagayan de Oro City (CLGU) and Department of Agriculture, Regional Field Office 10 (DA RFO 10), for the grant of one (1) unit Pump and Engine Set, with a request for our review and legal opinion.

After a careful review, this Office finds the said Memorandum of Agreement to be in legal order. Thus, on the assumption that the City Government of Cagayan de Oro is willing and able to comply with its terms and condition, we recommend that it be duly forwarded to the City Council with a request that the necessary Ordinance authorizing the City Mayor, Hon. Oscar S. Moreno, to enter into and sign the same be duly enacted.

For your information and appropriate action.

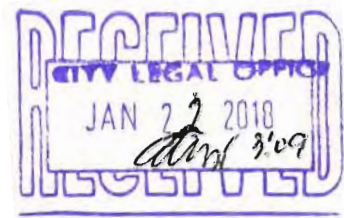


ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer





Republic of the Philippines
City of Cagayan de Oro
CITY AGRICULTURE OFFICE



January 18, 2018

ATTY. DONALD G. DELEGENCIA
OIC – City Legal Office
Cagayan de Oro City

Sir:

Endorsing herein attached draft Memorandum of Agreement entered into by and executed by and between the Department of Agriculture – Regional Field Office 10 and the Local Government Unit of Cagayan de Oro City for the grant of one (1) unit Pump and Engine Set.

For your review and possible endorsement.

Thank you.

Very truly yours,


HECTOR R. SAN JUAN, DVM
City Agriculturist

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

The Memorandum of Agreement executed and entered into by and between:

The **DEPARTMENT OF AGRICULTURE, REGIONAL FIELD OFFICE 10**, Cagayan de Oro City, represented herein by the Regional Executive Director, **CARLENE C. COLLADO, CPA**, herein referred to as "**DA RFO 10**";

-and-

The **CITY LOCAL GOVERNMENT UNIT OF CAGAYAN DE ORO CITY** with office address at Cagayan De Oro City, Misamis Oriental represented herein by the City Mayor, **HON. OSCAR S. MORENO**, herein referred to as the "**CLGU/PROPONENT**";

-WITNESSETH-

WHEREAS, the **DA RFO 10** pursuant to its mandated function of promoting agricultural development through a bottom-up self-reliant farming systems approach that will emphasize equity, productivity and sustainability in the use of agricultural resources is providing integrated services to ensure the increase in the farm productivity as well as farmers income;

WHEREAS, **DA RFO 10** projects and interventions, are vital undertaking in increasing agricultural productivity and the agency also need to secure and install mitigating measures against the unpredictable calamities which will affect the agricultural areas of the region;

WHEREAS, **DA RFO 10** implementation is undertaken in partnership with the Provincial Local Government Units with various project components addressing the convergence area and strategic production zones;

NOW THEREFORE, for and in consideration of the foregoing premises, the parties hereto mutually agreed to undertake the project, in accordance with the following terms and conditions;

Section 1. The DA RFO 10 shall:

1. Transfer to **CLGU Cagayan De Oro City** the One (1) unit of Pump and engine set amounting to Ninety Thousand Pesos (Php.90,000.00).
2. Regularly monitor the activities of the **CLGU/Proponent** including the operation and maintenance of the equipment;
3. Ensure the installation/trial run/testing and evaluation of the equipment;
4. Provide such other support or assistance as maybe required by the composite teams to ensure the successful implementation of the project;
5. Reserve the right to intervene, institute corrective measures and repossess the equipment when not fully utilized, or properly used and in case of non-compliance of the parties with the stipulations of this Agreement; and
6. Turn -over to the **CLGU** the irrigation equipment without cost.

Section 2. The PLGU/Proponent shall:

1. Take charge as caretaker and temporarily lend the machinery/equipment to farmer's organization/ beneficiaries or neighboring Cities/Municipalities;
2. Responsible in shouldering the operating and maintenance cost of the irrigation equipment;
3. Where necessary secure all legal documentations e.g. permit to operate from DENR, etc. and shall have full accountability to any problem or issue arising to it;

4. Acknowledge receipt of the equipment and be responsible in its operation and maintenance;
5. Responsible in coming up with the guidelines and policy of operation, operating scheme, cost and strategies that is appropriate to them in consonance to the project objectives. Such will be submitted to DA for concurrence and be part of this agreement;
6. Utilize the irrigation equipment in accordance to its intended use, allow access and use by farmers and shall not in any way sell or mortgage the same;
7. Maintain a complete and detailed logbook of the equipment's operation and whenever requested, allow the DA Agencies/line bureaus monitoring team access to the same;
8. Responsible and accountable for the security of the irrigation equipment while in their custody and must ensure optimum utilization of the equipment; and
9. Strictly abide and follow the provisions, terms and conditions of the agreement as stipulated in this MOA.

Section 3. Breach of Agreement:

The DA-RFO shall confiscate the equipment from the CLGU when:

1. Not properly maintained and utilized for one year;
2. Not settling any problem arising in the use of the equipment for a period of one year;
3. There is a written complaint and any sanction arising from using, coming from the residents nearby and government unit/s; and
4. Not complying with the Memorandum of Agreement.

This agreement shall take effect on the date of the signing hereof of the parties concerned and shall terminate upon the satisfactory fulfillment of the terms and conditions embodied herein. Any modification or amendment shall be mutually agreed in writing by the parties concerned.

IN WITNESS HEREOF, the parties hereby affixed their signatures this day of _____, 201__ in _____, Philippines.

**DEPARTMENT OF AGRICULTURE
REGIONAL FIELD OFFICE 10**

**CITYLOCALGOVERNMENTUNIT
OFCAGAYAN DE ORO CITY**

CARLENE C. COLLADO, CPA
Regional Executive Director

OSCAR S. MORENO
City Mayor

Signed in the presence of:

ENGR. ROXANA H. HOJAS, CESO IV
Assistant Regional Director

HECTOR S. SAN JUAN, DVM
City Agriculturist

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF _____) S.S.
CITY/MUN. OF _____)

BEFORE ME, the undersigned Notary public for and in City/Municipality of _____, personally appeared, **Carlene C. Collado, CPA**, in his capacity as the Regional Executive Director, DA-Region 10 with ID Number _____;

-and-

Oscar S. Moreno, in his capacity as the City Mayor of Cagayan De Oro City, Misamis Oriental, with ID Number _____;

Both known to me as the same persons who executed the foregoing instrument and they acknowledged to me that the same is their free and voluntary act and deed and of the agencies they represent.

This instrument, consisting of ____ () pages, including the page on which this acknowledgement is written, has been signed on the left hand margin of each and every page thereof by the parties and their instrumental witnesses and sealed with my notarial seal.

In WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 201__ in the City/Municipality of _____.

Notary Public

Doc. No. _____
Page No. _____
Book No. _____

Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(SANGGUNIANG PANLUNGSOD)
18th CITY COUNCIL

(088) 857-4026; 857-4032; 857-4035; 857-2258

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Ordinance extending the deadline of the business permits and licenses renewal application of all stallholders in all public markets in the City from March 1, 2018 to March 25, 2018, and for this purpose no surcharges and penalties shall be collected from the taxpayers who will be availing hereof.

Respectfully referred to the **COMMITTEE on LAWS AND RULES**, the herein communications for study, investigation, report and recommendation.

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: March 1, 2018

for inclusion

APPROVES:

MARCH 1 - 25 / 2018

[Signature]
HON. IAN MARK Q. NACAYA, Chairman

[Signature]
HON. ZALDY O. OCON, Vice Chairman

[Signature]
HON. GEORGE S. GOKING, Member

[Signature]
HON. ROMEO V. CALIZO, Member

[Signature]
HON. ENRICO S. SALCEDO, Member

DISSENTING



Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
Sangguniang Panlungsod
Tel. # : 854-4026 / 857-4032 / 857-2258

Communication Number: 2018-1460
Communication Number: -

Date: 03/01/2018
Receiver: MERCY

From: CEED

From:
Subject:

INDORSING WITH FAVORABLE RECOMMENDATION THE LETTERS FROM THE COGON UNITED MARKET VENDORS ASSOCIATION (CUMVA), THE CDO FARMERS MARKET AND TERMINAL OF COGON AND CARMEN PUBLIC MARKETS AND THE EAST-WESTBOUND TERMINAL AND PUBLIC MARKET, RESPECTIVELY, REQUESTING TO EXTEND THE RENEWAL OF BUSINESS PERMITS, FEES AND LICENSES FROM FEBRUARY TO MARCH 28, 2018.

Respectfully referred to COMMITTEE ON ECONOMIC ENTERPRISES
the herein communication for study, investigation, report and/or recommendation.

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: Feb 28, 2018

HON. IAN MARK Q. NACAYA
Chairperson

HON. GEORGE S. GOKING
Vice Chairperson

HON. ENRICO D. SALCEDO
Member

HON. REUBEN R. DABA
Member

HON. TEODULFO E. LAO, JR.
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

HON. LEON D.M. GAN, JR.
Minority Floor Leader

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING



February 28, 2018

HON. OSCAR S. MORENO
City Mayor
Cagayan de Oro City

HON. IAN MARK Q. NACAYA
City Councilor
Majority Floor Leader
Chairman, City Economic Enterprises Committee
City Council, Cagayan de Oro City

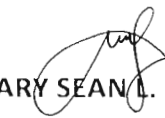
Sirs:

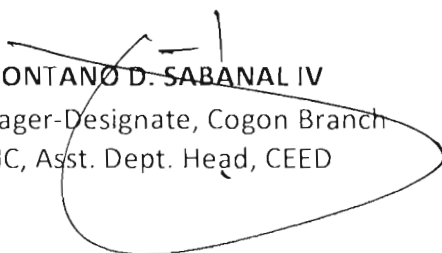
Attached are letters from the Cogon United Market Vendors Association (CUMVA), Carmen United Vendors Association (CUVA) and the Cagayan de Oro Farmers Market and Terminal of Cogon and Carmen Public Markets and the East-Westbound Terminal and Public Market, respectively, re their requests to extend the renewal of Business Permits, Fees and Licenses from February 28, 2018 to March 28, 2018 with information that the undersigned Branch Managers of Cogon, Carmen and Puerto Public Markets and the Officer-Incharge of East-Westbound Terminal and Public Market, this city, hereby favorably recommend for a positive consideration for reasons therein-stated.

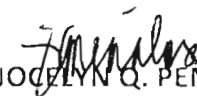
Thank you.

Respectfully yours,


OCHERED D. BERONDO
Manager-Designate, Puerto Branch


MARY SEAN L. MOLIG
Manager-Designate, Carmen Branch


MONTANO D. SABANAL IV
Manager-Designate, Cogon Branch
OIC, Asst. Dept. Head, CEED


MS. JOCELYN Q. PENALOSA
OIC, East-Westbound Terminal and Public Market

Noted by:


TEMOTEO L. CHAVEZ, CPA, MGM
Officer-In-Charge, CEED



3rd Floor, Cogon Public Market,
Barangay 33, Yacapin Street
Cagayan de Oro City, Philippines
www.cagayandero.gov.ph



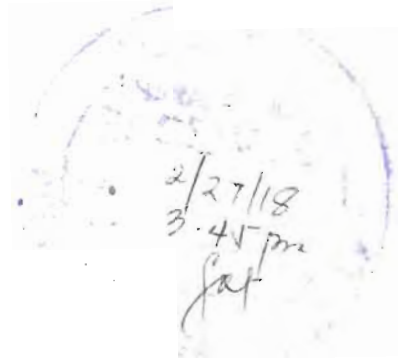
February 27, 2018

HON. OSCAR S. MORENO

City Mayor
Cagayan de Oro City

HON. IAN MARK Q. NACAYA

City Councilor
Majority Floor Leader
Chairman, City Economic Enterprises Committee
City Council, Cagayan de Oro City



Sirs:

In behalf of the Officers and members of the Cogon United Market Vendors Association (CUMVA), Cogon Public Market, this city, under the Presidency of Engr. Franklin T. Dagcuta, who is presently out of town, the undersigneds would like to express our request to for the extension of the renewal of our Business Permits, Fees and Licenses from February 28 to March 28, 2018.

The reason for the delay of our processing is due to the calamity that hit our city last December 22, 2017 by the Typhoon Vinta which caused damage to our market operations and our families.

We are very willing to comply with the system on Business Permits. We Earnestly hope that we will be given the chance to settle this regulatory policy by favorably acting on our request.

Thank you and more power!

Respectfully yours,


CHARITA C. SIA
Asst. Auditor, CUMVA


MERCIDETA O. TRINIDAD
Treasurer, CUMVA


NENITA C. CAPAWA
Vice Chairman, CUMVA

CARMEN UNITED VENDORS ASSOCIATION
Carmen Public Market
Cagayan de Oro City

February 27, 2018

HON. OSCAR S. MORENO
City Mayor
Cagayan de Oro City

HON. IAN MARK Q. NACAYA
Chairman, Committee on Economic Enterprise
Cagayan de Oro City



Sir,

Kami mga stallholders sa Carmen Public Market maghangyos extension sa Renewal sa Business Permit schedule tungod sa mga kakulangan ug sa mga panghimabaw nga nakaapekto sa among pangnabulu sama sa Bagyong Vinta adtong niaging Disyembre 22, 2017.

Kung imong suportahan kining maong hangyo, amo untang i extend ngadto sa March 22, 2018 ang last day sa Renewal sa Business Permit sa Carmen Market.

Daghang salamat sa imong makanunayong suporta.

Matinaluron,

Santiago Canoy Jr
CUVA President
Edilberto Diez
Fruits Section President
Belon Villadorres
FVS Section President
Elizabeth Wabe
CA Section President
Bonifacio Navarro
FVS, MAS Section President
Vivencio Yder
Vegetable Section President

Francisco Taray
MAN Section President
Malikha Batara
Perimeter Stall Section President
Alvin Labadan
Mahogany Section President
Romel Cuizon
Meat Section President
Jester Caguyan
WF, WP Section President
Francesca Talataayod
Bread, CF Section President



Republic of the Philippines
City of Cagayan de Oro

CdeQ-Farmers Market and Terminal Association (COFAMTA)
Cofamta1234@gmail.com

February 27, 2018

HON. OSCAR S. MORENO

City Mayor
Cagayan de Oro City

Hon. Oscar Moreno:

2/28/18
8:19am
jat

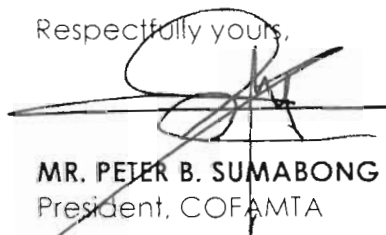
In behalf of the officers and members of the Cagayan de Oro- Farmers Market and Terminal Association (COFAMTA), Westbound Terminal and Public Market, this city, under the presidency of Mr. Peter B. Sumabong, the following undersigned would like to express our request for the extension of the renewal of our Business Permits, Fees, and Licenses from February 28 to March 28, 2018.

The reason for the delay of our processing is due to the calamity that hit our city last December 22, 2017 by Typhoon Vinta which caused damage to our market operations and our families.

We are very willing to comply with our system on Business Permits. We earnestly hope that we will be given the chance to settle this regulatory policy by favorably acting on our request.

Thank you and more power!

Respectfully yours,



MR. PETER B. SUMABONG
President, COFAMTA



MS. JESSYL M. TAPIA
Vice President, COFAMTA



MS. LUCILA D. PIQUERO
Treasurer, COFAMTA

