



18th CITY COUNCIL

Cagayan de Oro

AGENDA



84th Regular Session
Monday / June 04, 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...



cagayan
de Oro
city of golden friendship

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



June 1, 2018

THE HONORABLE MEMBERS

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

Gentlemen and Ladies:

Please be informed that the **84th Regular Session** of the 18th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro will be on **Monday, 04 June 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

First District

Second District

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

Ex-Officio Member

HON. YAN LAM S. LIM
CITY COUNCILOR
LIGA NG MGA BARANGAY PRESIDENT

**AGENDA OF THE 84TH REGULAR SESSION OF THE 18TH CITY COUNCIL
(SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO ON
MONDAY, 4 JUNE 2018**

Order of Business

- A. CALL TO ORDER BY THE HONORABLE CHAIR AND PRESIDING OFFICER**
- B. INVOCATION BY HONORABLE CITY COUNCILOR NADYA EMANO-ELIPE**
- 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 MAY 28, 2018
(SEE APPENDIX "A" / Pages 1-15)**
- G. SPECIAL REPORT**
- H. AGENDA PROPER:**

- 1) A. PROPOSED RESOLUTION NO. 2018-127** - returning to the Barangay Council of Barangay Bayabas, this City, its Ordinance No. 001-18, Series of 2018, covering its Annual Budget for CY 2018, with the information that said Ordinance is in order and therefore the same may be given force and effect as of the date fixed for its effectivity
(SEE APPENDIX "B" / Pages 16-25)

Document/s on file:

- Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated May 22, 2018
- Indorsement of the City Budget Officer
- Technical Review Analysis Sheet by the LFC
- Budget Message
- Ordinance No. 001-18, Series of 2018 of Barangay Bayabas
- Certified Statement of Income
- Actual and Estimated Income & Expenditures CY 2017
- Income and Expenditure Estimates CY 2018
- Personnel Schedule
- Annual Procurement Program
- 2018 Annual Investment Plan

COMMITTEE SPONSOR/S:

COMMITTEE ON **BARANGAY AFFAIRS**

-

COUNCILOR TEODULFO E. LAO, JR., VICE CHAIR

COMMITTEE ON **LAWS AND RULES**

-

COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON

- B. PROPOSED RESOLUTION NO. 2018-128** - returning to the Barangay Council of Tagpangi, this City, its Ordinance No. 1-2018, Series of 2017, covering its Annual Budget for CY 2018, with the information that said Ordinance is in order and therefore the same may be given force and effect as of the date fixed for its effectivity.
(SEE APPENDIX "C" / Pages 26-34)

Document/s on file:

- *Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated May 22, 2018*
- *Indorsement of the City Budget Officer*
- *Technical Review Analysis Sheet by the LFC*
- *Budget Message*
- *Ordinance No. 1-2018, Series of 2017 of Barangay Tagpangi*
- *Certified Statement of Income*
- *Actual and Estimated Income & Expenditures CY 2017*
- *Income and Expenditure Estimates CY 2018*
- *Personnel Schedule*
- *Annual Procurement Program*
- *2018 Annual Investment Plan*

COMMITTEE SPONSOR/S:

COMMITTEE ON **BARANGAY AFFAIRS**

-

COUNCILOR TEODULFO E. LAO, JR., VICE CHAIR

COMMITTEE ON **LAWS AND RULES**

-

COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON

- 2) PROPOSED ORDINANCE NO. 2018-79** - approving the application of Alveo Land Corporation, represented by Mr. Antonio S. Sanchez, III, Attorney-in-Fact, to change its subdivision project name from "Kayak Village 1A " to "Bayview Heights Phase I", located in Barangay Tablon, this City; and for this purpose, amending Ordinance No. 13346-2017.

(SEE APPENDIX "D" / Pages 35-42)

Document/s on file:

- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated May 7, 2018*
- *Endorsement of the City Housing Board dated March 5, 2018*
- *Endorsement of the City Planning & Devt Office dated February 15, 2018*
- *Subscribed Letter of Intent from Alveo Land Corporation*
- *Ordinance No. 13346-2017 (Development Permit Approval)*

COMMITTEE SPONSOR/S:

COMMITTEE ON **SUBDIVISION AND LANDED ESTATE**

-

COUNCILOR DOMETILO C. ACENAS, JR. CHAIR
COUNCILOR REUBEN R. DABA, MEMBER

COMMITTEE ON **LAWS AND RULES**

-

COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON

- 3) PROPOSED ORDINANCE NO. 2018-80** - approving the application of the City Government of Cagayan de Oro, represented by Honorable City Mayor Oscar S. Moreno, for Preliminary Approval and Locational Clearance (PALC) of Balubal Relocation Project, containing 369 lots/units, with an area of 46,479 square meters, located in Barangay Balubal, this City.

(SEE APPENDIX "E" / Pages 43-52)

Document/s on file:

- *Endorsement of City Vice Mayor Raineir Joaquin V. Uy dated March 26, 2018*
- *Endorsement of the Cagayan de Oro Housing Board dated March 21, 2018*
- *Endorsement of the City Planning and Devt Office dated March 8, 2018*
- *CPDO Recommendation for PALC*
- *Technical Evaluation by the City Engineer's Office dated March 1, 2018*
- *Application for PALC*
- *Letter of CHUDD dated February 20, 2018*
- *Subdivision Plan (blueprint)*
- *Social Acceptability Clearance issued by Barangay Balubal*
- *Transfer Certificate of Title (T-79313)*
- *Declaration of Real Property*
- *Zoning Certification issued by the CPDO*

COMMITTEE SPONSOR/S:

COMMITTEE ON **SUBDIVISION AND LANDED ESTATE**

COUNCILOR DOMETILO C. ACENAS, JR. CHAIR
COUNCILOR REUBEN R. DABA, MEMBER

COMMITTEE ON **LAWS AND RULES**

COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON

- 4) PROPOSED ORDINANCE NO. 2018-81** - approving the application of the National Housing Authority (NHA), represented by its Regional Manager, Engr. Judy A. Fernandez, for Development Permit (DP) of NHA-Hawak Kamay Multi-Purpose Cooperative Housing Project, with an area of 19,344 square meters, more or less, containing 118 lots/units located in Barangay Balulang, this City, subject to the herein conditions, to wit:

- that the construction of houses thereat shall only be undertaken upon completion of the flood control/road dike project of the DPWH at the Cagayan de Oro River, as stipulated in the Environmental Compliance Certificate (ECC) Addendum issued by the DENR-EMB as agreed by the awarded beneficiaries;
- the applicant-NHA shall strictly monitor the construction of houses in the said area;
- secure all necessary permits from other pertinent Government Agencies covering the implementation of the said project; and
- consider during the development stage the recommendation/remarks of the City Engineer's Office per technical evaluation dated November 21, 2016, and of the City Planning Development Office,

and for this purpose, repealing Ordinance No. 13357-2017.

(SEE APPENDIX "F" / 53-66)

Document/s on file:

- Endorsement of City Vice Mayor Raineir Joaquin V. Uy dated October 4, 2017
- Endorsement of City Housing Board dated May 7, 2018
- Letter of the DENR-EMB dated August 7, 2017
- Final Recommendation for Development Permit
- Technical Evaluation of the City Engineer's Office dated November 21, 2016
- Endorsement of the City Mayor dated January 23, 2018
- Letter of the City Housing Board dated January 18, 2018
- Affidavit of Undertaking by the NHA
- Project Profile
- Ordinance No. 13357-2017

COMMITTEE SPONSOR/S:

COMMITTEE ON **SUBDIVISION AND LANDED ESTATE**

COUNCILOR DOMETILO C. ACENAS, JR. CHAIR
COUNCILOR REUBEN R. DABA, MEMBER
COUNCILOR JAY R. PASCUAL, MEMBER

COMMITTEE ON **LAWS AND RULES**

COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON

- 5) PROPOSED ORDINANCE NO. 2018-82** - appropriating the sum of ₱79,593.36 from the "Continuing Appropriation-Annual Budget CY 2017, Non-Office: Economic Services Sector-Land Acquisition/ Expropriation" to be made available for the full payment of the claims for just compensation of the herein specified claimants of improvements (buildings), which were affected by the proposed 12.00-meter wide

road opening of Baculio St. from J. Pacana St. to Manual Vega St., in Barangay No. 21, this City; and for this purpose, authorizing the Honorable City Mayor to sign the corresponding Deeds of Absolute Sale thereof, to wit:

Owner/Claimant	Amount (pesos)
a) ROMEO B. QUIROGA	8,232.00
b) ROMEO B. QUIROGA	3,245.76
c) ROLANDO CEBALLOS	68,115.60

(SEE APPENDIX "G" / Pages 67-76)

Document/s on file:

- Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated November 20, 2017
- Endorsement of the City Mayor dated November 13, 2017
- Certificate of Availability of Funds (CAF) issued on March 22, 2017
- LFC Endorsement dated May 18, 2018
- Certificate of Availability of Funds issued on May 15, 2018
- Endorsement of the City Appraisal Committee dated October 24, 2017
- Endorsement of the City Legal Office dated October 26, 2017
- Appraisal Report dated October 6, 2017

COMMITTEE SPONSOR/S:

COMMITTEE ON SUBDIVISION AND LANDED ESTATE	-	COUNCILOR DOMETILO C. ACENAS, JR. CHAIR
COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS	-	COUNCILOR EDNA M. DAHINO, CHAIRPERSON COUNCILOR TEODULFO E. LAO, JR., VICE CHAIR COUNCILOR REUBEN R. DABA, MEMBER COUNCILOR GEORGE S. GOKING, MEMBER
COMMITTEE ON LAWS AND RULES	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON

- 6) PROPOSED ORDINANCE NO. 2018-83** - authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement (MOA) with the Department of Environment and Natural Resources–Region X, represented by Regional Director Arleigh J. Adorable, CESO III, covering the implementation of Rural Infrastructure Subproject – Proposed Development of Barangay Balubal (Purok 1) to Sitio Laguila Access Road, this City, under the terms and conditions specified therein.

(SEE APPENDIX "H" / 77-86)

Document/s on file:

- Endorsement of City Vice Mayor Raineir Joaquin V. Uy dated May 3, 2018
- Endorsement of City Mayor Oscar S. Moreno. dated May 28, 2018
- Endorsement of the City Legal Office dated April 30, 2018
- Draft MOA

COMMITTEE SPONSOR/S:

COMMITTEE ON PUBLIC WORKS	-	COUNCILOR JAY R. PASCUAL, CHAIRPERSON COUNCILOR REUBEN R. DABA, MEMBER COUNCILOR TEODULFO E. LAO, JR., MEMBER COUNCILOR LEON D. GAN, JR., EX-OFFICIO MEMBER
COMMITTEE ON LAWS AND RULES	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON

- 7) **PROPOSED RESOLUTION NO. 2018-129** - requesting Energy Regulatory Commission, Metro Manila, to expedite its final decision on the Motion for Reconsideration filed by the MORESCO I in ERC Case No. 2005-019 MC, *entitled*: "In the Matter of Dispute Resolution: Violation of Franchise Area of MORESCO I by CEPALCO", to facilitate the electrification of some rural areas in Cagayan de Oro City.

(SEE APPENDIX "I" / Pages 87-112)

Document/s on file:

- *Letter of MORESCO I dated May 21, 2018*
- *ERC Decision of ERC Case No. 2005-019 MC*
- *RA 9284*
- *Ordinance No. 10341-2006*

COMMITTEE SPONSOR/S:

COMMITTEE ON **ENERGY**

-

COUNCILOR TEODULFO E. LAO, JR., CHAIRPERSON

COMMITTEE ON **LAWS AND RULES**

-

COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON

**MINUTES OF THE 83RD REGULAR SESSION OF THE 18TH CITY COUNCIL
(SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO ON
MONDAY, 28 MAY 2018**

City Vice Mayor **RAINEIR JOAQUIN V. UY**, Presiding Officer, called the session to order at exactly 3:45 P.M.

The members present were the following:

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

First District:

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

Second District:

- City Councilor **NADYA EMANO-ELIPE**, ASSISTANT MINORITY FLOOR LEADER
- City Councilor **LEON D. M. GAN, JR.**, MINORITY FLOOR LEADER
- City Councilor **TEODULFO E. LAO, JR.**, ASST. MAJORITY FLOOR LEADER

Ex-Officio Member:

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

On Leave:

- City Councilor **EDNA M. DAHINO**
- City Councilor **MARIA LOURDES S. GAANE, MD.**

Absent:

- City Councilor **ZALDY O. OCON**
- City Councilor **ANNIE Y. DABA**
- City Councilor **DOMETILO C. ACENAS, JR.**
- City Councilor **IAN MARK Q. NACAYA**,
- City Councilor **SUZETTE G. MAGTAJAS-DABA** (*Indisposed*)
- City Councilor **ENRICO D. SALCEDO**

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

A. ON MINUTES OF THE 82ND REGULAR SESSION ON MAY 7, 2018

MOTION NO. 23664-2018

MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE 82ND REGULAR SESSION ON MAY 7, 2018, AND TO CONSIDER THE FURNISHING OF THE COPIES THEREOF TO EACH MEMBER AS THE READING ITSELF

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba & George S. Goking, UNANIMOUSLY CARRIED.

MOTION NO. 23665-2018

MOTION TO APPROVE THE MINUTES OF THE 82ND REGULAR SESSION ON MAY 7, 2018

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba & George S. Goking, UNANIMOUSLY CARRIED.

B. ON SPECIAL REPORT

- i. Councilor Reuben R. Daba reported about the presence of mentally-deranged persons in the city, even as he proposed for the creation of the Technical Working Group that will be tasked to formulate the City Mental Code, among others.

Action taken: The report was referred to the Committee on Social Services for appropriate action

- ii. Councilor Teodulfo E. Lao, Jr. aired the complaints of the riding public and commuters against the new taxi fare rates which has doubled vis-à-vis the previous rates and proposed that the implementation of such new fare rates be temporarily suspended by the LFTRB until such office conduct consultations and massive information dissemination thereof.

Action taken: The body adopted Resolution No.12985-2018

C. ON MINUTES OF THE 83RD REGULAR SESSION ON MAY 28, 2018

ORDINANCE NO. 13434-2018

AN ORDINANCE APPROVING **SUPPLEMENTAL BUDGET NO. 1 FOR CY 2018 OF THE GENERAL FUND** WITH AN ESTIMATED INCOME OF ₱92,546,996.74 AGAINST AN ESTIMATED EXPENDITURES OF THE SAME AMOUNT

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba, George S. Goking & Jay R. Pascual, CARRIED BY MAJORITY.

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

MOTION NO. 23666-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13434-2018**

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba, George S. Goking & Jay R. Pascual, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13435-2018

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) WITH THE **DEL MONTE FOUNDATION, INCORPORATED**, REPRESENTED BY ITS EXECUTIVE DIRECTOR, MA. BELLA VICTORIA G. QUIMPO; THE BALUBAL INTEGRATED SOCIAL FORESTRY FARMERS' ASSOCIATION (BISFFA), REPRESENTED BY ITS PRESIDENT, MR. PABLO M. BACTONG; AND THE BARANGAY COUNCIL OF BALUBAL, REPRESENTED BY ITS BARANGAY CHAIRMAN, HONORABLE VIVIAN M. MALINGIN, COVERING THE OPERATION OF THE CITY PLANT NURSERY IN BARANGAY BALUBAL, THIS CITY, UNDER THE TERMS AND CONDITIONS SPECIFIED THEREIN

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba, George S. Goking & Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 23667-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13435-2018**

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba & George S. Goking, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13436-2018

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) WITH THE **XAVIER UNIVERSITY-ATENEO DE CAGAYAN SENIOR HIGH SCHOOL**, REPRESENTED BY ITS VICE PRESIDENT, DULCE R. DAWANG, COVERING THE IMPLEMENTATION OF THE DEPARTMENT OF EDUCATION (DEPED) SENIOR HIGH SCHOOL (SHS) PROGRAM'S WORK IMMERSION PARTNERSHIP WITH THE LOCAL GOVERNMENT UNIT, UNDER THE TERMS AND CONDITIONS SPECIFIED THEREIN

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba, George S. Goking & Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 23668-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13436-2018**

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba & George S. Goking, UNANIMOUSLY CARRIED

ORDINANCE NO. 13437-2018

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) WITH **THE CORPUS CHRISTI SCHOOL**, REPRESENTED BY ITS SCHOOL HEAD, DR. ALFONSO C. DEL FIERRO JR., COVERING THE IMPLEMENTATION OF THE DEPARTMENT OF EDUCATION (DEPED) SENIOR HIGH SCHOOL (SHS) PROGRAM'S WORK IMMERSION PARTNERSHIP WITH THE LOCAL GOVERNMENT UNIT, UNDER THE TERMS AND CONDITIONS SPECIFIED THEREIN

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba, George S. Goking & Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 23669-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13437-2018**

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba & George S. Goking, UNANIMOUSLY CARRIED.

RESOLUTION NO. 12981-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BARANGAY NO. 39**, THIS CITY, ITS ORDINANCE NO. 02, SERIES OF 2018, COVERING ITS SUPPLEMENTAL BUDGET NO. 1 FOR CALENDAR YEAR 2018, WITH THE INFORMATION THAT SAID ORDINANCE IS IN ORDER AND THEREFORE THE SAME MAY BE GIVEN FORCE AND EFFECT AS OF THE DATE FIXED FOR ITS EFFECTIVITY

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba & George S. Goking, UNANIMOUSLY CARRIED.

MOTION NO. 23670-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12981-2018**,

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba, George S. Goking & Jay R. Pascual, UNANIMOUSLY CARRIED.

RESOLUTION NO. 12982-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **CAMAMAN-AN**, THIS CITY, ITS ORDINANCE NO. 114, SERIES OF 2017, COVERING ITS ANNUAL BUDGET FOR CALENDAR YEAR 2018, WITH THE INFORMATION THAT SAID ORDINANCE IS IN ORDER AND THEREFORE THE SAME MAY BE GIVEN FORCE AND EFFECT AS OF THE DATE FIXED FOR ITS EFFECTIVITY

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba, George S. Goking & Romeo V. Calizo, UNANIMOUSLY CARRIED.

MOTION NO. 23671-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12982-2018**

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Jay R. Pascual, Romeo V. Calizo & George S. Goking, UNANIMOUSLY CARRIED.

RESOLUTION NO. 12983-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BARANGAY NO. 37**, THIS CITY, ITS ORDINANCE NO. 01, SERIES OF 2018, COVERING ITS ANNUAL BUDGET FOR CALENDAR YEAR 2018, WITH THE INFORMATION THAT SAID ORDINANCE IS IN ORDER AND THEREFORE THE SAME MAY BE GIVEN FORCE AND EFFECT AS OF THE DATE FIXED FOR ITS EFFECTIVITY

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba, George S. Goking & Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 23672-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12983-2018**

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilor Jay R. Pascual, UNANIMOUSLY CARRIED.

RESOLUTION NO. 12984-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BARANGAY NO. 24**, THIS CITY, ITS UNNUMBERED ORDINANCE, ENTITLED: "AN ORDINANCE REQUIRING THE MANDATORY SEGREGATION OF WASTE AT SOURCE TO ALL RESIDENTS, LEASE OCCUPANTS OF ANY BUSINESS, COMMERCIAL, PRIVATE AND PUBLIC ESTABLISHMENTS OF BARANGAY 24 AND PROVIDING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES", WITH THE INFORMATION THAT SAID ORDINANCE IS IN ORDER AND THEREFORE THE SAME MAY BE GIVEN FORCE AND EFFECT AS OF THE DATE FIXED FOR ITS EFFECTIVITY

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Jay R. Pascual, George S. Goking, & Reuben R. Daba, UNANIMOUSLY CARRIED.

MOTION NO. 23673-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12984-2018**

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba, Jay R. Pascual & George S. Goking, UNANIMOUSLY CARRIED.

MOTION NO. 23674-2018

MOTION TO INCLUDE THE FOLLOWING AS ITEMS:

- 8) **PROPOSED ORDINANCE NO. 2018-78** - granting one step Salary Grade increase, from Grade 26/2 to Grade 27/2, to Dr. Fe C. Bongcas, City Health Officer, City Health Office (CHO), this City, who will compulsorily retire from the government service on September 1, 2018, pursuant to RA 7305, also known as the Magna Carta for Public Health Workers.
- 9) **PROPOSED RESOLUTION NO. 2018-126** – requesting the Land Transportation Franchising and Regulatory Board-Region 10 (LTFRB-X) to temporarily suspend the implementation of the new taxi fare rates in the city until such office conduct consultations with commuters and stakeholders and carryout massive information dissemination thereof

PROPONENT: COUNCILOR TEODULFO E. LAO, JR.

Moved by Councilor Teodulfo E. Lao, Jr. , severally seconded by the members present, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13438-2018

AN ORDINANCE GRANTING ONE STEP SALARY GRADE INCREASE, FROM GRADE 26/2 TO GRADE 27/2, TO DR. FE C. BONGCAS, CITY HEALTH OFFICER, CITY HEALTH OFFICE (CHO), THIS CITY, WHO WILL COMPULSORILY RETIRE FROM THE GOVERNMENT SERVICE ON SEPTEMBER 1, 2018, PURSUANT TO RA 7305, ALSO KNOWN AS THE MAGNA CARTA FOR PUBLIC HEALTH WORKERS

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba, George S. Goking & Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 23675-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13438-2018**

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba & Jay R. Pascual, UNANIMOUSLY CARRIED.

RESOLUTION NO. 12985-2018

RESOLUTION REQUESTING THE LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD-REGION 10 (LTFRB-X) TO TEMPORARILY SUSPEND THE IMPLEMENTATION OF THE NEW TAXI FARE RATES IN THE CITY UNTIL TIME SUCH TIME THE SAID OFFICE CONDUCT CONSULTATIONS WITH COMMUTERS AND TRANSPORT STAKEHOLDERS, AND CARRY OUT MASSIVE INFORMATION DISSEMINATION THEREOF

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors George S. Goking, & Reuben R. Daba, UNANIMOUSLY CARRIED.

MOTION NO. 23676-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12985-2018**

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilors Reuben R. Daba & George S. Goking, UNANIMOUSLY CARRIED.

MOTION NO. 23677-2018

MOTION TO ADJOURN THE 83RDREGULAR SESSION OF THE 18TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO HELD ON MAY 28, 2018

Moved by Councilor Teodulfo E. Lao, Jr., severally seconded by the members present, UNANIMOUSLY CARRIED.

The session adjourned at 4:20 PM, May 28, 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



ORDINANCE NO. 13434-2018

AN ORDINANCE APPROVING SUPPLEMENTAL BUDGET NO. 1 FOR CY 2018 OF THE GENERAL FUND WITH AN ESTIMATED INCOME OF ₱92,546,996.74 AGAINST AN ESTIMATED EXPENDITURES OF THE SAME AMOUNT

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

SECTION 1. - The Supplemental Budget No. 1 for CY 2018 of the General Fund with an estimated income of ₱92,546,996.74 against an estimated expenditures of the same amount is hereby approved, viz:

A. STATEMENT OF FUNDING SOURCES

PARTICULARS	AMOUNT
1.0 SURPLUS	P 60,000,000.00
2.0 REVERSION/REALIGNMENT	
Non Office-Economic Services (Current)	
- Infrastructure Projects/Programs	
- OTHER DEVELOPMENTS PROGRAMS & PROJECTS	8,758,400.00
Continuing Appropriation - CY 2017	
Non Office-Economic Services	
- Infrastructure Projects/Programs	
- OTHER DEVELOPMENTS PROGRAMS & PROJECTS	889,900.00
City Planning & Development Office	
Non Office: Special Program/Projects	
- Implementation of City Shelter Plan - Land Development (portion of 60h Land @ P10M/hectare)	P 17,217,800.00
Continuing Allotment - CY 2017	
- Non Office: General Public Services Sector	
- Statutory Obligation	
LBP - Principal & Interest on Fly Over Projects, Traffic	
- Signal	
System & CCTV & Purchase of Heavy Equipment	3,000,000.00
Continuing Appropriation - CY 2016	
City Social Welfare & Services Department	
Non Office: Special Program/Projects	
- Care Center for Children	492,000.00
Continuing Appropriation- CY 2015	
Subsidy to NGAs-Aid to Public Attorney's Office	P 168,000.00



Continuing Appropriation- CY 2016 City Tourism & Cultural Affairs Non Office: Special Program/Projects - Mac Arthur Marker Improvement Project - Other Structure-Establishment of Tourism Lounge - Repair & Provision of equipment, furnitures, fixtures of the City Tourism Office/City Tourism Showroom - Renovation of Showhouse & Park Amenities	100,000.00 350,000.00
Continuing Allotment - CY 2015 City Tourism & Cultural Affairs Non Office: Special Program/Projects - Tourism & Cultural Promotion - Halad sa Pasko - Kagay-an Festival - Sister Cities Program - Balik Cagayan de Oro - Repair & Provision of equipments, furnitures, fixtures of the City Tourism Office/City Tourism Showroom Continuing Appropriation- CY 2015 - Construction of City Tourism Pasalubong Centers	1,716.44 26,255.00 2,160.20 28,407.00 6,750.00 20,235.00 476,099.03
Continuing Allotment - CY 2014 City Tourism & Cultural Affairs Non Office: Special Program/Projects - Tourism & Cultural Promotion - Tourism Travel Mart - Pasundayag Northern Mindanao - Pachada Cagayan de Oro - Kagay-an Festival - Sister Cities Program - Balik Cagayan de Oro - McArthur Marker - Repair & Provision of equipments, furnitures, fixtures of the City Tourism Office/City Tourism Showroom - Embarkation Area for Whitewater Rafting	204.44 22,000.00 951.36 7,225.00 86.50 16,801.93 1,640.22 400.72 58,768.44 10,242.16
Continuing Allotment - CY 2013 (Augmentation) City Tourism & Cultural Affairs Non Office: Special Program/Projects - Tourism & Cultural Promotion	15,272.48
Continuing Allotment - CY 2013 City Tourism & Cultural Affairs Non Office: Special Program/Projects	



- Tourism & Cultural Promotion	62,901.00
- Pasundayag	1,883.08
Continuing Allotment- 20% Development Fund CY 2011	
- Other Development Projects/programs	
- Proposed Commemorative Marker (Tree of Life), Brgy. 13	60,896.74
Continuing Allotment- CY 2014	
- Non Office: Economic Sector	
Lumpsum for Special Projects/Programs/Special Purpose Fund	
- Agricultural Productivity Office	
- LGU Counterpart for Livestock Auction Market	550,000.00
- LGU Counterpart for Techno-Demo Dairy Project	200,000.00
TOTAL ESTIMATED INCOME	P 92,546,996.74

B. STATEMENT OF SUPPLEMENTAL APPROPRIATIONS

IMPLEMENTING OFFICE	PARTICULARS	AMOUNT
GENERAL SERVICES SECTOR City Tourism & Cultural Affairs Division Non Office: Special Program	Operation of Kagay-an lawndale Spring & Resort 5 Pentair or/Hayward D.E Swimming pool filters of 60 sq. ft. filaments with stainless steel carts	P 1,210,000.00
City Housing & Urban & Devt. Dept. Non Office: Special Program	CHUDD Office Renovation Japan Non Grant Aid House Construction (LGU Counterpart) Pahiron Lumbia	P 2,635,800.00 P 17,217,800.00
Non Office : General Public Services	Subsidy to NGAs-Aid to Public Attorneys' Office Honorarium/Allowances for 2 Lawyers @ P7000/mox12 (Additional New Hired Lawyers) Task Force Hapsay Kable Other Maintenance & Operating Expenses	P 168,000.00 P 3,000,000.00
SOCIAL SERVICES SECTOR Non Office : Social Services Sector	Repair of Mother Teresa Home for Street Children	P 492,000.00



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CITY OF CAGAYAN DE ORO

OFFICE OF THE CITY COUNCIL

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Page 4 of 5 of Ordinance No. 13434-2018

ECONOMIC SERVICES SECTOR		
Agricultural Productivity Operation	Construction of 5 units Multi Purpose Drying Pavement (LGU Counterpart) @ P150,000.00/e	P 750,000.00
Non Office : Economic Services Sector	Painting of Recto Flyover, Velez-Recto St. <i>(Final Billing) (20% DF Project - CY 2011)</i>	60,896.74
	Implementation of Eco Brick Program (LGU Counterpart) <i>(Pursuant to Ord.No. 13274-2017 - MOA between CDO-LGU- Nestle Phil. Inc.- Green Antz Builders Inc.)</i>	1,012,500.00
	Construction of Tibasak, Macasandig Public Market	50,000,000.00
	Flood Control, FS Catanico	10,000,000.00
	Road Concreting, Gold City Village, Balulang	3,500,000.00
	Concrete Paving of Roads at Terry Hills Subd. -PII	2,500,000.00
TOTAL APPROPRIATIONS		₱ 92,546,996.74

SECTION 2. – If for any reason/s, any part of provision of this Ordinance shall be declared unconstitutional or rendered invalid, other parts or provisions thereof which are not affected shall continue to be in full force and effect.

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

APPROVED BY MAJORITY.

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



**cagayan
de Oro**
city of golden friendship

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Page 5 of 5 of Ordinance No. 13434-2018

ENACTED this 28th day of May 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



ORDINANCE NO. 13435-2018

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) WITH THE DEL MONTE FOUNDATION, INCORPORATED, REPRESENTED BY ITS EXECUTIVE DIRECTOR, MA. BELLA VICTORIA G. QUIMPO; THE BALUBAL INTEGRATED SOCIAL FORESTRY FARMERS' ASSOCIATION (BISFFA), REPRESENTED BY ITS PRESIDENT, MR. PABLO M. BACTONG; AND THE BARANGAY COUNCIL OF BALUBAL, REPRESENTED BY ITS BARANGAY CHAIRMAN, HONORABLE VIVIAN M. MALINGIN, COVERING THE OPERATION OF THE CITY PLANT NURSERY IN BARANGAY BALUBAL, THIS CITY, UNDER THE TERMS AND CONDITIONS SPECIFIED THEREIN

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

SECTION 1. - The Honorable City Mayor Oscar S. Moreno is hereby authorized to enter into and sign the Memorandum of Agreement (MOA) with the Del Monte Foundation, Incorporated, represented by its Executive Director, Ma. Bella Victoria G. Quimpo; the Balubal Integrated Social Forestry Farmers' Association (BISFFA), represented by its President, Mr. Pablo M. Bactong; and the Barangay Council of Balubal, represented by its Barangay Chairman, Honorable Vivian M. Malingin, covering the operation of the City Plant Nursery in Barangay Balubal, this City, under the terms and conditions specified therein.

SECTION 2. - The aforesated Memorandum of Agreement (MOA) consisting of three (3) pages on file with the Records Section of the Office of the Sangguniang Panlungsod-Secretary shall form part and parcel of this Ordinance.

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

ENACTED this 28th day of May 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



ORDINANCE NO. 13436-2018

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) WITH THE XAVIER UNIVERSITY-ATENEO DE CAGAYAN SENIOR HIGH SCHOOL, REPRESENTED BY ITS VICE PRESIDENT, DULCE R. DAWANG, COVERING THE IMPLEMENTATION OF THE DEPARTMENT OF EDUCATION (DEPED) SENIOR HIGH SCHOOL (SHS) PROGRAM'S WORK IMMERSION PARTNERSHIP WITH THE LOCAL GOVERNMENT UNIT, UNDER THE TERMS AND CONDITIONS SPECIFIED THEREIN

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

SECTION 1. - The Honorable City Mayor Oscar S. Moreno is hereby authorized to enter into and sign the Memorandum of Agreement (MOA) with the Xavier University-Ateneo de Cagayan Senior High School, represented by its Vice President, Dulce R. Dawang, covering the implementation of the Department of Education (DepEd) Senior High School (SHS) Program's Work Immersion Partnership with the Local Government Unit, under the terms and conditions specified therein.

SECTION 2. - The aforesated Memorandum of Agreement (MOA) consisting of seven (7) pages on file with the Records Section of the Office of the Sangguniang Panlungsod-Secretary shall form part and parcel of this Ordinance.

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

ENACTED this 28th day of May 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



ORDINANCE NO. 13437-2018

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) WITH THE CORPUS CHRISTI SCHOOL, REPRESENTED BY ITS SCHOOL HEAD, DR. ALFONSO C. DEL FIERRO JR., COVERING THE IMPLEMENTATION OF THE DEPARTMENT OF EDUCATION (DEPED) SENIOR HIGH SCHOOL (SHS) PROGRAM'S WORK IMMERSION PARTNERSHIP WITH THE LOCAL GOVERNMENT UNIT, UNDER THE TERMS AND CONDITIONS SPECIFIED THEREIN

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

SECTION 1. - The Honorable City Mayor Oscar S. Moreno is hereby authorized to enter into and sign the Memorandum of Agreement (MOA) with the Corpus Christi School, represented by its School Head, Dr. Alfonso C. Del Fierro Jr., covering the implementation of the Department of Education (DepEd) Senior High School (SHS) Program's Work Immersion Partnership with the Local Government Unit, under the terms and conditions specified therein.

SECTION 2. - The aforesated Memorandum of Agreement (MOA) consisting six (6) pages on file with the Records Section of the Office of the Sangguniang Panlungsod-Secretary shall form part and parcel of this Ordinance.

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

ENACTED this 28th day of May 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



Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
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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: A) Proposed Resolution returning to the Barangay Council of Barangay ~~Bayabas~~ this City, its Ordinance No. 01, Series of 2018, covering its Annual Budget for Calendar Year 2018, with the information that said Ordinance is in order and therefore the same may be given force and effect as of the date fixed for its effectivity.

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

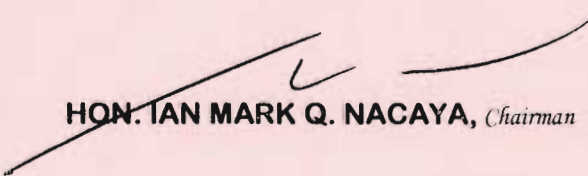
FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: June 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
Sangguniang Panlungsod
Tel. # : 854-4026 / 857-4032 / 857-2258

Communication Number: 2018-1650

Date: 05/22/2018

Receiver: JESSAMINE

From: CBO

Subject: ANNUAL BUDGET FOR CY 2018 OF BARANGAY BAYABAS, THIS CITY

Respectfully referred to **COMMITTEE ON BARANGAY AFFAIRS**
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: 5/22/18

CH - recommending approval

HON. YAN LAM LIM
Chairperson

HON. THEODULFO E. LAO, JR.
Vice Chairperson

HON. ENRICO D. SALCEDO
Member

HON. JAY R. PASCUAL
Member

HON. MARIA LOURDES S. GAANE
Member

HON. NADYA EMANO-ELIPE
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



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:

MAY 22 2018

FROM:

CBO

SUBJECT MATTER: ANNUAL BUDGET FOR CY 2018 OF BARANGAY BAYABAS, THIS CITY

ACTION: REFER TO COMMITTEE ON **BARANGAY AFFAIRS**

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 BUDGET OFFICER

Date Received

By

May 22, 2018

Apr to Cate a Bay. Affairs

The Honorable Members
City Council
Cagayan de Oro City

Gentlemen/Ladies:

Respectfully forwarding the herein Annual Budget CY 2018 of Barangay Brgy. Bayabas with an Estimated Income of P 10,667,452.00 as against Expenditures of same amount.

Attached is the duly accomplished Technical Review Analysis Sheet, for your consideration.

Thank you.

Very truly yours,

ATTY. PERCY G. SALAZAR
City Budget Officer

Cynthia R. Sy Piecco
CYNTHIA R. SY PIECCO
ASST. CITY BUDGET OFFICER

TECHNICAL REVIEW ANALYSIS SHEET
LGU: Barangay Bayabas
CY 2018 Annual Budget General Fund

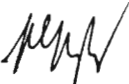
Approp. Items By Object of Expenditures	A m o u n t	City Budget Office Specific Findings	CBO Recommendation
1. Net available resources for Appropriation Less: Total Appropriations Unappropriated Balance	P 10,667,452.00 10,667,452.00 P -	Total appropriations did not exceed total income.	For Approval.
2. Appropriations for Personal Services a. Total Annual Regular Income actually realized from local sources during the next preceding (CY 2016) b. 55% thereof (Legal limitation for PS) c. Amount appropriated for PS d. Waived PS Items e. Net P. S. subject to limitation f. Still Allowable or (Deficiency)	P 3,062,897.00 P 8,938,221.84 4,916,022.00 3,062,897.00 487,375.00 2,575,522.00 2,340,500.00	Total Personal Services did not exceed the 55% limitation. Rates in accordance of LBC No. 113 dated January 5, 2017 (Uniform and proportionate application)	For Approval.
3. Development Fund a. Amount of IRA b. 20% thereof c. Amount Appropriated	1,840,482.00 9,202,412.00 1,840,482.00 1,840,482.00	Appropriation for 20% Development Fund is also provided in accordance with Sec. 287 LGC as implemented by DBM-DILG Joint Memorandum Circular No. 2011-1Series of 2012 dated April 13, 2011.	For Approval.
4. Reserved For: A. Sangguniang Kabataan (Sec. 329 LGC) a. Total Income (Gen. Fund) b. 10% thereof c. Amount Appropriated B. LDRRMF-Calamity Fund (Sec. 324 (d)) a. Total est. revenue fr. regular sources b. 5% thereof c. Amount Appropriated	1,065,445.00 10,654,452.00 1,065,445.00 1,065,445.00 532,723.00 10,654,452.00 532,723.00 532,723.00	Appropriations for the Sangguniang Kabataan activities pursuant to the 426(b) of RA 7160. Appropriation provided in compliance with Sec. 324 (d) of LGC as amended by Sec. 21 of RA No. 10121. Provision for basic services are also provided pursuant to Sec. 17(b) of RA 7160 (LGC) and Sec. 2.3.1 of LBM No.66 dated July 02-2012.	For Approval. For Approval.
5. Basic Services: Health & Nutrition Services, Administration and Legislative Services, etc.			For Approval.
6. Other Appropriations: Maint. & Other Oprtg. Expenditures Capital Outlay: Equipment Infrastructure Projects Others Non-Office/Special Project	4,145,905.00 20,000.00	7. That in all cases, disbursements of appropriations shall be subject to availability of funds and all accounting and auditing rules & regulations. 8. Compliance to all existing laws, administrative rules and regulations shall be the responsibility of the Barangay.	



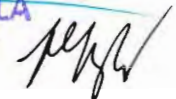
TECHNICAL REVIEW ANALYSIS SHEET
LGU: **Barangay Bayabas**
CY 2018 Annual Budget General Fund

General Findings/Observations:

The budget has substantially complied with all the budgetary requirements and general limitations as embodied under the Local Government Code and Local Budget Memorandum No. 75 dated June 1, 2017. Recommending favorable action thereon.

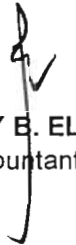

ATTY. PERCY G. SALAZAR
City Budget Officer

LOCAL FINANCE COMMITTEE:


RAMON ANTONIO MENDOZA
Acting City Treasurer
City Finance Department

ENGR. LEONIL G. MISTULA
OIC – Asst. City Treasurer
for Operations


ATTY. PERCY G. SALAZAR
City Budget Officer


TEODORO A. SABUGA-A, JR.
Acting City Administrator
City Administrator's Office


ATTY. BEDA JOY E. ELOT, CPA
City Accountant


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

City of Cagayan de Oro
BARANGAY BAYABAS
OFFICE OF THE SANGGUNIANG BARANGAY

MINUTES OF SESSION BARANGAY HALL HELD AT BARANGAY SESSION HALL ON
JANUARY 8,2018

PRESENT:

Punong Barangay	Eddie B.Abrogar
Barangay Kagawad	Romeo G.Taruc Jr.
Barangay Kagawad	Rudy O.Lago
Barangay Kagawad	Nida Q.Mallari
Barangay Kagawad	Enecita E.Legaspi
Barangay Kagawad	Anita B.Maandig
Barangay Kagawad	Verman C.Salvana
Barangay Kagawad	Jan Michael S.Neri
SK Chairman	

ABSENT:

RESOLUTION NO. 01
SERIES OF 2018

Presented for consideration is the Annual Budget of the Barangay Bayabas for the period January 1,2018 to December 31,2018 in the sum of P 10,683,429.00

NOW THEREFORE, on motion of Kagawad Romeo G.Taruc Jr. duly seconded by Kagawad Enecita E.Legaspi.

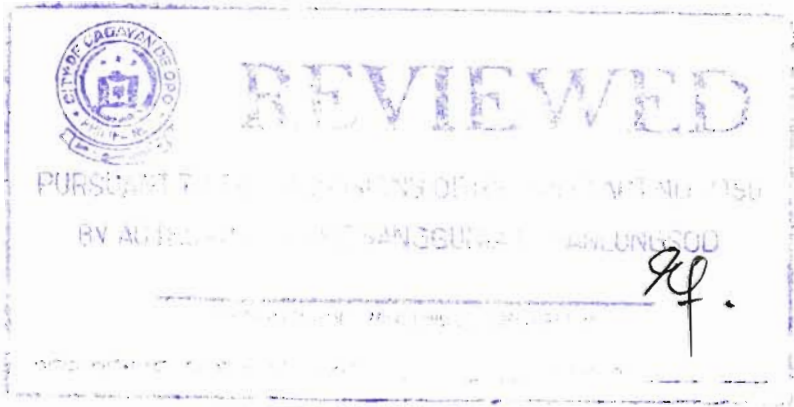
RESOLVED, as it was hereby resolved, to enact the following Appropriation Ordinance, to wit;

APPROPRIATION ORDINANCE NO. 001-18
SERIES OF 2018

APPROPRIATING FUNDS FOR THE PERIOD FROM JANUARY 1, 2018 TO DECEMBER 31, 2018.

Be it enacted by the SANGGUNIANG Barangay of Brgy. Bayabas that the Barangay Annual Budget covering the period from January 1, 2018 with a total estimated income of P 10,667,452.00 as against total appropriation in the amount of P 10,667,452.00.00 is hereby approved, summarized as follows.

1 Income		
Real Property Tax Due Component	P	213,000.00 ✓
Real Property Tax Equal Sharing		700,000.00 ✓
50% Community Tax		37,645.00 ✓
Business Taxes & Licenses		501,395.00 ✓
Government Fees & Charges		
Miscellaneous	-	Internal Rvenue Allotment(IRA) 9,202,412.00 ✓
Grants	-	City Financial Aid
	-	City Aid for BDF 3,000.00 ✓
	-	City Aid for Brgy. Police 10,000.00 ✓
Total Income		<u>P 10,667,452.00</u> ✓



APPROPRIATION

A: CURRENT OPERATION EXPENDITURES

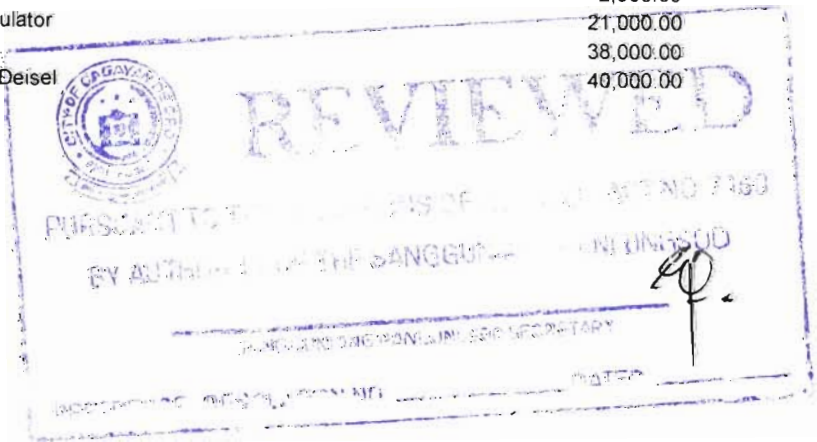
1	Personal Services	
	Honoraria of Barangay Council	P 2,489,520.00
	Year End Bonus-Cash Gift	55,000.00
	Vacation & Sick Leave Benefits	224,915.00
	Year End Bonus	207,460.00
	Other Personel Benefits	86,002.00
	Sub Total	P 3,062,897.00 ✓

2	Maintenance & Other Operating Expenses	
	Other Supplies Expenses-Uniform	P 30,000.00
	Insurance Premium & Fidelity Bond	15,184.00
	Other Supplies Expenses-Brgy. Tanod	30,000.00
	Other Maintenance & Operating Expenses-BCPC	50,000.00
	Membership Dues	17,500.00
	Training & Seminar Expenses	91,500.00
	Electric Expenses	250,000.00
	Water Expenses	72,000.00
	Other Maintenance & Operating Expenses-BPOC/BPAT/BADAC	60,000.00
	Auditing Services	46,012.00
	Other Maintenance & Operating Expenses-Extra-Ordinary	15,969.00
	Other Maintenance & Operating Expenses-Senior Citizen/PWD(AID)	95,968.00
	Other Maintenance & Operating Expenses of Fixture & Furniture	30,000.00
	Office Supplies Expenses	40,000.00
	Other Maintenance & Operating Expenses-Medical Assistance	50,000.00
	Telephone Expenses landline	30,000.00
	Financial Expenses	10,000.00
	Fuel and Oil Lubricants	200,000.00
	General Services-Job Order	2,104,704.00
	Repair & Maintenance &-Office Equipment	50,000.00
	Other Maintenance & Operating Expenses-Aid to Indigent	200,000.00
	Other Maintenance & Operating Expenses-GAD	30,000.00
	Other Maintenance & Operating Expenses-BWDC	30,000.00
	Financial Accountable forms	5,000.00
	Travelling Expenses	200,000.00
	Representation Expenses	6,500.00
	Repair & Maintenance of Motor Vehicle	179,240.00
	Cultural & Athletics Expenses	150,000.00
	OMOE- Masamasid	56,328.00
	Sub Total	P 4,145,905.00 ✓

3 Non-Office Expenditures

5% Calamity Fund

Breakdown	P 532,723.00 ✓
30%	159,816.00
70%	
1- unit Digital BP Apparatus	3,500.00
2- pcs Adj.Cervical Collar	3,600.00
1- rescue tube	2,400.00
1- Throw Bag10 M.	1,500.00
1- Ambu Bag	4,500.00
1- Bolt Cutter 24"	2,300.00
1-Portable Oxygen w/ Regulator	21,000.00
1-unit Manual Siren	38,000.00
1-Unit Pumb Boat Engine Deisel	40,000.00



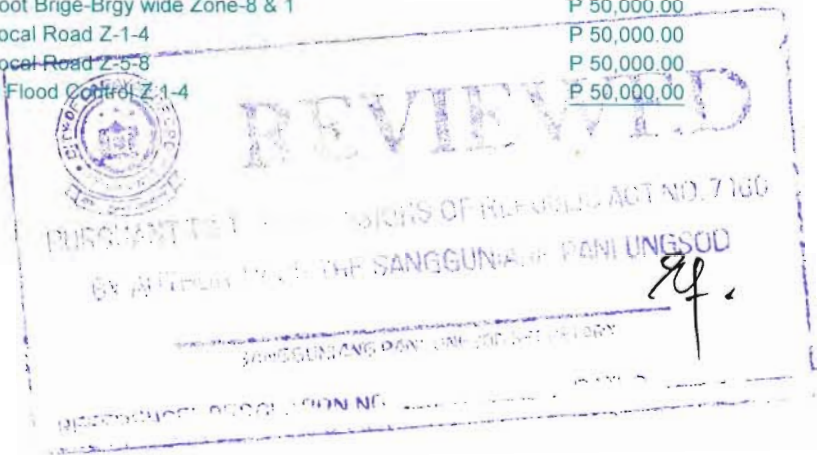
1-Unit Speed Boat Engine HAMAHA 10 HP.	129,107.00
BDRRMC Training & Fire olympics (BARANGAY LEVEL)	127,000.00
	372,907.00

10%	SK Fund	P 1,065,445
	Office Supplies Expenses	50,000.00
	Office Supplies Expenses-Uniform	20,000.00
	SK Pederasyon Election	20,000.00
	Mandatory Sk Training	70,000.00
	Equitable Access to Quality Education	20,000.00
	Environment Protection	20,000.00
	Climate Change adaption and Disaster Risk Reduction and Resiliency	30,000.00
	Youth Empowerment & Livelihood	20,000.00
	Nutrition Month	30,000.00
	Health	20,000.00
	Antai-Drug Abuse	20,000.00
	Gender Sensitivity	15,000.00
	Leadership Training Youth Camp	30,000.00
	Linggo ng Kabataan	20,000.00
	Cultural & Athletic Expenses	580,445.00
	Travel Expenses	70,000.00
	OMOE - LCPC	<u>30,000.00</u>
		P 1,065,445.00

20%	Devalopment Fund
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Breakdown of 20% DF	1,840,482.00
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construction of Drainage System @ Zone-2	P 50,000.00
construction of Drainage System @ Zone-3	P 50,000.00
construction of Drainage System @ Z-1 Proper	P 50,000.00
Const. of Bantay Dagat Head Quarters	P 50,000.00
Rahab MRF Z-1,2,3,4,5,6,7,8	P 50,000.00
Rehab of Lupon Office	P 50,000.00
Rehab of VAWC Comport Room	P 50,000.00
Rehab. of Covered Court of Brgy. Bayabas	600,000.00
Rehab of Floating Guard house	P 50,000.00
Concreting of Pathway-Zone Tsada	P 50,000.00
Concreting of Pathway-Sto nNo	P 50,000.00
Concreting of Pathway-Zone 2	P 50,000.00
Concreting of Pathway-Zone 4	P 50,000.00
Concreting of Pathway-Zone-1 Proper	P 50,000.00
Urban GreenIng -Brgy wide	P 40,482.00
Installation & Maint. of Street Lighting System Z-1	P 50,000.00
Installation & Maint. of Street Lighting System Z-2-3	P 50,000.00
Installation & Maint. of Street Lighting System Z-4	P 50,000.00
Installation & Maint. of Street Lighting System Z- 5	P 50,000.00
Installation & Maint. of Street Lighting System Z-6	P 50,000.00
Installation & Maint. of Street Lighting System Z-7	P 50,000.00
Rehab.of Foot Brige-Brgy wide Zone-6 & 7	P 50,000.00
Rehab.of Foot Brige-Brgy wide Zone-8 & 1	P 50,000.00
Rehab.of Local Road Z-1-4	P 50,000.00
Rehab of Local Road Z-5-8	P 50,000.00
Declogging Flood Control Z-1-4	P 50,000.00



B. Capital Outlay

Purchase of 3 unit of Intercom.

P 20,000.00

TOTAL BUDGETARY APPROPRIATIONS

GRAND TOTAL:

P 10,667,452.00

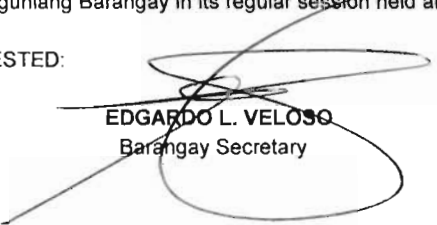
This Appropriation Ordinance shall take effect on January 08,2018

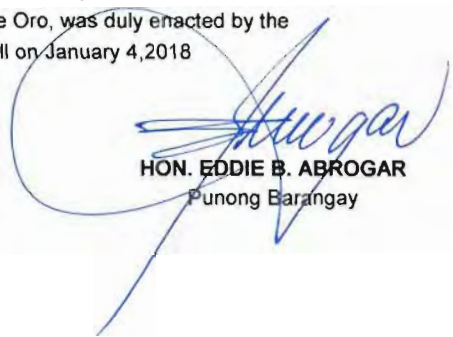
RESOLVED FURTHER, to submit copies of this Resolution with the approved budget as embodied in the Appropriation Ordinance to the Sangguniang Panlungsod for review.

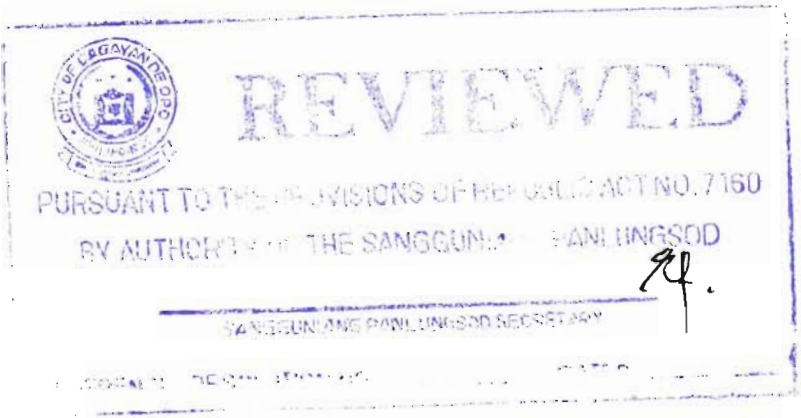
APPROVED January 4,2018

I hereby certify that the foregoing Resolution No. 01 embodying Appropriation Ordinance No.01-17 both series of 2018, which approved the Barangay Annual Budget for the period January 4 to December 31, 2018 of Barangay Bayabas, City of Cagayan de Oro, was duly enacted by the Sangguniang Barangay in its regular session held at Barangay Session Hall on January 4,2018

ATTESTED:


EDGARDO L. VELOSO
Barangay Secretary


HON. EDDIE B. ABROGAR
Punong Barangay



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: B) Proposed Resolution returning to the Barangay Council of Tagpangi, this City, its Ordinance No. 1-2018, Series of 2017, covering its Annual Budget for Calendar Year 2018, with the information that said Ordinance is in order and therefore the same may be given force and effect as of the date fixed for its effectivity.

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: June 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



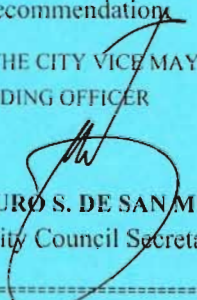
Communication Number: 2018-1647

Date: 05/21/2018
Receiver: JESSAMINE

From: CBO
Subject: ANNUAL BUDGET FOR CY 2018 OF BARANGAY TAGPANGI, THIS CITY.

Respectfully referred to **COMMITTEE ON BARANGAY AFFAIRS**
the herein communication for study, investigation, report and/or recommendation

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

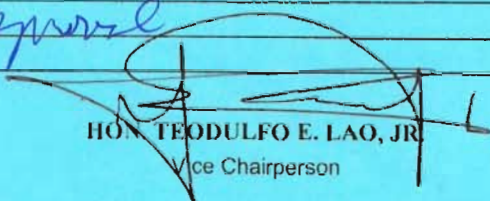

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 5/31/18

UR - recommending approval

HON. YAN LAM LIM
Chairperson


HON. TEODULFO E. LAO, JR.
Vice Chairperson

HON. ENRICO D. SALCEDO
Member

HON. JAY R. PASCUAL
Member

HON. MARIA LOURDES S. GAANE
Member

HON. NADYA EMANO-ELIPE
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



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:

MAY 22, 2018

FROM:

CBO/ BARANGAY TAGPANGI, CDO

SUBJECT MATTER: ANNUAL BUDGET FOR CY 2018 OF BARANGAY TAGPANGI, THIS CITY.

ACTION:

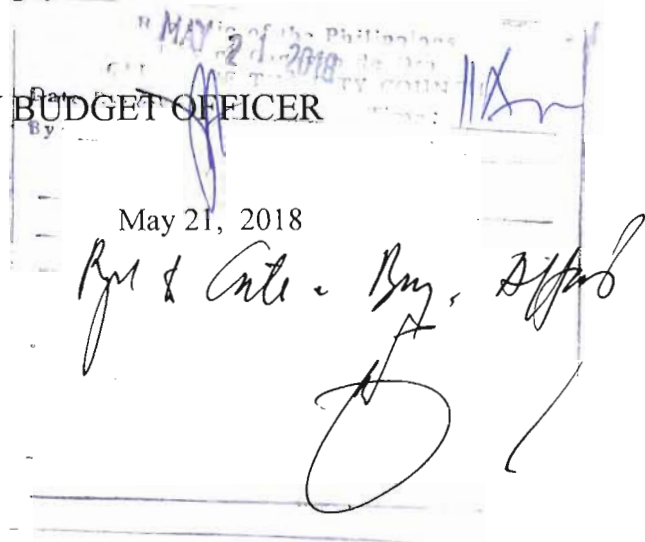
REFER TO COMMITTEE ON **BARANGAY AFFAIRS.**

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 BUDGET OFFICER



The Honorable Members
City Council
Cagayan de Oro City

Gentlemen/Ladies:

Respectfully forwarding the herein Annual Budget CY 2018 of Barangay Brgy. Tagpangi with an Estimated Income of P 3,533,763.00 as against Expenditures of same amount.

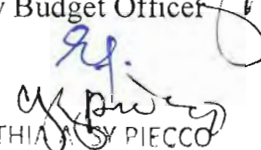
Attached is the duly accomplished Technical Review Analysis Sheet, for your consideration.

Thank you.

Very truly yours,

ATTY. PERCY G. SALAZAR

City Budget Officer


CYNTHIA A. SY PIECCO
ASST. CITY BUDGET OFFICER

TECHNICAL REVIEW ANALYSIS SHEET
LGU: Barangay Tagpangi
CY 2018 Annual Budget General Fund

Approp. Items By Object of Expenditures	A m o u n t	City Budget Office Specific Findings	CBO Recommendation
1. Net available resources for Appropriation Less: Total Appropriations Unappropriated Balance	P 3,533,763.00 3,533,763.00 P -	Total appropriations did not exceed total income.	For Approval.
2. Appropriations for Personal Services a. Total Annual Regular Income actually realized from local sources during the next preceding (CY 2016) P 3,076,133.51 b. 55% thereof (Legal limitation for PS) 1,691,873.43 c. Amount appropriated for PS 1,542,818.00 d. Waived PS(Cash Gift/V&S Leave Benefit) 268,611.00 e. Net P.S. subject to limitation 1,274,207.00 h. Still Allowable or (Deficiency) 417,666.43	P 1,542,818.00	Total Personal Services did not exceed the 55% limitation. Rates in accordance w/ LBC No. 113 dated January 05, 2017 (Uniform and proportionate application)	For Approval.
3. 20% Development Fund a. Amount of IRA 2,616,681.00 b. 20% thereof 523,336.00 c. Amount Appropriated 523,336.00	523,336.00	Appropriation for 20% Development Fund is also provided in accordance with Sec. 287 LGC as implemented by DBM-DILG Joint Memorandum Circular No. 2011-1Series of 2012 dated April 13, 2011.	For Approval.
4. Reserved For: A. Sangguniang Kabataan (Sec. 329 LGC) a. Total Income (Gen. Fund) 3,412,763.00 b. 10% thereof 341,276.00 c. Amount Appropriated 341,276.00 B. LDRRMF-Calamity Fund (Sec. 324 (d)) a. Total est. revenue fr. regular sources 3,412,763.00 b. 5% thereof 170,638.00 c. Amount Appropriated 170,638.00	341,276.00 170,638.00	Appropriations for the Sangguniang Kabataan activities pursuant to the 426(b) of RA 7160. Appropriation provided in compliance with Sec. 324 (d) of LGC as amended by Sec. 21 of RA No. 10121.	For Approval. For Approval.
5. Basic Services: Health & Nutrition Services, Administration and Legislative Services, etc.		Provision for basic services are also provided pursuant to Sec. 17(b) of RA 7160 (LGC) and Sec. 2.3.1 of LBM No.66 dated July 02-2012.	For Approval.
6. Other Appropriations: Maint. & Other Oprtg. Expenditures 901,695.00 Capital Outlay: Equipment - Infrastructure Projects 54,000.00 Others - Non-Office/Special Project	901,695.00 - 54,000.00 -	That in all cases, disbursements of appropriations shall be subject to availability of funds and all accounting and auditing rules & regulations. Compliance to all existing laws, administrative rules and regulations shall be the responsibility of the Barangay.	

General Findings/Observations:

TECHNICAL REVIEW ANALYSIS SHEET
LGU: **Barangay Tagpangi**
CY 2018 Annual Budget General Fund

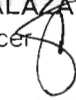
The budget has substantially complied with all the budgetary requirements and general limitations as embodied under the Local Government Code and Local Budget Memorandum No. 75 dated June 1, 2017. Recommending favorable action thereon.


ATTY. PERCY G. SALAZAR

 City Budget Officer 

LOCAL FINANCE COMMITTEE:


RAMON ANTONIO R. MENDOZA
Acting City Treasurer
City Finance Department 


ATTY. PERCY G. SALAZAR
 City Budget Officer 


TEODORO A. SABUGA-A, Jr.
Acting City Administrator
City Administrator's Office


ATTY. BEDA JOY B. ELOT, CPA
City Accountant


ENGR. ISIDRO A. BORJA
City Planning & Dev't. Coordinator 

Republic of the Philippines
City of Cagayan de Oro
BARANGAY TAGPANGI

OFFICE OF THE SANGGUNIANG BARANGAY

MINUTES OF SESSION BARANGAY TAGPANGI HELD AT BARANGAY SESSION HALL ON
February 2, 2018.

PRESENT:

Punong Barangay	ANNIECRIS G. SABANG
Barangay Kagawad	ANECITO E. GACANG
Barangay Kagawad	CHENET MARIANAS
Barangay Kagawad	GRACE HAGONAO
Barangay Kagawad	ROSALYN DUHAYLONGSOD
Barangay Kagawad	LYDIA LOYOLA
Barangay Kagawad	JOVY VELASQUEZ
Barangay Kagawad	ARCHIE CALAM

ABSENT: None

RESOLUTION NO. 2-2018
SERIES OF 2018

Presented for consideration is the Annual Budget of the Barangay Tagpangi for the period
January 1, 2018 to December 31, 2018 in the sum of P 3,533,763.00.

NOW THEREFORE, on motion of Kagawad Anecito Gacang duly seconded by Kagawad
Chenet Marianas

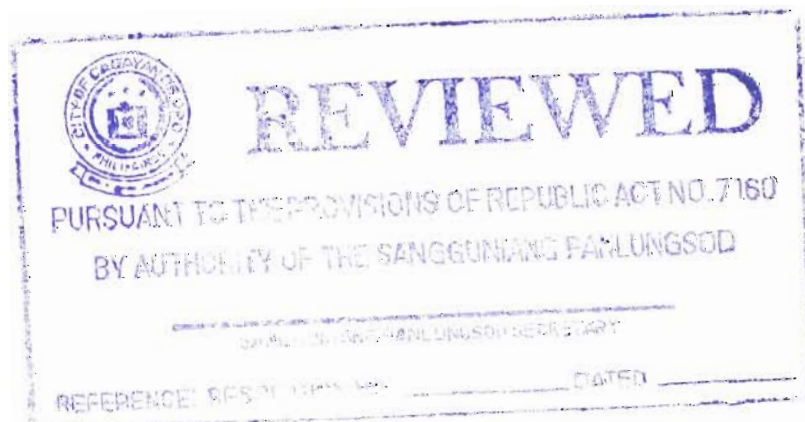
RESOLVED, as it was hereby resolved, to enact the following Appropriation Ordinance, to wit:

APPROPRIATION ORDINANCE NO. 1- 2018
SERIES OF 2018

APPROPRIATING FUNDS FOR THE PERIOD FROM JANUARY 1, 2018 TO DECEMBER 31, 2018.

Be it enacted by the Sangguniang Barangay of Tagpangi that the Barangay Annual Budget
covering the period from January 1 to December 31, 2018 with a total estimated income of P 3,533,763.00
as against total appropriation in the amount of P 3,533,763.00 is hereby approved, summarized as follows.

1 Income			
Real Property Tax Due Component			P 56,000.00
Real Property Tax Equal Sharing			700,000.00
Government Service Fees & Other Charges			27,314.00
Community Tax			12,768.00
Miscellaneous	-	Internal Rvenue Allotment(IRA)	2,616,681.00
Grants	-	City Aid for BDC	3,000.00
		City Financial Aid	108,000.00
	-	City Aid for Brgy. Police	10,000.00
Total Income			<u>P 3,533,763.00</u>



APPROPRIATION

A: CURRENT OPERATION EXPENDITURES

1	Personal Services		
	Honoraria		P 1,244,207.00
	Year End Bonus-Cash Gift		50,000.00
	Mid - Year Bonus		78,611.00
	Vacation & Sick Leave Benefits		50,000.00
	Year End Bonus		90,000.00
	Productivity Enhancement Incentive		30,000.00
	Sub Total		<u>P 1,542,818.00</u>
2	Maintenance & Other Operating Expenses		
	Auditing Expenses		13,083.00
	Training & Scholarship Expenses		12,910.00
	Extraordinary & Miscl. Expenses		15,128.00
	Insurance/Reinsurance Premium		30,000.00
	Membership Dues- Liga ng Barangay		15,500.00
	Electricity Expenses		30,000.00
	Travelling Expenses		20,000.00
	Office Supplies Expenses		20,000.00
	Other Supplies Expenses- Brgy. Police		10,000.00
	Repair & Maintenance- Land Transportation		20,000.00
	Other Maintenance & Operating Expenses-Health & Nutrition Program		10,000.00
	Other maintenance & Operating Expenses-Implementation of LCPC		10,000.00
	Other Maintenance & Operating Expenses-Aid to Senior Citizen		18,000.00
	Other Maintenance & Operating Expenses-Barangay Assembly		6,000.00
	Other Maintenance & Operating Expenses-Barangay Day		10,000.00
	Other Maintenance & Operating Expenses-GAD		10,000.00
	Cultural & Athletic Expenses		72,000.00
	Representation Expenses		6,500.00
	Other Maintenance & Operating Expenses-Anti-Illegal Drugs		20,000.00
	Other Maintenance & Operating Expenses-Medical Assistance		5,500.00
	Other Maintenance & Operating Expenses-BADAC		31,324.00
	Other Maintenance & Operating Expenses-Peace & Order Program		54,000.00
	Other Maintenance & Operating Expenses		36,000.00
	Other Maintenance & Operating Expenses-AICS		8,750.00
	General Services-Job Order		417,000.00
	Sub Total		<u>P 901,695.00</u>
3	Non-Office Expenditures		
	5% Local Disaster Risk Reduction & Management Fund(Calamity Fund)		P 170,638.00
	Breakdown: Purchase of Various Calamity Supplies	P 119,447.00	
	Quick Response Fund	<u>P 51,191.00</u>	
	Sub - Total	P 170,638.00	
	10% SK Fund - Youth Development Programs		341,276.00
	Breakdown:		
	Capacity Building	10,000.00	
	Athletic & Cultural Activities	200,000.00	
	Anti- Illegal Drug Program	20,000.00	
	Other Maintenance Operating Expenses	51,276.00	
	Youth Related Development Projects	50,000.00	
	SK Election	<u>10,000.00</u>	
	Sub - Total	341,276.00	
	20% Development Fund		523,336.00
	Breakdown:		
	Construction Health Center Fence	100,000.00	
	Rehabilitation of Covered Court	273,336.00	
	Improvement of Basketball Court	<u>P 150,000.00</u>	
	Sub - Total	<u>523,336.00</u>	

CAPITAL OUTLAY

Construction of Material Recovery Facilities	54,000.00
TOTAL BUDGETARY APPROPRIATIONS	<u>P 3,533,763.00</u>

This Appropriation Ordinance shall take effect on January 1, 2018.

RESOLVED FURTHER, to submit copies of this Resolution with the approved budget as embodied in the Appropriation Ordinance to the Sangguniang Panlungsod for review.

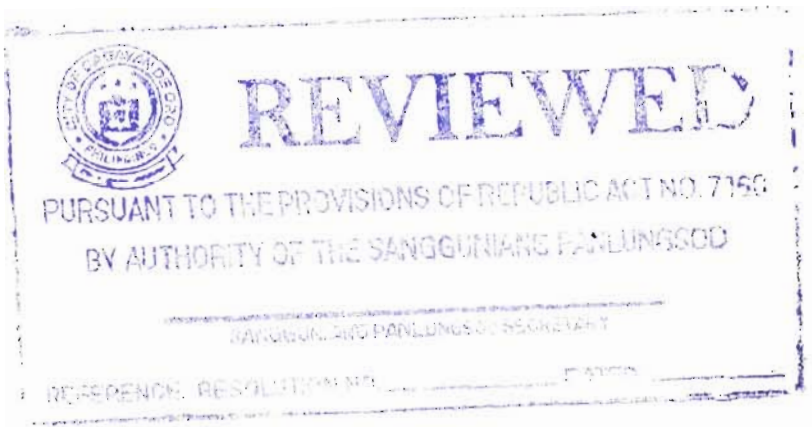
APPROVED FEBRUARY 5, 2018.

I hereby certify that the foregoing Resolution No. 02-2018 embodying Appropriation Ordinance No. 01, both series of 2018, which approved the Barangay Annual Budget for the period January 1, 2018 to December 2018 of Barangay Tagpangi, City of Cagayan de Oro, was duly enacted by the Sangguniang Barangay in its regular session held at Barangay Session Hall on February 5, 2018.

ATTESTED:


MARICAR E. LATAYADA
Barangay Secretary


ANNIECRIS G. SABANG
Punong Barangay



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 approving the application of Alveo Land Corporation, represented by Mr. Antonio S. Sanchez, III, Attorney-in-Fact, for a change of the project name from "Kayak Village 1A " to "Bayview Heights Phase I", located in Barangay Tablon, this city, and for this purpose, amending Ordinance No. 13346-2017.

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: Jan 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
Sangguniang Panlungsod
Tel. #: 854-4026 / 857-4032 / 857-2258

Communication Number: 2018-1477

Date: 03/07/2018
Receiver: JESSAMINE

From: CAGAYAN DE ORO HOUSING BOARD
Subject: APPLICATION FOR CHANGE OF NAME FROM PROJECT KAYAK VILLAGE 1A OF CURRENTLY APPROVED DEVELOPMENT PERMIT TROUGH ORDINANCE NO. 13346-2017 TO BAYVIEW HEIGHTS PHASE 1 AFTER THE DELIBERATION OF THE CdeO HOUSING BOARD ON 27 FEBRUARY 2018

Respectfully referred to COMMITTEE ON SUBDIVISION AND LANDED ESTATE
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: 5/29/18

HON. DOMETILO C. ACENAS, JR.
Chairperson

HON. ENRICO D. SALCEDO
Vice Chairperson

HON. JAY R. PASCUAL
Member

HON. MARIA LOURDES S. GAANE
Member

HON. REUBEN R. DABA
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



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:

MAR 7 2018

FROM:

CAGAYAN DE ORO HOUSING BOARD

SUBJECT MATTER: APPLICATION FOR CHANGE OF NAME FROM PROJECT KAYAK VILLAGE 1A OF CURRENTLY APPROVED DEVELOPMENT PERMIT TROUGH ORDINANCE NO. 13346-2017 TO BAYVIEW HEIGHTS PHASE 1 AFTER THE DELIBERATION OF THE CdeO HOUSING BOARD ON 27 FEBRUARY 2018.

ACTION: REFER TO COMMITTEE ON **SUBDIVISION AND LANDED ESTATE.**

HON. RAINEIR JOAQUIN V. DY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. DY
City Vice Mayor



Republic of the Philippines
City of Cagayan de Oro

CAGAYAN DE ORO HOUSING BOARD

ARTURO S. DE SAN DOMINGO
City Council Secretary

1st Endorsement
March 5, 2018

Respectfully forwarded to the Committee Chairperson on Subdivision and Landed Estate, Office of the City Council the herein application for change of Name from **Project Kayak Village 1A** of currently approved Development Permit through Ordinance No. 13346-2017 to **Bayview Heights Phase I** after the deliberation of the CdeO Housing Board on 27 February 2018 for your appropriate action.

RAMON L. FERNANDEZ
Vice Chairperson



Republic of the Philippines
City of Cagayan de Oro

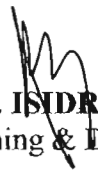
**CITY PLANNING and
DEVELOPMENT OFFICE**

3rd Floor, South Wing
Administrative Building
City Hall Compound,
Capistrano and Hayes Streets
9000 Cagayan de Oro City
Philippines
Tel. Nos. 857-3148 / 857-2264
857-2179



1st Endorsement
February 15, 2018

Respectfully forwarded to Cagayan de Oro City Housing Board, the herein letter of **Mr. Antonio S. Sanchez III** *Atty.-In-fact* Alveo Land Corporation relative to the application for Change of Subdivision Name from **Project Kayak Village 1A** of currently approved Development Permit through ordinance no. 13346-2017 to **Bayview Heights Phase 1**, recommending approval.


ENGR. ISIDRO G. BORJA
City Planning & Devt. Coordinator

24 January 2018

TO: City Council
Cagayan de Oro City



THRU: Engr. Isidro G. Borja
City Planning and Development Office
Cagayan de Oro City

Dear Engr. Borja,

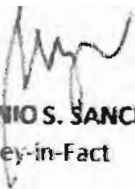
Alveo Land Corp., the owner and developer of Project Kayak Village 1A located in Brgy. Tablon, Cagayan de Oro City, would like to request to change the project's provisional name to its official name, **Bayview Height Phase 1**. The Development Permit of the project has been recently approved and we are now processing an application for a Certificate of Registration and License to Sell with the Housing and Land Use Regulatory Board (HLURB). In line with this, we would like to request for a letter from your office confirming the approval of our request for the change of name.

We look forward to your positive feedback on this matter.

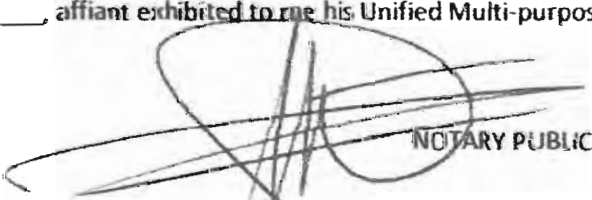
Very truly yours,

Alveo Land Corp.

By:


ANTONIO S. SANCHEZ III
Attorney-in-Fact

SUBSCRIBED AND SWORN to before me this 30 day of JAN 30, 2018, 2018, in the City/Province of Cagayan de Oro, affiant exhibited to me his Unified Multi-purpose ID with CRN 0111-2857921-8.


NOTARY PUBLIC

ALVEO
an AyalaLand company

ALVEO Corporate Center
728 28th Street, Bonifacio Global City
1634 Taguig City, Metro Manila
Philippines

(632) 848.5100
www.alveoland.com.ph

Doc. No. : 202
Page No. : 41
Book No. : LVII
Series of : 2018

RAMIL G. CARREON
Notary Public NG-2018-025
UNTIL DECEMBER 31, 2019
PTR No. 11111111, N.E. 17
TIN No. 11111111-11111111
BORN: 11/11/11, 11-11-11
CAGAYAN DE ORO CITY
MCLB Corp. No. 11111111, 11-11-11



FINAL RECOMMENDATION FOR DEVELOPMENT PERMIT

DP No. 001-2018
DATE ISSUED: 06-09-2017

☐ BP 220 ☒ PD 957 ☐ SEC. 18 RA 7279

NAME OF APPLICANT: Mr. Antonio Sanchez III
ADDRESS & TEL. NO.: Global City, Taguig City

NAME OF DEVELOPER: Alveo Land Corporation
ADDRESS & TEL. NO.: Capit. Vicente Roa st., Cagayan de Oro City

AREA IN HAS. 23.4934
NO. OF SALEABLE LOTS/UNITS 254 lots/ units

NAME OF PROJECT: Project Kayak Village 1A
LOCATION: Tablon, Cagayan de Oro City

EVALUATION OF FACTS:

In accordance with the implementing rules and regulations of PD 957, in provisions of Zoning Ordinance 2006 and other related City Ordinances

CONDITIONS:

1. All conditions stipulated herein form part of the DECISION and are subject to monitoring.
2. Non-compliance therewith shall be a cause for cancellation or legal action.
3. Pertinent provisions of PD 957 and P.D. 1216 and P.D. 1096 and their implementing Rules and Regulations shall be complied with;
4. Submit subdivision plans to the Land Management Sector of DENR for verification and approval of the field survey returns. Said plans together with the verification/approval documents shall be submitted to HLURB to support your application for Registration of the subdivision and issuance of License to Sell.
5. Any misrepresentation or material falsehood on your part shall be a cause for the cancellation of this permit;
6. The subdivision scheme shall not be altered other than what is applied to except when prior clearance from the City Government is secured.
7. To **plant** trees in the areas designated a Parks and Playground and areas, community facilities and encourage homeowners to plant trees within its yard in connection with the Greening Program of the City Government.
8. That transfer of ownership of this project carries the same condition in this Approval for which written notification shall be made Thirty (30) days from such transfer;
9. The Development of this subdivision project shall commence within three (3) years upon issuance of development permit;
10. Provision for detention/retention pond equivalent of 0.01 cu.m./sq.m. of gross applied area;
11. All application shall conform with the minimum design standard set forth in the Revised Implementing Rules and Regulations of PD 957 in HLURB 2008.
12. The remarks of the City Engineering Office in transmittal letter dated June 05, 2017 shall be considered during development stage to wit:
 1. To implement measures to mitigate flooding, soil erosion and other environmental hazards.
 2. Existing access to interior lots that maybe affected by this development shall be provided with alternate one, in coordination with the barangay council.
 3. Offsite drainage shall be cleared of its Drainage Right of Way and shall be responsibility of the developer
 4. All works shall be in accordance with the DPWH standard specifications
 5. Any requirement maybe imposed when deemed necessary during construction stage.
13. Attached Affidavit of Undertaking to comply with the requirements for detention pond.

Engr. ISIDRO G. BORJA
City Planning & Dev. L. Coordinator



OFFICE OF THE CITY COUNCIL

(088) 857-2258; 857-4029; 857-4032; 857-4035 / www.cdro-sanggunianonline.com

ORDINANCE NO. 13346-2017

AN ORDINANCE APPROVING THE APPLICATION OF ALVEO LAND CORPORATION, REPRESENTED BY MR. ANTONIO S. SANCHEZ III, FOR DEVELOPMENT PERMIT (DP) OF KAYAK VILLAGE 1A SUBDIVISION PROJECT (INCLUDING SPINE ROAD), WITH AN AREA OF 234,934.29 SQUARE METERS, MORE OR LESS, CONTAINING 254 LOTS LOCATED IN BARANGAY TABLON, THIS CITY, SUBJECT TO COMPLIANCE OF THE CONCERNS RAISED BY THE BARANGAY COUNCIL OF TABLON, THIS CITY

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

SECTION 1. The application of Alveo Land Corporation, represented by Mr. Antonio S. Sanchez III, for Development Permit (DP) of Kayak Village 1A Subdivision Project (including Spine Road), with an area of 234,934.29 square meters, more or less, containing 254 lots located in Barangay Tablon, this City, is hereby approved, subject to compliance of the concerns raised by the Barangay Council of Tablon, this City.

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

UNANIMOUSLY APPROVED.

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

ENACTED this 27th day of November 2017 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

Attested as duly enacted:

RAIMUNDO JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Approved:

OSCAR S. MORINO
CITY MAYOR

Attested:

BELINDA V. EGYPTO - NAGUITA
SUPERVISING ADMINISTRATIVE OFFICER
OFFICER-IN-CHARGE
CITY ADMINISTRATOR'S OFFICE

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 approving the application of the City Government of Cagayan de Oro, represented by City Mayor Oscar S. Moreno, for Preliminary Approval and Locational Clearance (PALC) of Balubal Relocation Project, containing 369 lots/units, with an area of 46,479 square meters, located in Barangay Balubal, this city

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:

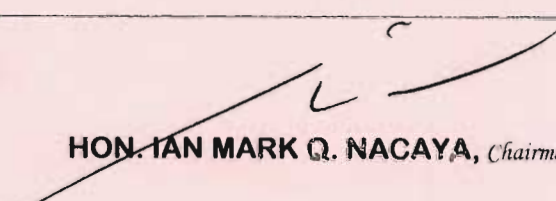
ARTURO S. DE SAN MIGUEL

City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: Jan 1, 2018

for submission


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
Sangguniang Panlungsod
Tel. # : 854-4026 / 857-4032 / 857-2258

Communication Number: 2018-1544

Date: 03/27/2018

Receiver: JESSAMINE

From: CAGAYAN DE ORO HOUSING BOARD

Subject: PRELIMINARY APPROVAL AND LOCATIONAL CLEARANCE (PALC) APPLICATION OF BALUBAL RELOCATION PROJECT COVERING AN AREA OF 46,479 SQUARE METERS, MORE OR LESS, CONTAINING 369 LOTS/UNITS, REPRESENTED BY HON OSCAR S. MORENO, CITY MAYOR, LOCATED AT BARANGAY BALUBAL, THIS CITY

Respectfully referred to **COMMITTEE ON SUBDIVISION AND LANDED ESTATE** 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: 5/29/18

CA recommending approval

HON. DOMETILO C. ACENAS, JR.
Chairperson

HON. ENRICO D. SALCEDO
Vice Chairperson

HON. JAY R. PASCUAL
Member

HON. MARIA LOURDES S. GAANE
Member

HON. REUBEN R. DABA
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



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:

MAR 26 2018

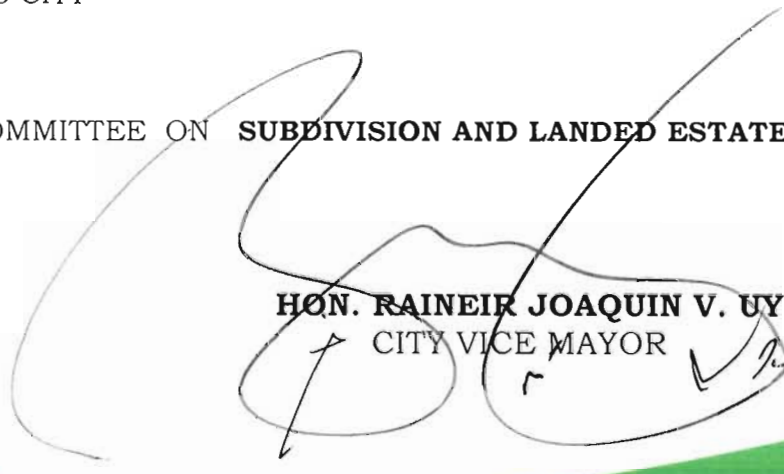
FROM:

CMO/CAGAYAN DE ORO HOUSING BOARD

SUBJECT MATTER: PRELIMINARY APPROVAL AND LOCATIONAL CLEARANCE (PALC) APPLICATION OF BALUBAL RELOCATION PROJECT COVERING AN AREA OF 46,479 SQUARE METERS, MORE OR LESS, CONTAINING 369 LOTS/UNITS, REPRESENTED BY HON OSCAR S. MORENO, CITY MAYOR, LOCATED AT BARANGAY BALUBAL, THIS CITY

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



OFFICE OF THE CITY MAYOR

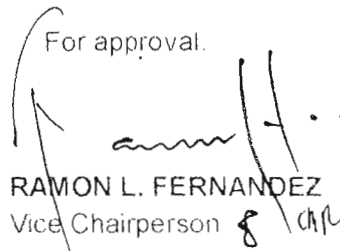
CAGAYAN DE ORO HOUSING BOARD

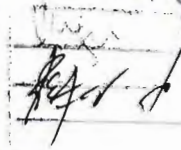
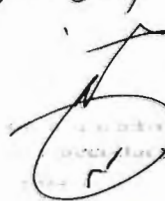
1st Endorsement
March 21, 2018

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 20 March 2018.

1. Preliminary Approval and Locational Clearance (PALC) application of **Balubal Relocation Project** covering an area of 46,479 square meters or less, containing 369 lots/units, represented by Hon. Oscar S. Moreno, City Mayor, located at Barangay Balubal, this City.
2. Preliminary Approval and Locational Clearance (PALC) application of **Victor's Executive Homes** covering an area of 49,064 square meters more or less containing 274 lots/units represented by Mr. Mark S. Pacatang of Davao Joyful Homes Realty Corp., located at Barangay Camaman-an, this City, with the information that the Technical Evaluation report from the City Engineering Office and the remarks of the City Housing Board shall be form part in the Development Permit (DP) application that:
 - Detention Pond shall be provided within the project area prior to discharge any existing defined waterway;
 - Proposed Slope Protection structure shall be provided along legal easement of existing Bitan-ag Creek.
 - Information from Dir. Charito Raagas of HLURB and Ms. Gelie Paquino of SP Committee on Subdivision and Landed Estate that there is a pending case on the RROW specifically from the Office of the Solicitor General.
3. Alteration of Plan of 1,2095 Has Macabalan-Puntod SIR Project located at Barangay Macabalan-Puntod, represented by Engr. Judy A. Fernandez, Regional Manager, National Housing Authority, Regional Office X.
4. Simple Subdivision of Hope M. Taleon Et. Al, particularly Lots 3 & 4, Block 11, Psd-10-03199 covering an area of 300 square meters more or less, containing 3 lots located at Barangay Kauswagan, this City, represented by Hope M. Taleon, Love T. Guerra and Faith T. Yatoc. The purpose of this subdivision is among co-owners/heirs.
5. Simple Subdivision of lot 4, Block 15 Psd-10-011967, covering an area of 430 square meters more or less, containing 2 lots located at Barangay Patag, this City, represented by Mr. Eric De la Cruz Abaday. The purpose of this subdivision is Segregation of Lots.
6. Change of subdivision name from Carmenville to Forever Homes and change of developer/owner from BDME Builders Corporation to ProHomes Development Incorporated.

For approval.

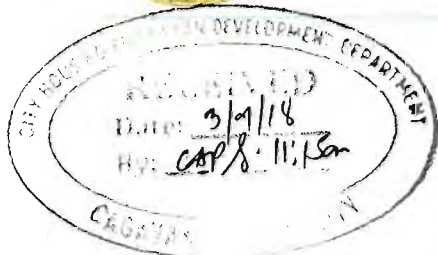

RAMON L. FERNANDEZ
Vice Chairperson

Republic of the Philippines	
City of Cagayan de Oro	
OFFICE OF THE CITY MAYOR	
Date: MAR 22 2018	Time: 4:45
By: 	Post No. _____
Subd. Chair	
Date: _____	Atty: 
MIGUEL	



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

3rd Floor, South Wing
Administrative Building
City Hall Compound,
Capistrano and Hayes Streets
9000 Cagayan de Oro City
Philippines
Tel. Nos. 857-3148 & 8572264
857-3390



2nd Endorsement
March 08, 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 **Balubal Relocation Project** represented by **Hon. Oscar S. Moreno**, City Mayor, located at Barangay Balubal, this City, covering an area of 46,479 square meters, containing 369 lots/units, for deliberation of the said board.


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



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

3rd Floor, South Wing
Administrative Building
City Hall Compound,
Capistrano and Hayes Streets
9000 Cagayan de Oro City
Philippines
Tel. Nos. 857-3148 & 8572264
857-3390



PALC NO. _____
APPLICATION NO. _____
DATE ISSUED: 03-08-2018

**PRELIMINARY APPROVAL &
LOCATIONAL CLEARANCE**

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

NAME OF APPLICANT/DEVELOPER: Hon. Oscar S. Moreno, City Mayor	NAME OF PROJECT: Balubal Relocation Project
ADDRESS AND TEL. NO.: City Hall, Cagayan de Oro City 880-9698	AREA AND LOCATION: 46,479 sq.m. Balubal, Cagayan de Oro City
RIGHT OVER LAND Portion of OCT P-4265 & TCT No. T-137- 2015001479	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: <i>Residential</i>	
EVALUATION OF FACTS: <i>Pursuant to the implementing rules and regulations of B.P. 220 and Section 458(a)(2)(x) of R.A. No. 7160 and provisions of Zoning Ordinance 2006 and other related City Ordinances.</i>	
RECOMMENDATION FOR APPROVAL: <i>Recommended for Preliminary Approval and Locational Clearance.</i>	

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. Separate the technical description intended for Parks & Playgrounds and Community Facility areas;
7. Secure Environmental Clearance from City Local Environment and Natural Resources Office (CLENRO);
8. Secure Social Acceptability duly approved by the City Mayor.
9. Secure Environmental Compliance Certificate (ECC) from Department of Environment And Natural Resources;
10. 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;
11. All application shall conform with the minimum design standard set forth in the Revised Implementing Rules and Regulations in B.P. 220 of 2008;

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



Republic of the Philippines
CITY OF CAGAYAN DE ORO
City Engineers Office
Kauswagan, Cagayan de Oro City



March 01, 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 **BALUBAL RELOCATION PROJECT** covering an area of 46,479 square meters more or Less, consisting of 364 lots, represented by Hon. Oscar S. Moreno City Mayor of Cagayan de Oro City.

Location : Barangay Balubal, Cagayan de Oro City

Enclosure : Plans & other supporting documents .

Remarks : Recommended for Approval.


ROLANDO M. PACURIBOT, C.E., M.E.,
City Engineer

File/trans-borja-balubal reloc.site (palc)-
code#

APPLICATION FOR PRELIMINARY APPROVAL
AND LOCATIONAL CLEARANCE

February 19, 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

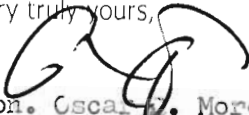
Name of Project:
Location:
Type of Development:
Total Project Area:
No. of Saleable Lots/Units:
Application Law BP 220/PD 957:
Mode of Compliance:

Not Applicable

BALUBAL RELOCATION PROJECT
BALUBAL, CAGAYAN DE ORO CITY
SUBDIVISION
46,479.00 sqm.
369 Lots
BP 220

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

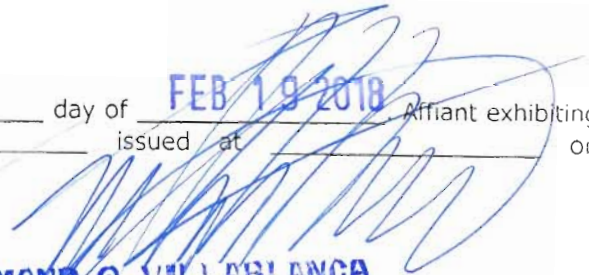
Attached herewith are the required technical documents pertinent to my application.

Very truly yours,

Hon. Oscar P. Moreno
Applicant

Address: City Hall, Cagayan De Oro City
Tel. No.:
TIN:

SUBSCRIBED AND SWORN to before me this day of FEB 19 2018 Affiant exhibiting
before me his/her Residence Certificate No. issued at on

Doc. No.: 099
Page No.: 80
Book No.: 201
Series of: 2018


REYMOND G. VILLABLANCA
NOTARY PUBLIC CAGAYAN DE ORO CITY
EL SALVADOR TO BINUANGAN, MIS. OR.
NO 2016-078 UNTIL 12.31.19
CITY LEGAL OFFICE, CITY HALL, CDO
ATTORNEY'S ROLL NO. 56308, 04.29.09
RTH 31, NO. 3865349 A/12.21.17 FOR 2018 CDO
IBF O.R. NO. 069093712 14.17 FOR 2018 CDO
TIN 274-568-030



February 20, 2018

ENGR. ISIDRO G. BORJA

City Planning and Development Coordinator
City Planning and Development Office
Cagayan de Oro City



Dear Engr. Borja,

The City Housing and Urban Development Department (CHUDD) hereby submits the documents for the application of **Preliminary Approval and Location Clearance (PALC)** for the Balubal Relocation Project located at Purok 2, Balubal this city.

Six (6) Sets of the following:

1. Vicinity Map
2. Subdivision Plan
3. Topographic Map
4. Survey Plan of the Lot(s) as described in the title
5. Certified True Copy of Title
6. Certified True Copy of Tax Declaration
7. Certified True Copy of Tax Clearance
8. Deed of Sale between the heirs of 1. Manuel S. Sabarillo and the City Government of Cagayan de Oro; 2. Leonardo T. Placer and the City Government of Cagayan de Oro.
9. Zoning Certificate
10. Certificate from City Engineer's Office that the proposed project is affected by the road widening by the existing road.

Hope you find everything in order.

Thank you.

Respectfully yours,


ENGR. ERMIN STAN B. PIMENTEL

City Housing and Urban Development Officer



Republic of the Philippines
CITY OF CAGAYAN DE ORO
BARANGAY BALUBAL

OFFICE OF THE PUNONG BARANGAY

SOCIAL ACCEPTABILITY CLEARANCE

THIS IS TO CERTIFY that the undersigned has understood the implication of the application filed by:

PROPOSED RELOCATION PROJECT

Project Proponent

HOUSING PROJECT

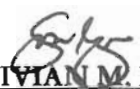
Name/Type of Project

PUROK 2 BALUBAL, CAGAYAN DE ORO CITY

Project Location

To the surrounding areas, further, I certify that I have consulted my respective constituents and they interpose no objection whatsoever against the project. Instead, we recommended its approval because it will provide employment and uplift the living conditions in our community.

Done this 15th day of August 2017 at Barangay Hall of Balubal, Cagayan de Oro City, PHILIPPINES.


HON. VIVIAN M. MALINGIN

Punong Barangay

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:

SUBJECT MATTER: Proposed Ordinance approving the application of the National Housing Authority (NHA), represented by its Regional Manager, Engr. Judy A. Fernandez, for Development Permit (DP) of NHA-Hawak Kamay Multi-Purpose Cooperative Housing Project, with an area of 19,344 square meters, more or less, containing 118 lots/units located in Barangay Balulang, this City, subject to the herein conditions, to wit:

Received by:

Date:

- that the construction of houses shall only be undertaken upon completion of the flood control/road dike project of the DPWI, as stipulated in the Environmental Compliance Certificate (ECC) Addendum issued by the DENR-EMB as agreed by the awarded beneficiaries;
- the applicant-NHA shall strictly monitor the construction of houses in the said area;
- Secure all necessary permits from other pertinent Government Agencies covering the implementation of the said project,
- Recommendation/remarks of the City Engineer's Office per technical evaluation dated November 21, 2016, and the City Planning Development Office, shall be considered during the development stage.

Respectfully referred to the **COMMITTEE on LAWS AND RULES**, the herein communications for study, investigation, report and recommendation. Ordinance No. 13357-2017.

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: June 1, 2018

for inclusion

OK

CONSENT TO THE CONDITIONS SET BY THE CITY'S
PROVIDED FOR, AND OTHER GOVERNMENT AGENCIES
RELATIVE TO THE FULL IMPLEMENTATION OF THE HAWAK PROJ.

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 VICE MAYOR

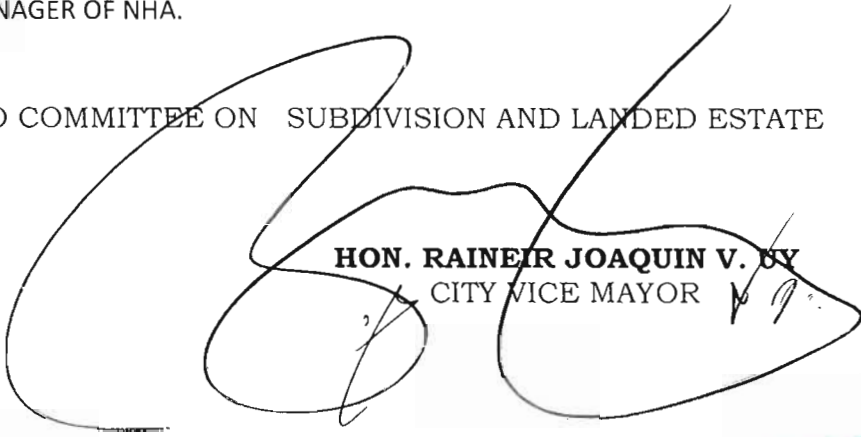


2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

DATE: OCTOBER 4, 2017
FROM: CAGAYAN DE ORO HOUSING BOARD

SUBJECT MATTER: APPLICATION FOR DEVELOPMENT PERMIT OF NHA-HAWAK KAMAY MULTI-PURPOSE COOPERATIVE HOUSING PROJECT WITH AN AREA OF 19,334 SQ.M., CONTAINING 118 LOTS/UNITS LOCATED AT BARANGAY BALULANG, THIS CITY REPRESENTED BY ENGR. JUDY A. FERNANDEZ, REGIONAL MANAGER OF NHA.

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 COUNCIL

Comm. No. _____

Received by: _____

From: _____

Date: _____

SUBJECT MATTER Letter of the Honorable City Mayor Oscar S. Moreno relative to Ordinance No. 13357-2017, covering the application of the National Housing Authority (NHA) for Development Permit (DP) of NHA-Hawak Kamay Multipurpose Cooperative Housing Project, with an area of 19,344 square meters, more or less, containing 118 lots/units located in Barangay Balulang, this City, inviting attention to the findings and recommendation of Cagayan de Oro Housing Board; Mines and GeoSciences Bureau-Region 10 and Environment Management Bureau 10, all of this City.

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: April 4, 2018

- 7 Resolution referring to CDO Housing Board the application for further evaluation + appropriate action
- 7 CB - w/ recommendation for Housing Board based on the recommendation stipulated in the ECC.

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



Republic of the Philippines
City of Cagayan de Oro
CITY CHIEF EXECUTIVE DEPARTMENT

**cagayan
de Oro**
city of golden friendship

CITY HOUSING BOARD

1st Endorsement
May 07, 2018

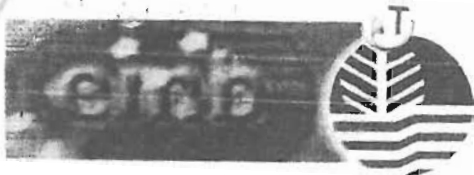
Respectfully forwarded to Hon. City Vice Mayor Rainier Joaquin V. Uy Office of the City Council through the Chairperson, Committee on Subdivision & Landed Estate the following applications for Development and Downgrading of 218 lots to socialized housing Permit respectively. These were deliberated by the CdeO Housing Board on 30 April 2018.

1. Development Permit (DP) of NHA-Hawak Kamay Multipurpose Cooperative Housing Project, with an area of 19,344 square meters more or less, containing 118 lots/units located at Brgy. Balulang this City, with the information that the Cagayan de Oro Housing Board moved to rectify its findings from its first endorsement and changed it based on the recommendation as stipulated in the ECC addendum " **that the construction of houses shall only be undertaken upon completion of the flood control/road dike project of DPWH**" and NHA to strictly monitor the construction of the houses on the said area.
2. Downgrading of 218 lots from Economic to socialized housing of Prohomes Development Inc., represented by its President Mr. Richard D. Lim and based on their documents, the original lot sizes will be maintained and only the unit price per lot will decrease.

Recommending for approval.

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY ENGINEER
MAY 8 2018
Date Received: _____ Time: _____
By: _____ Comm. No. _____
Subd. No. _____
R. L. Fernandez - Subd.
Date _____
Revised _____

RAMON L. FERNANDEZ
Vice Chairperson



Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
Office of the Regional Director
Region-10, Macabalan, Cagayan de Oro City

August 7, 2017

ENGR. JUDY A. FERNANDEZ

Regional Manager
National Housing Authority, R-10
Julio Pacana St., Barangay Macabalan
Cagayan de Oro City



Dear Engr. Fernandez:

This refers to your request for an Environmental Compliance Certificate (ECC-OL-R10-2016-0121) amendment for Housing Project located at Balulang, Cagayan de Oro City. The purpose of the amendment is to exclude the geohazard assessment recommendation of the Mines and Geosciences Bureau to elevate your project area to at least 2.5 meters to mitigate flooding pointing that the construction of flood control/road dike of the DPWH through JICA will serve as the mitigating measure of the potential flooding hazard in your project area.

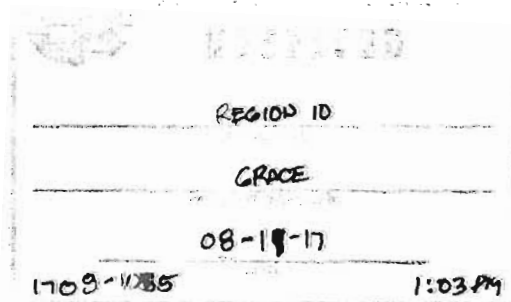
Upon thorough evaluation of the significance of the proposed flood control project of DPWH on your project area, this Office has decided to grant your request. Hence the condition below will serve **as an ECC addendum** to cover your request:

5A " Construction of houses shall only be undertaken upon completion of the flood control/road dike project of the DPWH;"

Please be guided accordingly.

Very truly yours,

DR. SABDULLAH C. ABUBACAR, CESO IV
Regional Director



Processing Fee. PHP 2,000.00
O.R. No. 719461
Date: 8/11/17

Fn: word/RLD/amend-NHA.doc
Telefax: (08822) 8569362 Tel. No. (08822) 8569363
Email Address: emsregion10@gmail.com Website: www.denr.gov.ph/corair10

Save the Ozone Layer



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

3rd Floor, South Wing
Administrative Building
City Hall Compound,
Capistrano and Hayes Streets
9000 Cagayan de Oro City
Philippines
Tel. Nos. 857-3148 & 8572264
857-3390



FINAL RECOMMENDATION FOR DEVELOPMENT PERMIT

DP No. : _____
DATE ISSUED: 11-28-2016

[X] BP 220 [] PD 957 [X] SEC. 18 RA 7279

NAME OF APPLICANT:	ADDRESS & TEL. NO.:
Engr. Judy A. Fernandez	National Housing Authority
Region X Manager	Macabalan, Cagayan de Oro City

NAME OF DEVELOPER:	ADDRESS & TEL. NO.
National Housing Authority	National Housing Authority
	Macabalan, Cagayan de Oro City

NAME OF PROJECT:	LOCATION:
NHA- Hawak Kamay Multi-purpose	Balulang, Cagayan de Oro City
Cooperative Housing Project	

AREA IN HAS.:	NO. OF SALABLE LOTS/UNITS:
1.9334 has.	118 lots/units

EVALUATION OF FACTS:
In accordance with the implementing rules and regulations of BP 220; in provisions of Zoning Ordinance 2006 and other related City Ordinances

CONDITIONS:

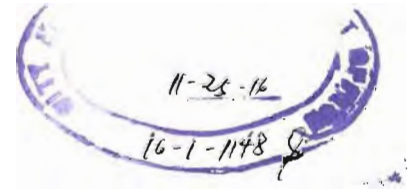
1. All conditions stipulated herein form part of the DECISION and are subject to monitoring;
2. Non-compliance therewith shall be a cause for cancellation or legal action;
3. Pertinent provisions of BP 220 and P.D. 1216 and P.D. 1096 and their implementing Rules and Regulations shall be complied with;
4. Submit subdivision plans to the Land Management Sector of DENR for verification and approval of the field survey returns. Said plans together with the verification/approval documents shall be submitted to HLURB to support your application for Registration of the subdivision and issuance of License to Sell;
5. Any misrepresentation or material falsehood on your part shall be a cause for the cancellation of this permit;
6. The subdivision scheme shall not be altered other than what is applied to except when prior clearance from the City Government is secured;
7. To **plant** trees in the areas designated a Parks and Playground and areas, community facilities and encourage homeowners to plant trees within its yard in connection with the Greening Program of the City Government;
8. That transfer of ownership of this project carries the same condition in this Approval for which written notification shall be made Thirty (30) days from such transfer;
9. The Development of this subdivision project shall commence within three (3) years upon issuance of development permit;
10. Provision for rain harvesting 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;
11. All application shall conform with the minimum design standard set forth in the Revised Implementing Rules and Regulations of BP 220 in HLURB 2009;
12. Submit a Certification from **DPWH** wether or not that the said subivision project is affected by the proposed road alignment of Balulang- Macasandig Bridge.
13. That the applicants is aware that lot no. 39849-Cad 237 will be affected for the proposed flood control concrete structure project of DPWH.

13. The remarks of the City Engineering Office in transmittal letter dated November 21, 2016, shall be considered during development stage, to wit;

- ✓ Provision of bank Protection structure (dike) along Cagayan de Oro river;
- ✓ Entrance road of the applied area shall be cleared of its right of way.
- ✓ Provide detention pond prior to discharge on Cagayan de Oro river.
- ✓ Site grade level of the applied area shall consider highest flood level of the river.
- ✓ Any requirement maybe imposed when necessary during constrction stage.
- ✓ All works for this development shall be in accordance with DPWH standard specifications for roads and bridges.


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

Republic of the Philippines
City of Cagayan de Oro
Department of Engineering & Public Works
Office of the City Engineer



November 21, 2016

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

Subject: Technical Evaluation re: Development Permit (DP) application of **NHA HAWAK KAMAY MULTI-PURPOSE COOPERATIVE HOUSING PROJECT** represented by Engr. Judy A. Fernandez, Regional Manager, NHA-Region 10.

Location : Balulang, Cagayan de Oro City

Enclosure : Plans & other supporting documents .

Remarks : Plans duly signed and evaluated as to technical aspects. The following shall be considered during development stage, to wit :

1. Provision of Bank Protection Structure (Dike) along Cagayan de Oro River.
2. Entrance Road of the applied area shall be cleared of its Right of Way.
3. Provide Detention Pond prior to discharge Cagayan de Oro River.
4. Site Grade Level of the applied area shall consider highest flood level of the River.
5. Any requirement maybe imposed when necessary during construction stage;
6. All works for this development shall be in accordance with DPWH Standard Specifications for Roads & Bridges.


ROLANDO M. PACURIBOT
CEED Manager
Acting City Engineer

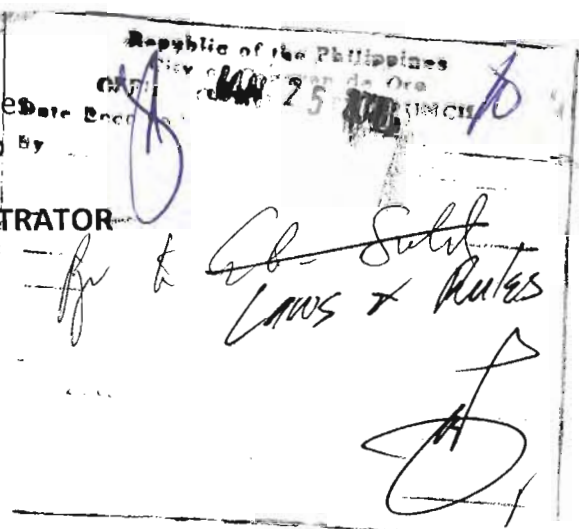
File/trans-borja-nha hawak kamay (DP)
code#



Republic of the Philippines
City of Cagayan de Oro

OFFICE OF THE CITY ADMINISTRATOR

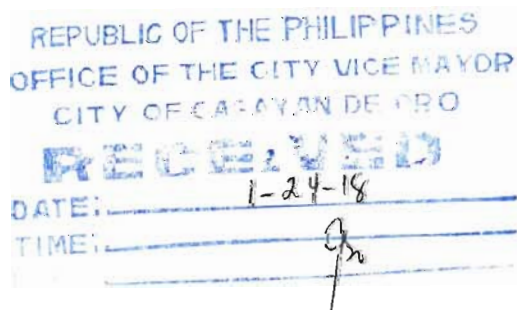
1st Indorsement
23 January 2018



Respectfully transmitted to the **Honorable Members of the City Council** through **Vice Mayor RAINEIR JOAQUIN V. UY**, the attached set of documents and the letter of Mr. RAMON L. FERNANDEZ, Vice Chair, Cagayan de Oro Housing Board, relative to Ordinance No. 13357-2017, "AN ORDINANCE APPROVING THE APPLICATION OF THE NATIONAL HOUSING AUTHORITY (NHA) REPRESENTED BY ITS REGIONAL MANAGER, ENGR. JUDY A. FERNANDEZ, FOR DEVELOPMENT PERMIT (DP) OF NHA-HAWAK KAMAY MULTI-PURPOSE COOPERATIVE HOUSING PROJECT, WITH AN AREA OF 19,344 SQUARE METERS , MORE OR LESS, CONTAINING 118 LOTS/UNITS LOCATED IN BARANGAY BALULANG, THIS CITY", hereby inviting attention to the following:

1. Recommendation of the Cagayan de Oro Housing Board which says "Development of the Area will only take place after completion of the Flood Control Project of the DPWH"
2. Findings of **Dir. REX S. MONSANTO**, Mines and Geo-Sciences Bureau 10, stating that, as per pertinent landslide and Flood Susceptibility Map and Geologic Map, "the location is considered as a "Critical Geohazard Area"; and
3. ECC Addendum contained in the letter of Regional Director **SABDULLAH C. ABUBACAR**, Environmental Management Bureau 10, to Engr. Judy A. Fernandez, Regional Manager, National Housing Authority (NHA), which says 5A "Construction of houses shall only be undertaken upon completion of the flood control/road dike project of the DPWH".

For the honorable body's information and guidance.




OSCAR S. MORENO
City Mayor



Republic of the Philippines
City of Cagayan de Oro
CAGAYAN DE ORO HOUSING BOARD
Executive Building, City Hall
Tel. No.: 880-9698
Email Add: chb.cdeo@gmail.com

Records: January 23, 2018
8:37
cagayan de Oro
city of golden friendship

January 18, 2018

Mr. TEODORO A. SABUGA-A, JR.
Acting City Administrator
Cagayan de Oro City

Dear Mr. Sabuga-a:

This has reference to the recently approved Ordinance No. 13357-2017 "An Ordinance Approving the Application of the National Housing Authority (NHA) represented by its Regional Manager, Engr. Judy A. Fernandez for Development Permit (DP) of NHA-Hawak Kamay Multi-Purpose Cooperative Housing Project, with an area of 19,344 square meters, more or less, containing 118 lots/units located in Barangay Balulang, this City" which was referred to us on 15 January 2018.

We respectively wish to call the attention of the Honorable members of the City Council regarding the recommendation of the Cagayan de Oro Housing Board stated in the Development Permit for NHA-HAWAK KAMAY Multi-Purpose Cooperative Housing Project stated in our 1st Endorsement dated September 22, 2017: "Development of the area will only take place after the completion of the Flood Control Project of DPWH."

The Board is guided by findings stated in the letter of Dir. Rex S. Monsanto of the Mine and Geosciences Bureau (MGB) – Region X, dated September 15, 2017 address to the undersigned as Vice-Chair of the Board, stating that as per pertinent landslide and flood susceptibility map and geologic map, "The location is considered as a Critical Geohazard Area."

Also relevant to this matter is the letter from Dir. Abdullah C. Abubakar of the Environmental Management Bureau (EMB) to Engr. Judy A. Fernandez, Regional Manager of the National Housing Authority (NHA) expressed a similar position which is stated in par. 2 therein which provide the condition serving as ECC addendum: "Construction of Houses shall only be undertaken upon completion of the flood control/road dike project of the DPWH".

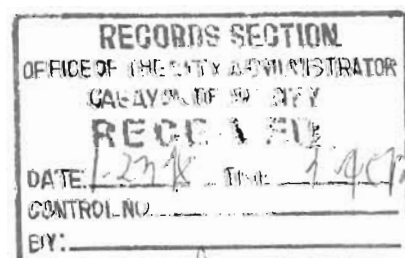
Copies of the respective letters were attached in the above-mentioned 1st Endorsement.

It is therefore respectfully advised that the said condition be included in the aforementioned Ordinance in conformity with the position/finding of the two concerned national government agencies.

Thank you very much.

Very truly yours,

RAMON L. FERNANDEZ
Vice Chairperson



REPUBLIC OF THE PHILIPPINES)
CITY OF CAGAYAN DE ORO.....)S.S.

AFFIDAVIT OF UNDERTAKING

I, **JUDY A. FERNANDEZ**, Filipino, of legal age, married with postal address at No.1884, E. Tamparong St., RER Drive Subdivision, Phase-II, Cagayan de Oro City, after having been duly sworn on oath in accordance with law, hereby depose and say:

1. That I am the Regional Manager of **NATIONAL HOUSING AUTHORITY Region 10**, a company duly organized and operating under the laws of the Republic of the Philippines with an office address at Julio Pacana St. Macabalan, Cagayan de Oro City.
2. That, HAWAK KAMAY MULTIPURPOSE COOPERATIVE HOUSING PROJECT located at Brgy. Balulang, Cagayan de Oro City, with a total area of 19,344sq.m is an NHA property.
3. That, the NHA already bid out the road gravelling and drainage system of the said project.
4. That, as agreed upon consultation with the awarded beneficiaries the construction of housing units of the said project shall only be undertaken upon completion of the flood control/road dike project of DPWH as stipulated in the ECC addendum.
5. That this affidavit is executed upon request of the City Council of CDO for the Development Permit Application of the said project.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 22/15/2018 day of _____ 2018 in Cagayan de Oro City, Philippines.

JUDY A. FERNANDEZ
Regional Manager

SUBSCRIBED AND SWORN to before me this _____ day of FEB 15 2018, at Cagayan de Oro City, affiant exhibited to me his Driver's License # LO2-90-068302, issued on April 21, 2014 at LTO Office, Bulua, Cagayan de Oro City.

Doc. No. 345;
Page No. 67;
Book No. 111;
Series of 2018.

ATTY. ANTONIO L. AMARGA
NOTARY PUBLIC
Until December 2018
Roll No. 34718
PTR No. 4717523 (1/8/18) Cag. de Oro
IBP OR No. 1011745 (1/8/18) Mis. Oriental
MCLE COMPLIANCE NO. VI-000691 (9/29/16)



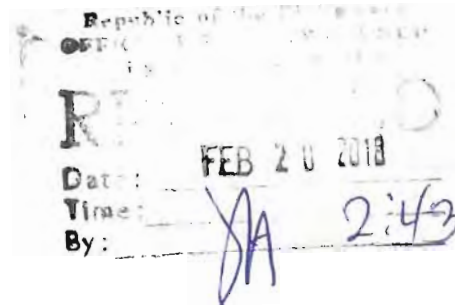
Office of the President
NATIONAL HOUSING AUTHORITY
Regional Office 10



Management
System
ISO 9001:2008
No. 01/004-35263

13 February 2018

HON. DOMETILO C. ACENAS, JR.
Chairman
Committee on Subdivision & Landed Estate
City Council of Cagayan de Oro City



Dear **Hon. Acenas**:

This refers to the Development Permit application of a Project particularly known as HAWAK KAMAY MULTIPURPOSE COOPERATIVE HOUSING PROJECT located at Barangay Balulang, Cagayan de Oro City.

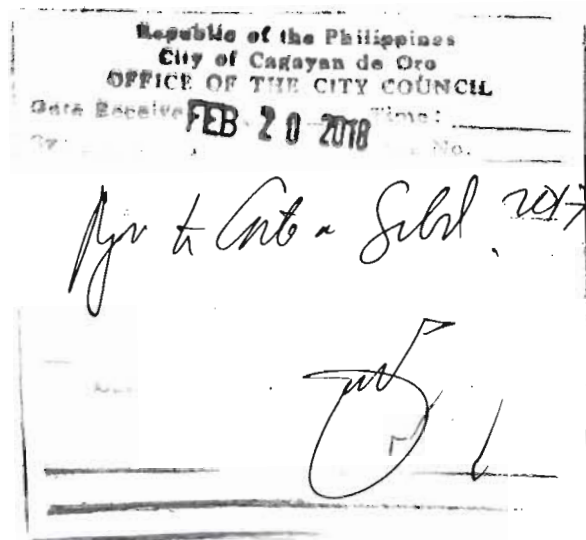
We are pleased to submit the Affidavit of Undertaking required by the City Council, that the construction of housing units of the above-mentioned project shall only be undertaken upon completion of the flood control/road dike project of DPWH as stipulated in the ECC addendum and as agreed by the awarded beneficiaries.

Hoping that this complying legal document will have the way to favorable issuance of Development Permit of the above-mentioned project.

Thank you and God Bless.

Very truly yours,

JUDY A. FERNANDEZ
Regional Manager
[Signature]



Cc: Hon. Oscar S. Moreno
Chairman
City Housing Board of CDO

TELE/FAX NO. (088)856-8778, (088)856-8765, (088)881-1303
Email: nha_cagayandeoro@yahoo.com
Julio Pacana St., Brgy. Macabalan, Cagayan de Oro City 9000.

Project Profile

PROJECT NAME : NHA HAWAK KAMAY MULTI PURPOSE COOERATIVE HOUSING PROJECT
 LOCATION : BALULANG , CDOC
 OWNER/APPLICANT : ENGR. JUDY A. FERNANDEZ
 DEVELOPER : NHA
 ADDRESS : MACABALAN , CDOC
 PROJECTCLASSIFICATION : Residential
 ZONING /LANDUSE : Residential
 TYPE OF APPLICATION : D.P.
 PROJECT APPLICABLE : BP 220

☐ Economic
☒ Socialized

Total Area : 19,334 sq.m.
 no of lots/units : 118
 Economic : sq.m.
 SHP Counter part : 19,334 sq.m.

DEVELOPMENT STANDARDS & DEVELOPMENT PERMIT APPLICATION PARTICULARS

PARAMETERS	MINIMUM DESIGN STANDARDS	required	proposed	REMARKS
	% X G.A.	area (sq.m.)	area (sq.m.)	
• Parks & Playground Allocation (No. of lots/ ha.) 150 and below 161-171 176-200 201-225 above 225	Economic SHP 3.50% 5% 6% 7% 9%	677.00	677.00	Proposed Parks & Playgrounds is in accordance with B.P. 220 guidelines
• Community facilities Allocation (No. of lots) % of gross area for CF 150 and below 151-225 above 225	% allocation 1 1 1.5 1.5 2 2	193.00	193.00	Proposed Community facilities is in accordance with B.P. 220 guidelines
*Road Right of Way Major Collector Minor Motor Court Alley Pathway	linear meter. 8-15 8-12 8-10 8-10 6.5 6.5 2 2 3 3	linear meter as per density (see table for reference)		
*Planting Strips 15m ROW 12m ROW 10m ROW 8m ROW 6.0m ROW	1.3 1.3 0.8 0.8 0.8 0.8 0.4 0.4 optional optional			
* Sidewalk (s) 15m ROW 12m ROW 10m ROW 8m ROW 6.5m ROW	1.2 1.2 1.2 1.2 1.2 1.2 0.6 0.6 0.5 0.5			
RECOMMENDATON:	FOR APPROVAL.			

Evaluated by:

Reviewed by:

Engr. Roland Pacuribot
 CPDO Staff

Engr. Roland Pacuribot
 CEO Head

Engr. Isidro Borja
 CPDO Head



OFFICE OF THE CITY COUNCIL

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

ORDINANCE NO. 13357-2017

AN ORDINANCE APPROVING THE APPLICATION OF THE NATIONAL HOUSING AUTHORITY (NHA), REPRESENTED BY ITS REGIONAL MANAGER, ENGR. JUDY A. FERNANDEZ, FOR DEVELOPMENT PERMIT (DP) OF NHA-HAWAK KAMAY MULTI-PURPOSE COOPERATIVE HOUSING PROJECT, WITH AN AREA OF 19,344 SQUARE METERS, MORE OR LESS, CONTAINING 118 LOTS/UNITS LOCATED IN BARANGAY BALULANG, THIS CITY

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

SECTION 1. The application of the National Housing Authority (NHA), represented by its Regional Manager, Engr. Judy A. Fernandez, for Development Permit (DP) of NHA-Hawak Kamay Multi-Purpose Cooperative Housing Project, with an area of 19,344 square meters, more or less, containing 118 lots/units located in Barangay Balulang, this City, is hereby approved.

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

UNANIMOUSLY APPROVED.

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

ENACTED this 11th day of December 2017 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

BELINDA V. EGYPTO-NAGUITA
SUPERVISING ADMINISTRATIVE OFFICER
OFFICER-IN-CHARGE
CITY ADMINISTRATOR'S OFFICE

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 P79,593.36 from the "Continuing Appropriation-Annual Budget CY 2017, Non-Office: Economic Services Sector-Land Acquisition/ Expropriation" to be made available for the full payment of the claims for just compensation of the herein specified claimants of improvements (buildings), which were affected by the proposed 12.00m wide road opening of Baculio St. from J Pacana St. to Manual Vega St., located at Barangay No. 21, this city; and for this purpose, authorizing the Honorable City Mayor to sign the corresponding Deeds of Absolute Sale thereof, to wit:

Owner/Claimant	Amount (pesos)
Romeo B. Quiroga	8,232.00
Romeo B. Quiroga	3,245.76
Rolando Coballos	68,115.60

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

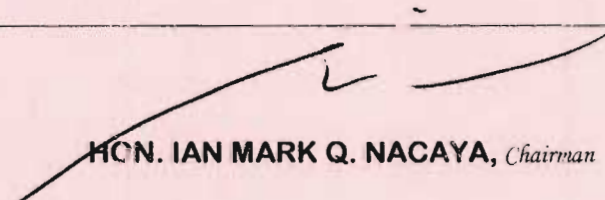
FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: June 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
(08822) 721854; (088) 857-1029; 857-1035; 857-2018



ITEM NO. 4

Comm. No.
From:

Received by:
Date:

Subject Matter:

Request for the full payment of just compensation of improvement (buildings) affected by the proposed 12.00 m. wide road opening of Baculio St. from Julio Pacana Street to Manuel Vega Street located at Barangay 21 & Consolacion, this City, owned by the following identified property owners, namely: 1) Romeo B. Quiroga (T/D No. G-313771 & G-313772), Php 11,477.76; and 2) Rolando Ceballos, Php 68,115.60 or in the total amount of Php 79,593.36, chargeable against current appropriation, Annual Budget CY 2017 "Non-Office: Land Expropriation/Acquisition". With Certificate of Availability of Funds (CAF) issued on November 6, 2017.

Referred to the **COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS**, 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: April 26, 2018

RECOMMENDING APPROVAL/LIR - SUBJECT TO NEW CAF

Chairman: **HON. EDNA M. DAHINO**

Vice Chairman: **HON. TEODULFO B. LAO JR.**

1ST
Member: **HON. ZALDY O. OCON**

2ND
Member: **HON. REUBEN R. DABA**

3RD
Member: **HON. ENRICO D. SALCEDO**

4TH
Member: **HON. GEORGE S. GOKING**

DISSENTING

Member

Member



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: 2017-1220

Date: 11/20/2017
Receiver: JESSAMINE

From: CMO

Subject: RE: RESOLUTION RECOMMENDING FAVORABLE APPROVAL TO APPROPRIATE THE AMOUNT OF Php79,593.36, CHARGEABLE AGAINST CURRENT APPROPRIATION, ANNUAL BUDGET CY 2017 NON-OFFICE: LAND EXPROPRIATION/ACQUISITION, TO COVER FULL PAYMENT OF JUST COMPENSATION OF IMPROVEMENTS (BUILDINGS) AFFECTED BY THE PROPOSED 12.00M WIDE ROAD OPENING OF BACULIO ST. FR J.PACANA ST. TO MANUEL VEGA ST. LOCATED AT BARANGAY 21, THIS CITY, OWNED BY THE HEREIN ATTACHED IDENTIFIED PROPERTY OWNERS. WITH CORRESPONDING CAF NO. 171-2017â€•

Respectfully referred to **COMMITTEE ON SUBDIVISION AND LANDED ESTATE** 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: 4/4/18

Refer to the Committee on Budget & Appropriations.

HON. DOMETILO C. ACENAS, JR.

Chairperson

HON. ENRICO D. SALCEDO

Vice Chairperson

HON. JAY R. PASCUAL

Member

HON. MARIA LOURDES S. GAANE

Member

HON. REUBEN R. DABA

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: NOVEMBER 20, 2017

FROM CMO

SUBJECT MATTER: RE: RESOLUTION RECOMMENDING FAVORABLE APPROVAL TO APPROPRIATE THE AMOUNT OF Php79,593.36, CHARGEABLE AGAINST CURRENT APPROPRIATION, ANNUAL BUDGET CY 2017 NON-OFFICE: LAND EXPROPRIATION/ACQUISITION, TO COVER FULL PAYMENT OF JUST COMPENSATION OF IMPROVEMENTS (BUILDINGS) AFFECTED BY THE PROPOSED 12.00M WIDE ROAD OPENING OF BACULIO ST. FR J.PACANA ST. TO MANUEL VEGA ST. LOCATED AT BARANGAY 21, THIS CITY, OWNED BY THE HEREIN ATTACHED IDENTIFIED PROPERTY OWNERS. WITH CORRESPONDING CAF NO. 171-2017"

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
Cagayan de Oro City

NOV 17 2017

OFFICE OF THE CITY MAYOR

2nd Indorsement
13 November 2017

Respectfully transmitted to **The Honorable Members of the City Council** through **City Vice Mayor RAINEIR JOAQUIN V. UY**, the attached Certificate of Availability of Funds No. 171- 2017, to wit:

re: "RESOLUTION RECOMMENDING FAVORABLE APPROVAL TO APPROPRIATE THE AMOUNT OF ₱79,593.36, CHARGEABLE AGAINST CURRENT APPROPRIATION, ANNUAL BUDGET CY 2017 "NON-OFFICE: LAND EXPROPRIATION/ACQUISITION", TO COVER FULL PAYMENT OF JUST COMPENSATION OF IMPROVEMENTS (BUILDINGS) AFFECTED BY THE PROPOSED 12.00M. WIDE ROAD OPENING OF BACULIO ST. FR. J. PACANA ST. TO MANUEL VEGA ST., LOCATED AT BARANGAY 21, THIS CITY, OWNED BY THE HEREIN ATTACHED IDENTIFIED PROPERTY OWNERS".

Hereby requesting inclusion on the agenda for the forthcoming City Council Session, for passage of appropriate Ordinance.


OSCAR S. MORENO
City Mayor



Republic of the Philippines
City of Cagayan de Oro
LOCAL FINANCE COMMITTEE



3rd Indorsement
18 May 2018

Respectfully forwarded to **Honorable Edna M. Dahino, City Councilor, Chairperson, Committee on Finance, Budget and Appropriation, this City**, the herein Certificate of Availability of Funds No. 055-2018, re: Appropriating the amount of ₱79,593.36, from Continuing Appropriation, Annual Budget CY 2017, Non-Office: Economic Services Sector- Land Acquisition/Expropriation, to cover full payment of just compensation of improvement (buildings) affected by the proposed 12.00m wide Road Opening of Baculio St. from J. Pacana St. to Manuel Vega St., located at Barangay 21, this City, owned by the herein attached identified owners as per letter request dated May 8, 2018, for her consideration and appropriate action.

ATTY. PERCY C. SALAZAR
City Budget Officer
Chairman, Local Finance Committee



Republic of the Philippines
Cagayan de Oro City

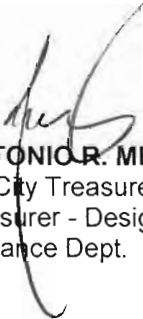
OFFICE OF THE CITY BUDGET OFFICE

CERTIFICATION

THIS IS TO CERTIFY that the amount of ₱ 79,593.36 from Continuing Appropriation, Annual Budget CY 2017, Non-Office: Economic Services Sector - Land Acquisition/ Expropriation, to cover full payment of just compensation of improvement (buildings) affected by the proposed 12.00m wide Road Opening of Baculio St. from J. Pacana St. to Manuel Vega St., located at Barangay 21, this City, owned by the following, is available, to wit;

<u>Owner</u>	<u>Amount</u>
1. Romeo B. Quiroga	₱ 8,232.00
2. Romeo B. Quiroga	3,245.76
3. Rolando Ceballos	68,115.60
	<u>₱ 79,593.36</u>

Issued this 15th day of May, 2018, pursuant to Local Finance Committee Resolution 134-2017.

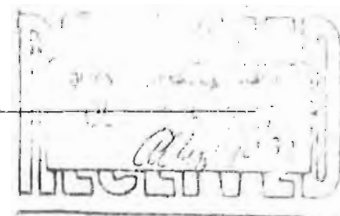

Mr. RAMON ANTONIO R. MENDOZA
Assistant City Treasurer
Acting City Treasurer - Designate
City Finance Dept.


Atty. BEDA JOY B. ELOT, CPA
City Accountant
City Accounting Office


Atty. PERCY G. SALAZAR
City Budget Officer
Chairman, Local Finance Committee
CAF - 055 - 2018



CITY APPRAISAL COMMITTEE

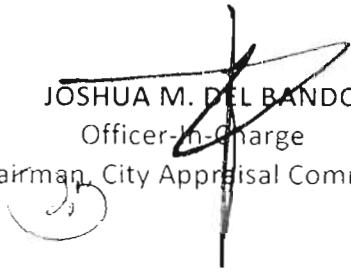


2nd Indorsement
October 24, 2017

Respectfully transmitted to Atty. Donald G. Delegencia, Executive Assistant II, Officer-In-Charge, City Legal Office, this city, the Appraisal Report of the City Appraisal Committee together with other pertinent documents, of the lot buildings affected by the proposed 12.00 m. wide road opening of Baculio St. fr. J. Pacana St. to Manuel Vega St., located at Barangay 21, this city, owned by the following:

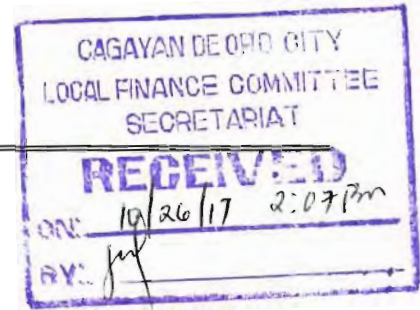
1. Romeo B. Quiroga
2. Romeo B. Quiroga
3. Rolando Ceballos

For his appropriate action.


JOSHUA M. DEL BANDO
Officer-In-Charge
Chairman, City Appraisal Committee



Republic of the Philippines
CITY LEGAL OFFICE
Cagayan de Oro City



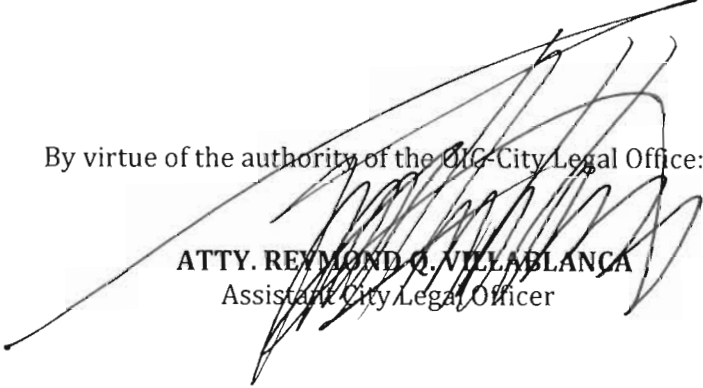
3rd Indorsement
26 October 2017

Respectfully forwarded to Honorable Chairman, Committee on Local Finance, this city, the herein attached 2nd Indorsement dated 24 October 2017 with pertinent documents of improvements affected by the proposed 12.00 m. wide road opening of Baculio St. from Julio Pacana Street to Manuel Vega Street, located at Barangay 21 & Consolacion, this City, with the request that a CERTIFICATE OF AVAILABILITY OF FUNDS (CAF) be issued by the Office of the City Treasurer and City Accounting in the amount of Seventy Nine Thousand Five Hundred Ninety Three Pesos and .36/100 (P79,593.36) representing full payment of just compensation.

Owner

1. Romeo B. Quiroga
2. Romeo B. Quiroga
3. Rolando Ceballos

By virtue of the authority of the CLO-City Legal Office:


ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer

Republic of the Philippines
City of Cagayan de Oro
CITY APPRAISAL COMMITTEE

APPRAISAL REPORT

ON IMPROVEMENTS (BUILDINGS) AFFECTED BY THE PROPOSED ROAD OPENING OF BACULIO ST. FROM JULIO PACANA ST. TO MANUEL VEGA ST., LOCATED AT BARANGAY 21 & CONSOLACION, THIS CITY.

<u>DECLARED OWNERS</u>	<u>T/D NO.</u>	<u>MARKET VALUE</u>	<u>APPRAISAL OF THE COMMITTEE</u>
1. ROMEO B. QUIROGA	G-313771	P 8,232.00	P 8,232.00
2. ROMEO B. QUIROGA	G-313772	3,245.76	3,245.76
3. ROLANDO CEBALLOS	G-318024	68,115.60	<u>68,115.60</u>
<i>Total Appraised Value</i>			<u>P 79,593.36</u>

REFERENCES:

- (a) Transmittal dated Feb. 1, 2017 from Engr. Rolando M. Pacuribot, City Engineer
- (b) Tax Declarations
- (c) Photographs

REMARKS:

Ocular inspection conducted.

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 6th day of October, 2017.


JOSHUA M. DEL BANDO
OIC, City Assessor's Office
Chairman


RAMON ANTONIO R. MENDOZA
Acting City Treasurer
Member


ROLANDO M. PACURIBOT
City Engineer
Member

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:

SUBJECT MATTER: Proposed Ordinance authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement (MOA) with the Department of Environment and Natural Resources-Region X, represented by its Regional Director Arleigh J. Adorable, CESO III, covering the implementation of Rural Infrastructure Subproject - Proposed Development of Barangay Balubal (Purok 1) to Sitio Laguilay Access Road, this City, under the terms and conditions specified therein.

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

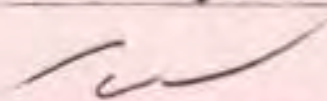
FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: June 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
Sangguniang Panlungsod
Tel. # : 854-4026 / 857-4032 / 857-2258

Communication Number: 2018-1620

Date: 05/02/2018
Receiver: JESSAMINE

From: CPDO

Subject: SEVEN (7) SETS OF MEMORANDUM OF AGREEMENT (MOA) BY AND BETWEEN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES X AND THE CITY GOVERNMENT OF CAGAYAN DE ORO, IN THE IMPLEMENTATION OF RURAL INFRASTRUCTURE SUBPROJECT, PROPOSED DEVELOPMENT OF BARANGAY BALUBAL (PUROK 1) TO SITIO LAGILAY ACCESS ROAD; AND 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 PUBLIC WORKS**
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: 5-28-18

CR - recommending approval

HON. ZALDY O. OCON
Chairperson

HON. JAY R. PASCUAL
Vice Chairperson

HON. EDNA M. DAHINO
Member

HON. REUBEN R. DABA
Member

HON. TEODULFO E. LAO, JR.
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

HON. LEONID 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

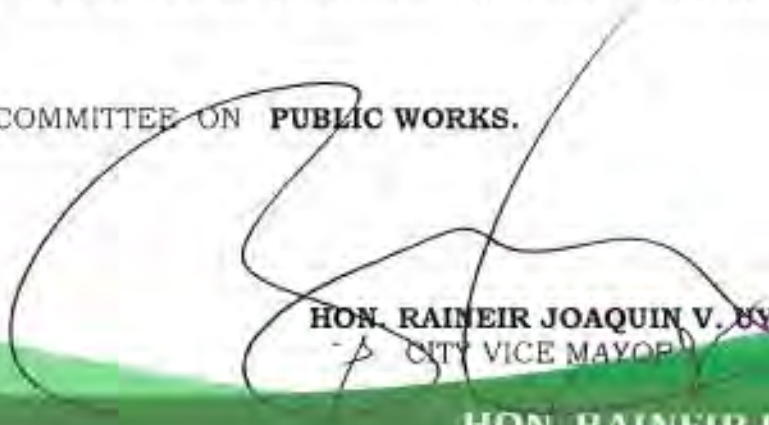


2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

DATE: MAY - 3 2018
FROM: CPDO

SUBJECT MATTER: SEVEN (7) SETS OF MEMORANDUM OF AGREEMENT (MOA) BY AND BETWEEN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES X AND THE CITY GOVERNMENT OF CAGAYAN DE ORO, IN THE IMPLEMENTATION OF RURAL INFRASTRUCTURE SUBPROJECT, PROPOSED DEVELOPMENT OF BARANGAY BALUBAL (PUROK 1) TO SITIO LAGILAY ACCESS ROAD; AND 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 **PUBLIC WORKS.**


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

cagayan
de oro

OFFICE OF THE CITY MAYOR

May 28, 2018

HON. RAINEIR JOAQUIN V. UY

Vice Mayor

Cagayan de Oro City

Thru : Mr. Arturo S. De San Miguel
Secretary, City Council

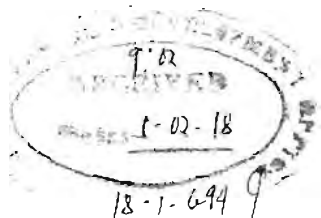
Dear Sir:

This is to respectfully endorse to the Hon. RAINEIR JOAQUIN V. UY, Vice Mayor and Presiding Officer, this City, the herein endorsement of Engr. ISIDRO G. BORJA, City Planning and Development Coordinator, recommending therein the passage of a Resolution authorizing the Honorable City Mayor to sign the Memorandum of Agreement (MOA) by and between the Department of Environment and Natural Resources (DENR) – Region X represented by Regional Director ARLEIGH J. ADORABLE and the City Government of Cagayan de Oro in implementing the Rural Infrastructure Subproject "Proposed Development of Barangay Balubal (Purok I) to Sitio Lagilay Access Road."

For your support and appropriate action.


OSCAR S. MORENO
City Mayor

2nd Floor, Executive Building
City Hall Compound, Castronuevo Street



30 April 2018

ENGR. ISIDRO G. BORJA
City Planning and Development Coordinator
City Hall
City of Cagayan de Oro

Dear Engr. Borja;

This has reference to your 1st ENDORSEMENT dated 30 April 2018 for comment and recommendation relative to the herein attached Memorandum of Agreement to be entered into by and between the Department of Environment and Natural Resources-Region X and the City Government of Cagayan de Oro.

In this connection, kindly be informed that upon through review and study of the attached Memorandum of Agreement, this Office finds the same to be in legal order and poses no legal objection to its execution.

Thus, should the City Government find the term and conditions in the Agreement amenable and for the best interest of the City Government, and assuming that the City can fully comply with it, then this Office recommends that the Agreement be duly indorsed to the Honorable Members of the City Council, for their favorable consideration, with a request for an Ordinance authorizing the City Mayor to enter into and sign the same to be enacted.

For your guidance and information.

Respectfully yours,

ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer

MEMORANDUM OF AGREEMENT

For the implementation of Rural Infrastructure Subproject
“Proposed Development of Barangay Balubal (Purok 1) to Sitio Lagilay Access Road”

KNOW ALL MEN BY THESE PRESENTS:

This Agreement is hereby made and entered into by and between:

The **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES-REGION X** with office address at Cagayan de Oro City, represented by the Regional Director, Dir. ARLEIGH J. ADORABLE, CESO III, hereinafter referred to as the **“FIRST PARTY”**

-and-

The **CITY GOVERNMENT OF CAGAYAN de ORO**, a local government unit established and existing under the laws of the Republic of the Philippines, with office address at Barangay 2, Cagayan de Oro City, represented by the City Mayor, HON. OSCAR S. MORENO, hereinafter referred to as the **“SECOND PARTY”**

-WITNESSETH-

WHEREAS, pursuant to Executive Order 192, the DENR is the primary Government agency mandated to conserve and manage the country’s environmental and natural resources;

WHEREAS, under the Republic Act 7160, otherwise known as the “Local Government Code of 1991”, local government units (LGUs) are mandated to share responsibility with the national and regional government in the protection and management of natural resources within their respective territorial jurisdictions;

WHEREAS, the Government of the Philippines (GOP) has obtained a loan (Loan No. 2957-PHI) in the amount of US\$100 Million from the Asian Development Bank (ADB) with co-financing from International Fund for Agricultural Development (IFAD) under Loan Agreement No. I-890-PH amounting to SDR13.250 Million for the purpose of the implementation of Integrated Natural Resources and Environmental Management Project (INREMP), herein referred to as the “Project”;

WHEREAS, as provided under the Loan Agreement Nos. 2957-PHI and I-890-PH executed by and between the GOP and the ADB and IFAD, all Project Funds concerning to the

implementation of Component 2 (Rural Infrastructure Development) and Performance Based Grant System (PBGS) which shall include Loan Proceeds and GOP Funds shall be coursed through and maintained by the Municipal Development Fund Office (MDFO) of the Department of Finance;

WHEREAS, the DENR and CLGU will be implementing the INREMP for the effective management of the Agusan-Cugman cluster of Watershed and to address the dual goals of poverty reduction and watershed conservation, to reduce and reverse environmental degradation in the said river basin for purposes of generating increased revenues from watershed management, biodiversity protection and livelihood investments, and to contribute to the sustainable socio-economic development of the City.;

WHEREAS, Office of The City Council, Ordinance No. _____ authorizes the Local Chief Executive to enter into a Memorandum of Agreement, Contract with eligible Contractor and issue an Accession Undertaking in support to the implementation of rural infrastructure subprojects under Component 2 of the INREMP;

WHEREAS, the SECOND PARTY agrees to participate in the planning and implementation of approved rural infrastructure subprojects consistent with WMPs which shall be formulated and adopted by all concerned communities, LGUs and other stakeholders.

NOW THEREFORE, for and in consideration of the foregoing premises, the Parties hereby agree as follows:

ARTICLE I

1.1 Joint Obligations of the Parties

- 
- a. The Parties shall be governed by the Project Financing Agreement, Project Administration Manual and Rural Infrastructure Implementation Guidelines in the identification, preparation and implementation of rural infrastructure subproject/s;
 - b. Ensure compliance to Social and Environmental Safeguards; and
 - c. Jointly monitor, inspect, and evaluate the rural infrastructure subproject accomplishments based on the approved subproject document and construction implementation schedule.

1.2 Obligations of the FIRST PARTY

- a. Assist the SECOND PARTY in the planning and preparation of proposal, and implementation of the rural infrastructure subprojects including but not limited to

technical assistance and capacity building on procurement, construction supervision, financial management and operation and maintenance;

- b. Ensure that the rural infrastructure subproject/s is/are implemented in compliance with the technical standards and applicable laws and regulations in accordance with the subproject proposal of the SECOND PARTY as approved for financing by the Provincial/Watershed Management Council (WMC);
- c. Monitor progress and validate physical and financial accomplishment of the LGU subprojects as basis for recommendation to MDFO for fund release;
- d. Ensure that management and disbursement of funds are in accordance with the ADB fiduciary guidelines and existing GoP laws and regulations;

1.3 Obligations of the SECOND PARTY

- a. Prepare and submit short list of possible rural infrastructure projects to WMC for endorsement;
- b. Prepare and submit infrastructure subproject proposal documents for validated rural infrastructure projects to WMC;
- c. Implement the rural infrastructure subprojects, including but not limited to, procurement, construction supervision and financial management, in accordance to the approved detailed engineering design and subproject proposal;
- d. Prepare and submit physical accomplishment/progress reports, financial reports and other pertinent documents to the FIRST PARTY as prerequisites of fund release for the subsequent endorsement to the MDFO;
- e. In collaboration with the FIRST PARTY, conduct regular progress monitoring of the rural infrastructure subproject implementation;
- f. Ensure availability of 20% cash equity/local counterpart funds as the LGU's share for the approved rural infrastructure subprojects;
- g. Execute an Accession Undertaking with MDFO and DENR, signed by the City Mayor, in his official capacity as Local Chief Executive.



ARTICLE II

2.1 Agreement Period

The Parties agree that the LGU rural infrastructure subprojects described under this Agreement shall be completed within the approved subproject/s construction implementation schedule. Any request for variation/time extension of the SECOND PARTY shall be subject to review and approval of the FIRST PARTY. Otherwise, the remaining obligations of the

SECOND PARTY to the Contractor/Client shall be chargeable against its Equity/Local Counterpart Funds.

Provided further, that failure of the SECOND PARTY to return unutilized funds to the MDFO INREMP Account shall cause the same to be offset in its annual Internal Revenue Allotment (IRA).

2.2 Performance Assessment

In case of non-compliance of the SECOND PARTY to the guidelines set forth in the approved rural infrastructure subproject, the MDFO, upon recommendation of the FIRST PARTY, shall withhold the release of succeeding funds intended for the said subproject.

ARTICLE III

3.1 Amendments

Amendments, revisions and/or modifications in this Agreement shall require the prior written approval of the Parties.

3.2 Effectivity

This Agreement shall take effect immediately upon signing hereof and shall remain as such for the duration of the project until its termination.

IN WITNESS WHEREOF, the Parties have hereunto affixed their signatures this ____ day of _____ at _____.

DENR Region X
By:

City Government of Cagayan de Oro
By:

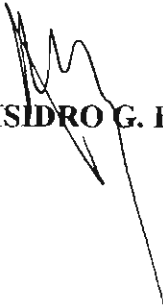
ARLEIGH J. ADORABLE, CESO III
Regional Director

OSCAR S. MORENO
City Mayor

Signed in the Presence of:

ALDRICH S. RESMA
OIC, PENR Officer

Engr. ISIDRO G. BORJA
CPDO



ACKNOWLEDGEMENT

Republic of the Philippines)
Province of Misamis Oriental)
City of Cagayan de Oro)S.C.

BEFORE ME A NOTARY PUBLIC personally came and appeared this ____ day of _____ 2018 in the City of Cagayan de Oro, Province of Misamis Oriental, Philippines, **ARLEIGH J. ADORABLE, CESO III**, with ID no. _____ issued at _____, issued last _____ and **HON. OSCAR S. MORENO**, with ID no. _____, issued at _____, issued last _____ and both persons are known to me to be the same persons who executed the foregoing instrument which consisted of only five(5) pages including this Acknowledgement and they acknowledge to me that the same is of their free act and voluntary deed.

WITNESS MY HAND AND SEAL, in the date and place above written.

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

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:

SUBJECT MATTER: Proposed Resolution requesting Energy Regulatory Commission, Metro Manila, to expedite the final decision covering ERC Case No. 2005-019 MC, Entitled: "In the Matter of Dispute Resolution: Violation of Franchise Area of MORESCO I by CEPALCO", considering that MORESCO I filed a Motion for Reconsideration.

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: June 1, 2018

→ for urban

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: Letter from Mr. Agusitn D. Caberte, Board President, MORESCO-1, requesting assistance to solve their problem pertaining to the encroachment of CEPALCO within Barangay Canitoan, this City, which is one of the areas that MORESCO-1 has long been serving.

Respectfully referred to the Committee on **ENERGY**, 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: *May 31, 2018*

LR: earnestly requesting ERC to expedite its decision relating to ER: Case No. 2005-019 MC, entitled, "In the Matter of Dispute Resolution: Violation of Franchise Area of MORESCO I by CEPALCO," as MORESCO I filed a Motion for Reconsideration which said office had been long avoided.

Chairman: HON. TEODULFO E. LAO, JR.

Vice-Chairman: HON. ROMEO V. CALIZO

Member: HON. ZALDY O. UCON

Member: HON. JAY R. PASCUAL

Member: HON. GEORGE T. GOKING

Ex-Officio-Member: _____

Ex-Officio-Member: _____

DISSENTING

Member

Member



**Misamis Oriental – 1
Rural Electric Service Cooperative Inc.**
Energizing Development, Empowering Lives



May 21, 2018

HON. TEODULFO E. LAO

Councilor/ Chair, Committee on Energy
Cagayan de Oro City

Dear Councilor Lao,

Greetings from the pioneer Electric Cooperative of the Philippines!

As the Committee Chair on Energy of Cagayan de Oro City, we seek for your aid in our concern. This is in regards to the encroachment of Cepalco within Canitoan, Cagayan de Oro, which is one of the areas that MORESCO-1 has long been serving.

In particular, on May 20, 2018, reports reached MORESCO-1 that CEPALCO has constructed additional distribution line with 10 '40feet' concrete poles at Ponte Fino Estates area. Per evaluation, said line passes through the center island of the roadway network going to Saint Francis Heights development area.

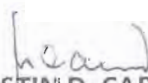
In line with this, we request for your intercession on this through the Office of the City Engineer, on the removal of said poles due to the danger it is posing to the motorists.

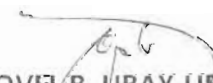
We have documented the incident with pictures and video which was witnessed by Barangay Captain Joshua Taboclaon of Canitoan. The incident was also blottered at PNP-Bulua the following day.

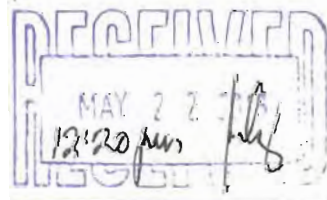
Please see attached photos for your reference.

Onwards a strong partnership for the development of the communities we serve.

Respectfully,


AGUSTIN D. CABERTE
Board President


JOVEL B. UBAY-UBAY, PEE
General Manager

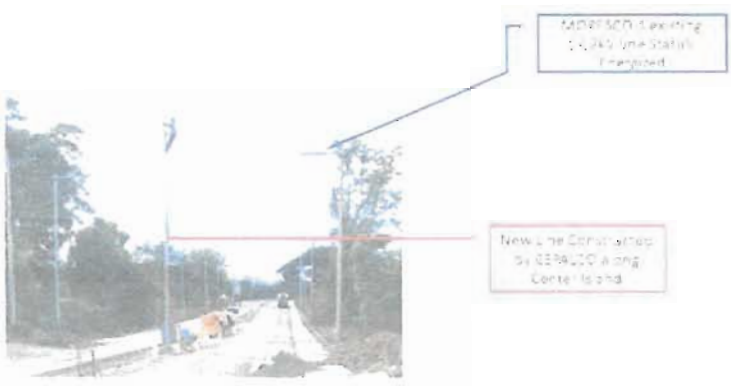




Misamis Oriental – 1
Rural Electric Service Cooperative Inc.

Energizing Development, Empowering Lives

Additional Line
Constructed by
CEPALCO as of
May 20, 2018



Republic of the Philippines
ENERGY REGULATORY COMMISSION
San Miguel Avenue, Pasig City

IN THE MATTER OF DISPUTE
RESOLUTION: VIOLATION OF
FRANCHISE AREA OF MORESCO I
BY CEPALCO

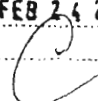
MISAMIS ORIENTAL I RURAL
ELECTRIC SERVICE COOPERATIVE,
INCORPORATED (MORESCO I),
REPRESENTED BY PEDRITO H.
BACULIO, BOARD PRESIDENT,
Complainant,

- versus -

ERC CASE NO. 2005-019 MC

CAGAYAN ELECTRIC POWER AND
LIGHT COMPANY, INCORPORATED
(CEPALCO), REPRESENTED BY
CONSUELO G. TIOY, PRESIDENT
AND CHIEF OPERATING OFFICER,
Respondent.

x-----x

DOCKETED
Date: FEB 26 2006
By: 

DECISION

Before the Commission for resolution is the "Complaint" filed on January 27, 2005 by Misamis Oriental I Rural Electric Service Cooperative, Incorporated (MORESCO I) praying among others, that: a) an Order be issued enjoining respondent Cagayan Electric Power and Light Company, Incorporated (CEPALCO) to stop its illegal construction of electric distribution line along the newly opened diversion road from landfill to SM; b) a judgment be rendered declaring it as the lawful franchise holder of the disputed area; and c) respondent be ordered to vacate the premises.



Having found the subject complaint sufficient in form and in substance with the required fees having been paid, an Order dated February 28, 2005 was issued setting the case for pre-hearing conference on March 29, 2005.

In the same Order, CEPALCO was directed to file its comment on the complaint within ten (10) days from receipt thereof.

On March 21, 2005, CEPALCO filed a "Motion for Extension of Time to File Comment and for Postponement of Pre-Hearing Conference". Relative thereto, on March 28, 2005, the Commission issued an Order granting said motion and resetting the pre-hearing conference to April 12, 2005.

On April 28, 2005, CEPALCO filed a "Motion to Admit Answer/Comment" attaching therewith its "Answer/Comment".

On May 31, 2005, MORESCO I filed its "Motion (For Probational Authority to Serve Customer)".

On June 14, 2005, CEPALCO filed its "Opposition".

On July 1, 2005, MORESCO I filed its "Reply with Urgent Motion for Issuance of Provisional Authority".

On August 23, 2005, CEPALCO filed its "Rejoinder".

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On various dates, the Commission conducted series of hearings. MORESCO I presented the following witnesses, who all testified in support of its complaint: a) Mr. Pedrito H. Baculio, its Board President; b) Engr. Jovel B. Ubay-Ubay, its Engineering Services Manager; and c) Mr. James Dunque, Mapping Division Chief of Cagayan de Oro's City Assessor's Office.

In the course of their respective direct examinations, the witnesses identified various documents which were duly marked as exhibits. Said witnesses were lengthily cross-examined by CEPALCO at the time they were presented as such.

For CEPALCO, it presented the following witnesses, who all testified in support of its answer/comment: a) Engr. Bonifacio A. Rana, Jr., Department Caretaker of its District Services Department; and b) Mr. Cletus Vallar, Technical Staff of the Arbitration Committee on Delineation of Barangay Boundaries of the City Government of Cagayan de Oro.

Likewise, said witnesses identified various documents in the course of their respective direct examinations. The documents were duly marked as exhibits for CEPALCO. They were also lengthily cross-examined by MORESCO I at the time they were presented as such.

On May 19, 2006, MORESCO I filed its "Manifestation (With Formal Offer of Exhibits)".



On January 26, 2007, CEPALCO filed its "Objections to Formal Offer of Exhibits".

On September 20, 2007, CEPALCO filed its "Formal Offer of Evidence".

On October 26, 2007, MORESCO I filed its "Comment to Formal Offer of Exhibits of Respondent with Motion for Ocular Inspection and with Reservation to Present Rebuttal Evidence".

On November 15, 2007, CEPALCO filed its "Reply to Comments to Formal Offer".

On March 13, 2008, MORESCO I filed an "Urgent Motion for Issuance of TRO, Injunction, Ocular Inspection and To Cite CEPALCO in Contempt of Court" praying that: a) upon filing thereof, a Temporary Restraining Order (TRO) be issued immediately, and after due hearing, a permanent injunction prohibiting CEPALCO from violating MORESCO I's franchise area be issued; b) an ocular inspection on the three (3) disputed areas be conducted; and c) an Order be issued directing CEPALCO to explain why it should not be cited for contempt.

In the said motion, MORESCO I alleged, among others, that:

- a) On or about March 7, 2008, CEPALCO has, for the fourth (4th) time, built a distribution line along Macapagal Drive, Upper Canito-an (now Upper Carmen), Cagayan de Oro City, consisting of about seventeen (17) electric poles;
- b) The new line of CEPALCO is a duplication of MORESCO I's existing line and a violation of the Electric Power and Industry Reform Act of 2001 or the EPIRA;

2 /

Two handwritten signatures in black ink, one appearing to be a stylized 'H' and the other a more complex cursive signature.

- c) It is constructed apparently without prior approved capital expenditure application;
- d) The said line, which is built very close to MORESCO I's existing line, engineering-wise, constitutes serious danger and hazard and must be stopped immediately;
- e) It is likewise highly contemptuous on the Commission, considering the existence of the two (2) above-entitled cases; and
- f) This is the 4th violation of MORESCO I's franchise area and is a serious insult to its Board and Management and greatly prejudices its member-consumers.

On April 2, 2008, CEPALCO filed an "Opposition to Urgent Motion for Issuance of TRO, Injunction, Ocular Inspection and to Cite CEPALCO in Contempt of Court".

On May 8, 2008 the Commission held a clarificatory meeting in order for MORESCO I and CEPALCO to ventilate their respective arguments. Thereafter, they were directed to file their respective memoranda within thirty (30) days from said date of meeting.

On even date, the Commission conducted an ocular inspection within the disputed area, subject of the instant complaint.

On May 26, 2008, the Commission issued an Order directing MORESCO I and CEPALCO to observe the Status Quo until such time that the Commission has resolved the matter.

On June 10, 2008, CEPALCO filed its "Memorandum".



On July 17, 2008, MORESCO I filed its "Memorandum for Complainant".

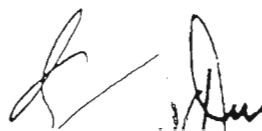
On December 3, 2008, CEPALCO filed an "Urgent Motion for the Issuance of a Cease and Desist Order Against MORESCO I and to Cite MORESCO I for Contempt" praying that: MORESCO I be: a) directed to cease and desist from further constructing distribution lines and facilities in the disputed area; b) directed to remove the distribution lines/facilities it has constructed in violation of the Status Quo Order; c) cited in contempt for violating the Status Quo Order of the Commission; and d) heavily fined in accordance with the Schedule of Penalties of the Commission. It further prayed that the officers and employees of MORESCO I involved in the violation be cited in contempt under Rule 71 of the Revised Rules of Court.

In the said motion, CEPALCO alleged, among others, that on November 22, 2008, it discovered that MORESCO I has been erecting primary poles and installing primary line facilities along the SM Alternate Road, situated well within the disputed area.

It further alleged that MORESCO I had already completed the construction of about fifteen (15) spans of primary poles with three (3)-phase primary lines. This line construction is a willful and deliberate disregard of the Commission's Status Quo Order and constitutes a clear violation of the said Order.

On January 4, 2010, MORESCO I filed a "Motion to Cite CEPALCO in Contempt" praying that: a) CEPALCO be made to explain why it should not be cited in contempt of court; and b) pending resolution of the instant motion,

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CEPALCO be ordered to stop its illegal construction at Phase II, Silver Creek Subdivision at Puli, Canito-an, Cagayan de Oro City.

In the said motion MORESCO I alleged, among others, that sometime in November 2009, in defiance and violation of the Status Quo Order dated May 26, 2008, CEPALCO constructed a distribution line to serve Phase II of Silver Creek Subdivision, located in Puli, Canito-an, Cagayan de Oro City. It further alleged that said violation is the latest of series of illegal encroachments by CEPALCO.

The "Formal Offer of Exhibits" filed on May 19, 2006 by MORESCO I and the "Formal Offer of Evidence" filed on September 20, 2007 by CEPALCO are hereby admitted for being relevant and material in the final resolution of the case.

DISCUSSION

The instant complaint stemmed from the alleged violation of the provisions of the compromise agreement executed by and between MORESCO I and CEPALCO, particularly the definition of the electric franchise boundary with respect to Barangay Canito-an, Cagayan de Oro City.

In the said complaint, MORESCO I alleged, among others, that:

- a. On or about August 18, 2004, CEPALCO, willfully, illegally and in bad faith, and in gross violation of the franchise area of MORESCO I, constructed an electric distribution line along the newly opened diversion road from Landfill to SM consisting of about two (2) kilometers; and
- b. CEPALCO is aware of the franchise boundary of MORESCO I, having participated in the preparation of the compromise agreement.



By way of special and affirmative defenses, CEPALCO, in its answer/comment, alleged, among others, that:

- a. MORESCO I does not state a cause of action and
- b. CEPALCO's original franchise covered, among others, the entire City of Cagayan de Oro.

CEPALCO further alleged that it agreed, by way of a compromise agreement, to allow MORESCO I to serve electricity customers in the area which it was misled to believe is part of Barangay Canito-an (referred to as Lower Canito-an), a barangay of Cagayan de Oro City. To implement the agreement, a sketch map was prepared, indicating therein the supposed boundary line between Barangays Canito-an and Carmen. The said boundary line was supposed to delineate the respective franchises of MORESCO I and CEPALCO. From the outset, it was never the intention of the parties that any part of Barangay Carmen was to be ceded by CEPALCO to MORESCO I and be part of the latter's franchise area.

The core issue to be resolved in this case is which distribution utility has the right to provide electric service in the disputed area.

MORESCO I and CEPALCO presented several witnesses and submitted various documents in support of their respective allegations.

It is worth mentioning that on January 27, 2000, the National Electrification Commission (NEC) issued a Decision in NEC Case No. 97-15 [Application for

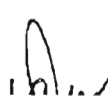
Franchise to Operate Electric Light and Power Service in the Municipality of Talakag, Bukidnon, and in the Fifteen (15) Upper Barangays of Cagayan de Oro City, Namely: Canito-an, Pagatpat, Baikingon, San Simon, Tumpagon, Pigsagan, Tuburan, Pagalongan, Tagpangi, Taglimao, Bayanga, Mambuaya, Dansolihon, Tignapoloan and Bisigan, MORESCO I – Applicant *versus* Bukidnon II Electric Cooperative, Incorporated (BUSECO) and CEPALCO – Oppositors] the dispositive portion of which provides:

"WHEREFORE, in consideration of the joint motion of MORESCO I and BUSECO, MORESCO I is hereby allowed to continue its service in Talakag, Bukidnon in the meantime until such time that BUSECO shall have become capable of servicing said town or the real sentiments of the people concerned shall have been determined as to which of the two electric cooperatives shall serve them, or both cooperatives shall have settled the matter amicably between them at the instance of any party or the Commission itself.

FURTHERMORE, except in the Municipality of Talakag, in the Province of Bukidnon, and the upper portion of Barangay Canito-an, Cagayan de Oro City (referred to in the Compromise Agreement between MORESCO I and CEPALCO dated November 29, 1999), the herein application of MORESCO I for franchise in the Barangays of Pagatpat, Baikingon, San Simon, Tumpagon, Pigsagan, Tuburan, Pagalongan, Tagpangi, Taglimao, Bayanga, Mambuaya, Dansolihon, Tignapoloan, Bisigan and the lower portion of Barangay Canito-an, all in the City of Cagayan de Oro is hereby APPROVED and that said barangays are therefore included in the franchise area of MORESCO I, PROVIDED however that the upper portion of Barangay Canito-an, Cagayan de Oro City referred to in the herein agreement, remain within the franchise of CEPALCO.

Let the respective franchises of both CEPALCO and MORESCO I be modified accordingly." (*Underscoring supplied*)

Parenthetically, on March 31, 2004, the Congress of the Philippines enacted Republic Act No. 9284 (An Act Amending and Extending the term of the Franchise Granted to Cagayan Electric Power and Light Company, Incorporated Under Republic Act No. 3247, as Amended by Republic Act No. 3570 and

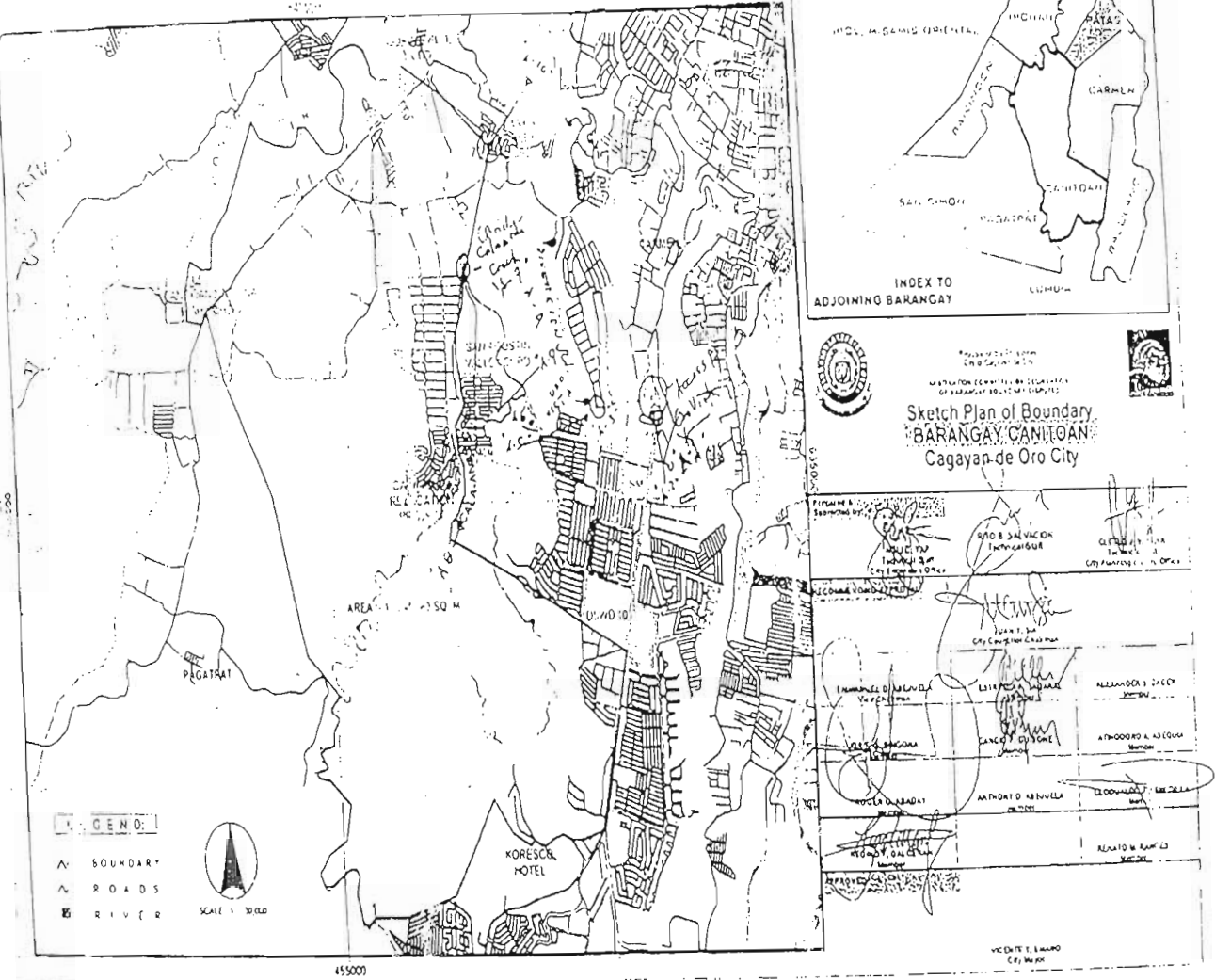
Republic Act No. 620) granting CEPALCO, its successors or assigns, a franchise to construct, operate and maintain in the public interest and commercial purposes, a distribution system for the conveyance of electric power to the end-users in the City of Cagayan de Oro and the Municipalities of Tagoloan, Villanueva and Jasaan, all in the Province of Misamis Oriental, except the barangays of Baikington, San Simon, Pagatpat, Tagpangi, Pagalungan, Taglimao, Tuburan, Pagsag-an, Tumpagon, Bayanga, Mabuaya, Dansolihon, Tignapoloan, Besigan and a portion of Canito-an, all located in the City of Cagayan de Oro.

The NEC Decision expressly enumerated additional areas that would form part of MORESCO's franchise area. The aforementioned law, likewise, provided the franchise area of CEPALCO.

During the ocular inspection of the disputed area by the Commission on May 8, 2008, both parties offered a common evidence, the Sketch Plan of Boundary for Barangay Canito-an, Cagayan de Oro City prepared by the Arbitration Committee on Delineation of Barangay Boundary Disputes, which was both acknowledged and signed by the representatives of MORESCO I and CEPALCO. Said document was duly marked as "Ocular Inspection Annex 1", as shown below:

A handwritten signature in black ink, consisting of a stylized 'G' shape with a vertical line extending downwards and a horizontal line at the bottom.

BARANGAY CANITOAN



From the said sketch map, it can be gleaned that the disputed area is beyond the boundary of Barangay Canito-an. Following the Index to Adjoining Barangay shown above, the disputed area is in fact, located in Barangay Carmen. Based on the NEC Decision, this is not part of MORESCO I's franchise area.

WHEREFORE, in view of the NEC Decision dated January 27, 2000 in NEC Case No. 97-15, Republic Act No. 9284 and "Ocular Inspection Annex 1", as submitted by the parties, the instant complaint is hereby **DISMISSED**.

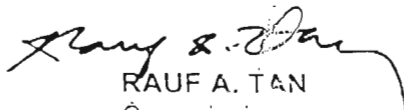
Misamis Oriental Rural Electric Service Cooperative, Incorporated (MORESCO I) and Cagayan Electric Light and Power Company, Incorporated (CEPALCO) are hereby **ADVISED** to strictly comply with the terms and conditions set forth in the NEC Decision and Republic Act No. 9284.

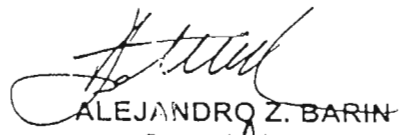
Accordingly, the Status Quo Order dated May 26, 2008 is hereby **LIFTED**.

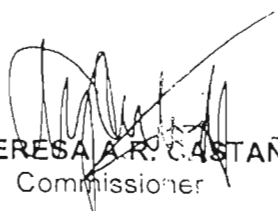
SO ORDERED.

Pasig City, February 8, 2010.


ZENaida G. CRUZ-DUCUT
Chairperson *grace*


RAUF A. TAN
Commissioner


ALEJANDRO Z. BARIN
Commissioner


MARIA TERESA A.R. CASTAÑEDA
Commissioner


JOSE C. REYES
Commissioner


AVMMORESCO I versus CEPALCO/dispute resolution/2005-019MC/DECISION

Copy Furnished:

1. Atty. Conchito J. Oclarit
Counsel for Complainant
2nd Floor PSBank Bldg., JR. Borja St.,
Cagayan de Oro City
2. Atty. Manuel L.M. Torres
Counsel for Respondent
Quiazon, Makalintal, Barot, Torres & Ibarra
21st Floor, Robinson-Equitable Tower
4 ADB Avenue, Ortigas Center, Pasig City
3. Misamis Oriental Electric Cooperative, Inc. (MORESCO I)
Laguindingan, Misamis Oriental 9019
4. Cagayan Electric Power and Light Company (CEPALCO)
Toribio Chavez St., Cagayan de Oro City



OFFICE OF THE CITY COUNCIL

(08822) 724854; (088) 857-4029; 857-4035; 857-2258



ORDINANCE NO. 10341-2006

AN ORDINANCE ADOPTING THE HEREIN REVISED SKETCH/LOT PLAN AND TECHNICAL DESCRIPTION SHOWING THE NATURAL AND COMMON BOUNDARY OF BARANGAY CARMEN, THIS CITY, CONTAINING AN AREA OF 9,566,519 SQUARE METERS, MORE OR LESS; AND FOR THIS PURPOSE, AMENDING PERTINENT PROVISIONS OF ORDINANCE NO. 4373-94, OTHERWISE KNOWN AS THE CODIFIED ORDINANCE OF THE CITY OF CAGAYAN DE ORO, AS AMENDED BY ORDINANCE NO. 9051-2004

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

SECTION 1. - The herein revised sketch/lot plan and technical description showing the natural and common boundary of Barangay Carmen, this City, containing an area of 9,566,519 square meters, more or less, is hereby adopted, to wit:

"Subject: TECHNICAL DESCRIPTION of BOUNDARY
Barangay CARMEN, Cagayan de Oro City

Boundaries: Bounded on the North along lines 1-13 by Barangays Patag and Kauswagan, on the East along lines 13-25 by Cagayan River, on the Southeast along lines 25-60 by Barangay Balulang, on the Southwest along lines 60-1 by Barangay Canitoan. Beginning, at a point marked "1" on the plan being N 89 deg 54' W., 3,362.41 meters from BLLM no. 1, Cagayan Cadastre.

Thence	N 61 deg 23' E	2157.11	meters to point	2
Thence	N 61 deg 07' E	134.3	meters to point	3
Thence	N 65 deg 02' E	95.61	meters to point	4
Thence	N 63 deg 47' E	430.98	meters to point	5
Thence	N 81 deg 28' E	81.6	meters to point	6
Thence	N 87 deg 54' E	59.92	meters to point	7
Thence	S 72 deg 48' E	71.67	meters to point	8
Thence	S 64 deg 39' E	198.42	meters to point	9
Thence	S 67 deg 34' E	81.91	meters to point	10
Thence	N 22 deg 47' E	164.65	meters to point	11
Thence	S 46 deg 22' E	364.47	meters to point	12
Thence	S 86 deg 34' E	280.97	meters to point	13
Thence	S 09 deg 41' W	291.3	meters to point	14
Thence	S 07 deg 11' W	168.63	meters to point	15
Thence	S 07 deg 04' W	102.68	meters to point	16
Thence	S 05 deg 06' W	96.33	meters to point	17
Thence	S 05 deg 01' W	193.49	meters to point	18
Thence	S 05 deg 00' W	110.64	meters to point	19
Thence	S 05 deg 01' W	93.6	meters to point	20
Thence	S 36 deg 35' E	224.44	meters to point	21
Thence	S 07 deg 12' W	239.76	meters to point	22
Thence	S 11 deg 18' W	49.15	meters to point	23
Thence	S 48 deg 22' W	280.04	meters to point	24
Thence	S 28 deg 44' W	433.69	meters to point	25
Thence	N 46 deg 54' W	255.72	meters to point	26
Thence	S 85 deg 42' W	123.5	meters to point	27



OFFICE OF THE CITY COUNCIL

(08822) 724854; (088) 857-4029; 857-4035; 857-2258



PAGE 2 OF 3, ORDINANCE NO. 10341-2006,

Thence	N 82 deg 51' W	23.2	meters to point	30
Thence	N 48 deg 30' W	64.28	meters to point	31
Thence	N 30 deg 16' W	198.35	meters to point	32
Thence	S 35 deg 46' W	106.14	meters to point	33
Thence	N 57 deg 23' W	164.91	meters to point	34
Thence	S 59 deg 2' W	37.79	meters to point	35
Thence	S 30 deg 58' W	64.79	meters to point	36
Thence	S 17 deg 46' W	100.15	meters to point	37
Thence	S 7 deg 28' W	56.97	meters to point	38
Thence	N 57 deg 10' W	121.23	meters to point	39
Thence	S 69 deg 58' W	86.71	meters to point	40
Thence	S 21 deg 42' W	83.11	meters to point	41
Thence	S 27 deg 21' W	58.4	meters to point	42
Thence	S 30 deg 40' W	31.49	meters to point	43
Thence	S 32 deg 58' W	139.57	meters to point	44
Thence	S 27 deg 31' W	15.91	meters to point	45
Thence	S 20 deg 58' W	20.1	meters to point	46
Thence	S 01 deg 45' W	84.73	meters to point	47
Thence	S 16 deg 48' E	245.67	meters to point	48
Thence	S 13 deg 16' E	25.71	meters to point	49
Thence	S 08 deg 11' E	32.16	meters to point	50
Thence	S 00 deg 18' W	31	meters to point	51
Thence	S 06 deg 30' W	35.39	meters to point	52
Thence	S 13 deg 37' W	26.99	meters to point	53
Thence	S 16 deg 55' W	783.41	meters to point	54
Thence	S 13 deg 39' W	70.36	meters to point	55
Thence	S 13 deg 06' W	122.18	meters to point	56
Thence	S 13 deg 04' W	239.96	meters to point	57
Thence	S 12 deg 43' W	248.11	meters to point	58
Thence	S 12 deg 56' W	116.85	meters to point	59
Thence	S 12 deg 36' W	65.48	meters to point	60
Thence	N 64 deg 56' W	1424.26	meters to point	61
Thence	N 68 deg 6' W	452.89	meters to point	62
Thence	N 13 deg 19' E	69.96	meters to point	63
Thence	N 07 deg 31' E	37.73	meters to point	64
Thence	N 46 deg 11' E	103.11	meters to point	65
Thence	N 18 deg 27' E	55.05	meters to point	66
Thence	N 31 deg 53' E	85.51	meters to point	67
Thence	N 05 deg 26' E	20.04	meters to point	68
Thence	N 00 deg 54' W	120.65	meters to point	69
Thence	N 01 deg 31' W	32.55	meters to point	70
Thence	N 08 deg 17' W	14.72	meters to point	71
Thence	N 21 deg 00' W	127.61	meters to point	72
Thence	N 04 deg 27' W	168.9	meters to point	73
Thence	N 35 deg 52' E	125.36	meters to point	74

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[Handwritten initials]



Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(08822) 724854; (088) 857-4029; 857-4035; 857-2258



PAGE 3 OF 3, ORDINANCE NO. 10341-2006,

Thence	N 08 deg 01' W	333.04	meters to point	76
Thence	N 05 deg 19' E	151.69	meters to point	77
Thence	N 22 deg 58' E	185.38	meters to point	78
Thence	N 08 deg 29' E	158.27	meters to point	79
Thence	N 18 deg 06' E	78.07	meters to point	80
Thence	N 19 deg 33' E	868.25	meters to point of	

Beginning, containing an area of Nine Million Five Hundred Sixty Six Thousand Five Hundred Nineteen (9,566,519) square meters , more or less."

SECTION 2. - The lot plan and technical description submitted to this Council by the City Engineer's Office, which is now on file with the Secretariat of the Office of the City Council, shall be the official political map of Barangay Carmen for all official purposes.

SECTION 3. - For this purpose, pertinent provisions of Ordinance No. 4373-94, otherwise known as the Codified Ordinance of the City of Cagayan de Oro, as amended by Ordinance No. 9051-2004, is hereby amended.

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

UNANIMOUSLY APPROVED.

Present: - Councilor Ian Mark Q. Nacaya - Councilor Reynaldo N. Advincula
- Councilor Caesar Ian E. Acenas - Councilor Maryanne C. Enteria
- Councilor Simeon V. Licayan - Councilor Zaldy O. Ocon
- Councilor Alexander S. Dacer - Councilor Jerico Goldmar P. Ehabacol
Acting City Mayor: - Councilor Juan Y. Sia
On Official Business: - Councilor Annic Y. Daba, *Acting City Vice Mayor* - Councilor Alfonso C. Goking
- Councilor Jose Benjamin A. Benaldo
On Leave: - Vice Mayor Michelle T. Spiers
Absent: - Councilor Alvin R. Calingin

DONE in the City of Cagayan de Oro this 16TH day of October 2006.

I hereby certify to the correctness of the aforesated Ordinance.

Attested as duly enacted:

EDGAR S. CABANLAS
CITY COUNCILOR
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

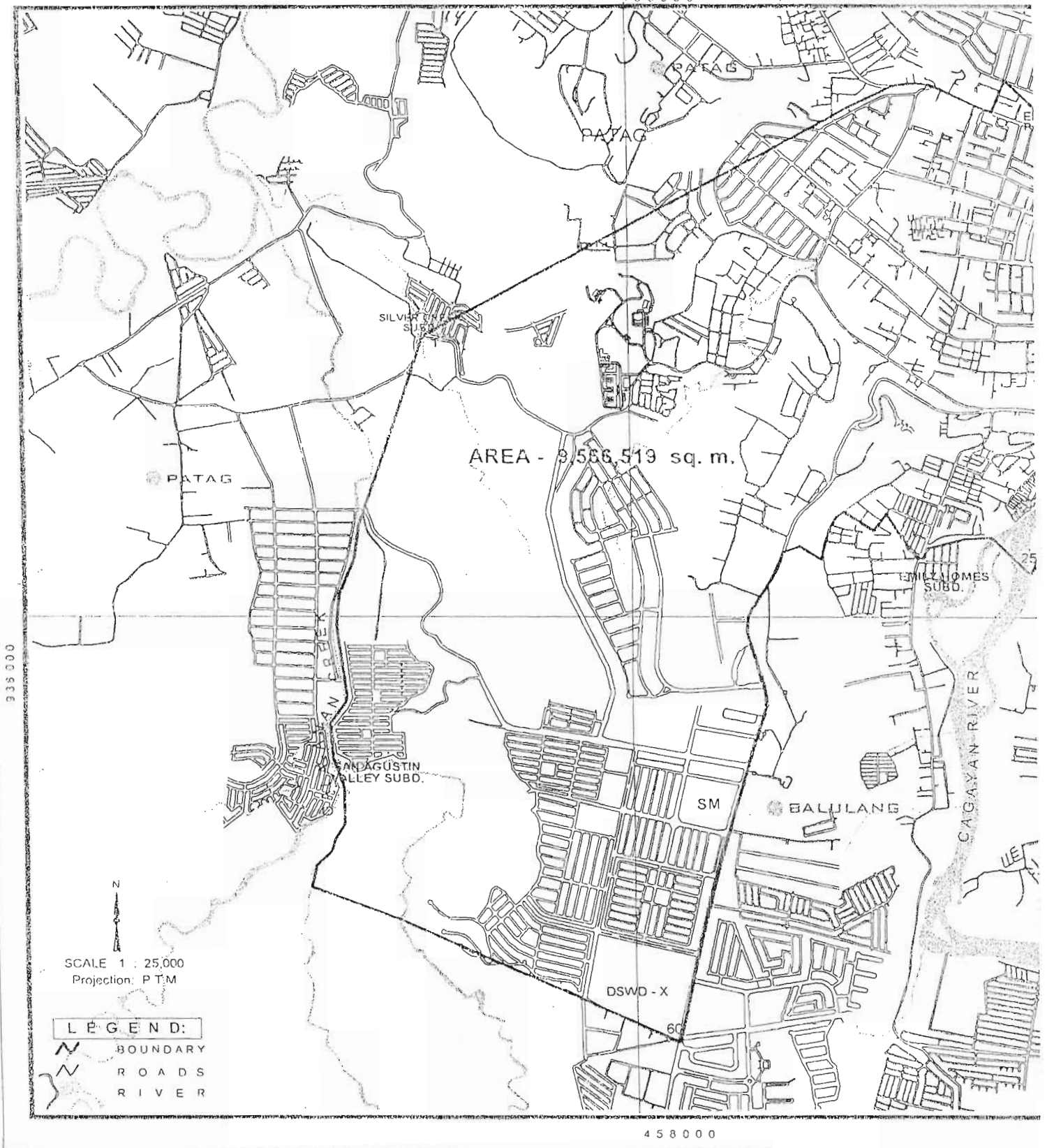
Approved:

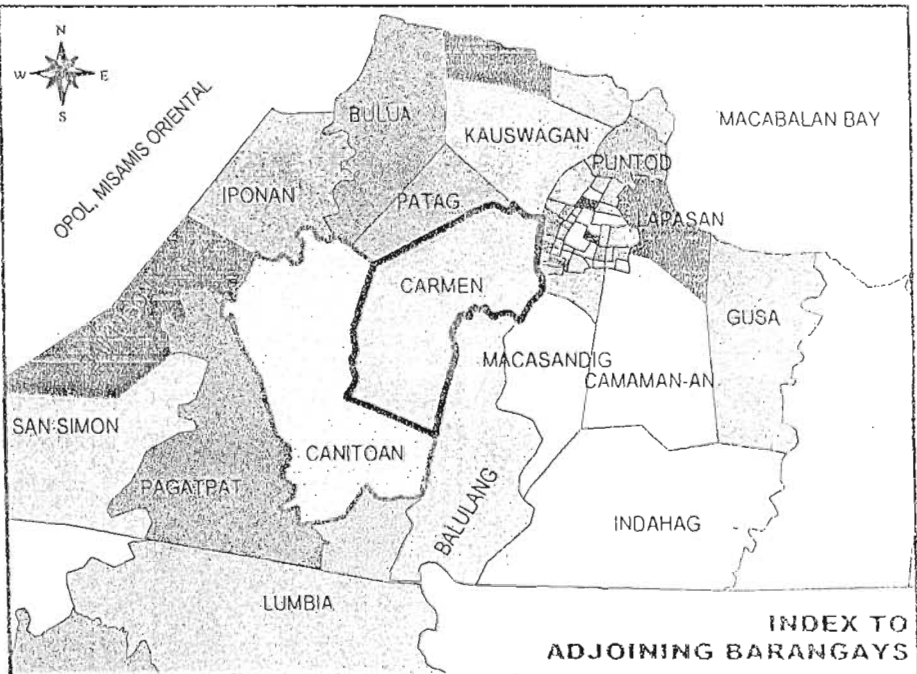
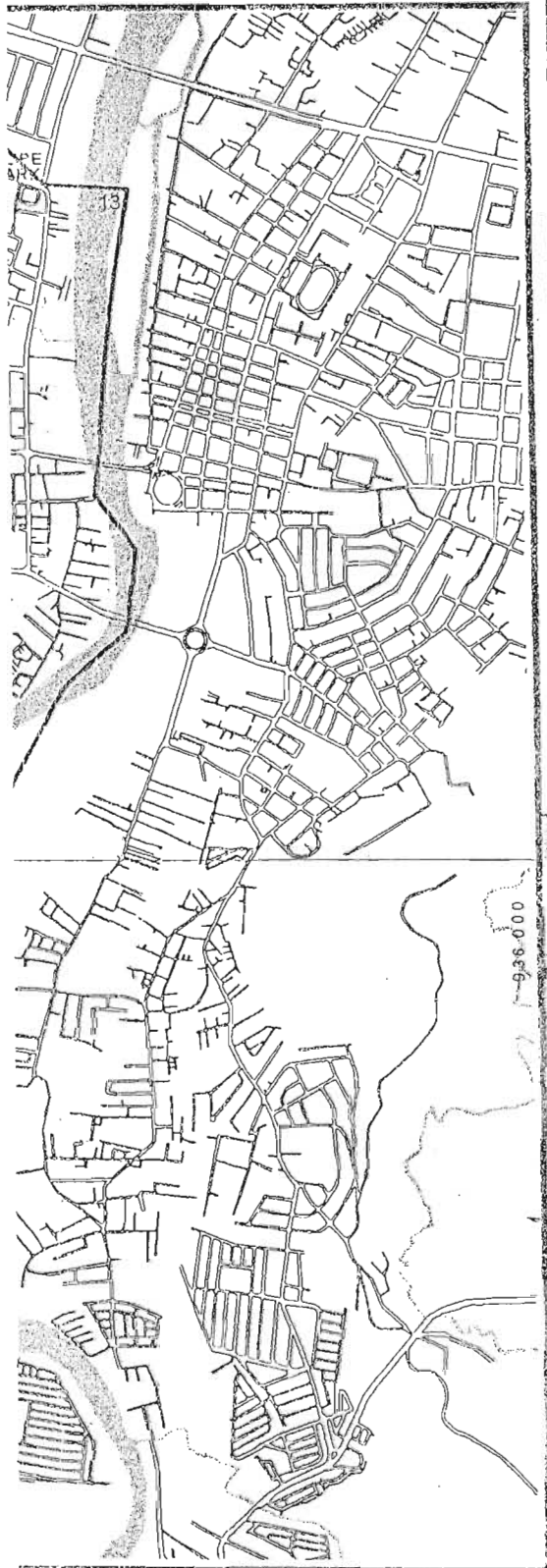
VICENTE Y. EMANO
CITY MAYOR

Attested:

BARANGAY CARMEN

458000





Republic of the Philippines
City of Cagayan de Oro

ARBITRATION COMMITTEE ON DELINEATION
OF BARANGAY BOUNDARY DISPUTES



Sketch Plan of Boundary BARANGAY CARMEN Cagayan de Oro City

Prepared &
Submitted by:

[Signature]
NOLI C. YAP
Technical Staff
City Planning & Dev't. Office

[Signature]
RITO B. SALVACION
Technical Staff
City Planning & Dev't. Office

[Signature]
CLETUS J. VALLAR
Technical Staff
City Planning & Dev't. Office

RECOMMENDING APPROVAL:

[Signature]
JUAN Y. SIA
City Councilor-Chairman

[Signature]
EMMANUEL D. ABEJUELA
Vice Chairman

[Signature]
ESTRELLA F. SAGARAL
Member

[Signature]
ALEXANDER S. DACER
Member

[Signature]
JOSIE A. BINGONA
Member

[Signature]
CANCIO V. GUIBONE
Member

[Signature]
ATINODORO A. ASEQUIA
Member

[Signature]
ROGER G. ABAOAY
Member

[Signature]
ANTHONY D. ABEJUELA
Member

[Signature]
CLODUALDO J. ESPEDILLA
Member

[Signature]
REGINO F. GALCERAN
Member

[Signature]
RENATO M. RANCES
Member

APPROVED:

Republic of the Philippines
Congress of the Philippines
Metro Manila
Twelfth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-eighth day of July, two thousand three.

[REPUBLIC ACT NO. 9284]

AN ACT AMENDING AND EXTENDING THE TERM OF THE FRANCHISE GRANTED TO CAGAYAN ELECTRIC POWER AND LIGHT CO., INC. UNDER REPUBLIC ACT NUMBERED THIRTY-TWO HUNDRED FORTY-SEVEN, AS AMENDED BY REPUBLIC ACT NUMBERED THIRTY-FIVE HUNDRED SEVENTY AND REPUBLIC ACT NUMBERED SIXTY-THREE HUNDRED TWENTY

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Republic Act No. 3247, as amended, is hereby further amended to read as follows:

"SECTION 1. *Nature and Scope of Franchise.* -- Subject to the provisions of the Constitution and applicable laws, rules and regulations, there is hereby granted to Cagayan Electric Power and Light Co., Inc. (CEPALCO), hereunder referred to as the grantee, its successors or assigns, a franchise to construct, operate and maintain in the public interest and commercial purposes, a distribution system for the conveyance of electric power to the end-users in the City of Cagayan de Oro and the municipalities of Tagloban, Villanueva and Jasaan, all in the Province of Misamis

Other, except the barangays of Balingon, San Juan, Pinitan, Tagangan, Pagalungan, Taghima, Tuburan, Pigagan, Tumpagon, Bayanga, Mambuaya, Dansolhon, Tignapolan, Besigan and a portion of Canitoan, all located in the City of Cagayan de Oro.

As used in this Act, distribution system refers to the system of wires and associated facilities including sub-transmission lines belonging to a franchised distribution utility extending between the delivery point on the national transmission system or generating facility and the metering point/facility of the end-user.

SEC. 2. Manner of Operations of Facilities. – All electric distribution facilities, lines and systems for electric services owned, maintained, operated or managed by the grantee, its successors or assigns shall be operated and maintained at all times in a superior manner, and it shall be the duty of the grantee, its successors or assigns, whenever required to do so by the Energy Regulatory Commission, hereinafter referred to as the ERC, or the Department of Energy, hereinafter referred to as the DOE, or its legal successor or any other government agency concerned, to modify, improve and change such facilities or systems in such manner and to such extent as the progress in science and improvements in the electric power services may render reasonable and proper.

Whenever practicable and for purposes of maintaining order, safety and aesthetics along the highways, roads, streets, alleys or right-of-way, the grantee may allow the use of free spaces in its poles, facilities or right-of-way by interested parties upon reasonable compensation to the grantee considering costs incurred to accommodate and administer the use of the grantee's facilities by such parties. The ERC shall decide in case of dispute or disagreement between the parties.

SEC. 3. Authority of the Energy Regulatory Commission/Department of Energy. – The grantee shall secure from the ERC/DOE or any other government agency which has jurisdiction over the operation of the herein grantee, the necessary certificate of public convenience and necessity and other appropriate permits and licenses for the construction and operation of its electric distribution system.

SEC. 4. Laying and Erection. – For the purpose of erecting and maintaining poles and pipes and other supports for said facilities, wires or other conductors or for the purpose of laying and maintaining said facilities, wires, cables, pipes or other conductors, it shall be lawful for the grantee, its successors and assigns, with the prior approval of the Department of Public Works and Highways (DPWH) or the local government units (LGUs) concerned, as may be appropriate, to make excavations or lay conduits in any of the public places, highways, streets, lanes, alleys, avenues, sidewalks or bridges of said provinces. *Provided, however,* That any public place, highway, street, lane, alley, avenue, sidewalk or bridge disturbed, altered or changed by reason of the erection of poles or other supports, or the laying of wires, pipes, other conductors or conduits, shall be immediately repaired and properly restored at the expense of the grantee, its successors and assigns, in accordance with the standards set by the DPWH and concerned LGUs.

SEC. 5. Responsibility to the Public. – The grantee shall supply electricity to its captive market in the least cost manner. In the interest of the public good and as far as feasible and whenever required by the ERC, the grantee shall modify, improve or change its facilities, poles, lines, pipes, systems and equipment for the purpose of providing efficient and reliable service and reduced electricity costs. The grantee shall charge reasonable and just power rates for its services to all types of consumers within its franchise areas in order that business and industries shall be able to compete.

The grantee shall have the obligation to provide open and non-discriminatory access to its distribution system and services for any end-user within its franchise area consistent with Republic Act No. 9136. The grantee shall not engage in any activity that will constitute an abuse of market power such as but not limited to, unfair trade practices, monopolistic schemes and any other activities that will hinder competitiveness of businesses and industries.

SEC. 6. Rates for Services. – The retail rates to its captive market and charges for the distribution of electricity, given by the grantee to its end-user shall be regulated by and subject to the approval of the ERC/DOE.

The grantee shall identify and segregate in its bill to the end-users the components of the retail rate pursuant to Republic Act No. 9136, unless otherwise amended. Such rates charged by the grantee to the end-users shall be made public and transparent. The grantee shall implement lifeline rate to marginalized end-users as mandated under Republic Act No. 9136.

SEC. 7. *Promotion of Consumer Interests.* – The herein grantee shall establish a consumer desk that will handle consumer complaints and ensure adequate promotion of consumer interests. The grantee shall act with dispatch on all complaints brought before it.

SEC. 8. *Right of the Government.* – A special right is hereby reserved to the President of the Philippines in times of war, rebellion, public peril, calamity, emergency, disaster, or disturbance of peace and order to take over and operate the distribution system of the grantee or to authorize the temporary use and operation thereof by any agency/department of the government upon due compensation to the grantee for the use of the said distribution system during the period when they shall be so operated.

SEC. 9. *Tax Provisions.* – The grantee, its successors or assigns, shall be subject to the payment of all taxes, duties, fees or charges and other impositions applicable to private electric utilities under the National Internal Revenue Code (NIRC) of 1997, as amended, the Local Government Code and other applicable laws. *Provided,* That nothing herein shall be construed as repealing any specific tax exemptions, incentives, or privileges granted under any relevant law. *Provided, further,* That all rights, privileges, benefits and exemptions accorded to existing and future private electric utilities by their respective franchises shall likewise be extended to the grantee.

The grantee shall file the return with the city or province where its facility is located and pay the taxes due thereon to the Commissioner of Internal Revenue or his duly authorized representative in accordance with the NIRC and the return shall be subject to audit by the Bureau of Internal Revenue.

SEC. 10. *Right of Eminent Domain.* – Subject to the limitations and procedures prescribed by law, the grantee is authorized to exercise the right of eminent domain insofar as it may be reasonably necessary for the efficient maintenance and operation of services. The grantee is authorized to install and maintain its poles, wires and other facilities over and across public property, including streets, highways, forest reserves and other similar property of the government of the Philippines, its branches or any of its instrumentalities. The grantee may acquire such private property as is actually necessary for the realization of the purposes for which this franchise is granted. *Provided,* That proper condemnation proceedings shall have been instituted and just compensation paid.

SEC. 11. *Acceptance and Compliance.* – Acceptance of this franchise shall be given in writing within sixty (60) days after the effectivity of this Act.

SEC. 12. *Warranty in Favor of National and Local Government.* – The grantee shall hold the national, provincial and municipal governments of the Philippines harmless from all claims, accounts, demands or actions arising out of accidents or injuries, whether to property or persons, caused by the construction, installation, operation and maintenance of the distribution system of the grantee.

SEC. 13. *Liability for Damages.* – The grantee shall be liable for any injury and damage arising from or caused by accident to persons and property by reason of any defective construction under this franchise or of any neglect or omission to keep its poles and wires and pipes in a safe condition.

SEC. 14. *Safe, Lease, Transfer, Usufruct, etc.* – The grantee shall not lease, transfer, grant the usufruct of or sell this franchise or the rights and privileges acquired thereunder to any person, firm, company, corporation or other commercial or legal entity, nor merge with any other corporation or entity, nor shall the controlling interest of the grantee be transferred whether in whole or in part, and whether simultaneously or contemporaneously, to any such person, firm, company, corporation or entity without the prior approval of the Congress of the Philippines, except to a wholly-owned subsidiary of the grantee or

where the grantee is the surviving corporation. *Provided*, That any such transfer, sale or assignment is in accordance with the constitutional limitations. Any person or entity to which this franchise is sold, transferred or assigned, shall be subject to the same conditions, terms, restrictions and limitations of this Act.

SEC. 15. *Equality Clause.* - In the event that any competing individual, partnership or corporation shall receive a similar permit or franchise with terms and/or provisions more favorable than those herein granted or which tend to place the herein grantee at any disadvantage, such terms and/or provisions shall be deemed part hereof and shall operate equally in favor of the herein grantee: *Provided*, That any terms and/or provisions herein granted which are not contained in other franchise that may hereafter be granted shall likewise be enjoyed by the future grantees: *Provided, however*, That the foregoing shall neither apply to nor affect the provisions concerning territory covered by the franchise and the life span of the franchise.

SEC. 16. *Separability Clause.* - If, for any reason, any of the sections or provisions of this Act is declared unconstitutional or invalid, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 17. *Applicability Clause.* - The grantee shall comply with and be subject to the provisions of Commonwealth Act No. 146, as amended, otherwise known as the "Public Services Act" and Republic Act No. 9136, otherwise known as the "Electric Power Industry Reform Act of 2001."

SEC. 18. *Repealability and Nonexclusivity Clause.* - This franchise shall be subject to amendment, alteration or repeal by the Congress of the Philippines when the public interest so requires and shall not be interpreted as an exclusive grant of the privileges herein provided for.

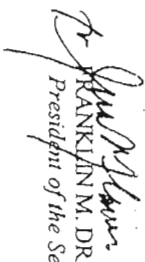
SEC. 19. *Reportorial Requirement.* - The grantee shall submit an annual report of finances and operations to the Congress of the Philippines."

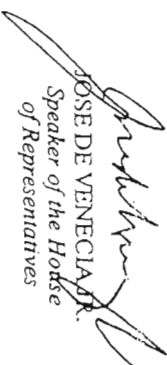
SEC. 2. *Extension/Renewal of Franchise.* - The term of the franchise granted under Republic Act No. 3247, as amended, is

hereby extended/renewed for a period of twenty-five (25) year commencing on the date of expiration of Republic Act No. 3247, as amended. This franchise shall be deemed *ipso facto* revoked in the event that the grantee fails to operate continuously for two (2) years.

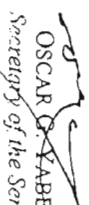
SEC. 3. *Effectivity Clause.* - This Act shall take effect fifteen (15) days from the date of its publication, upon the initiative of the grantee, in at least two (2) newspapers of general circulation in the Philippines.

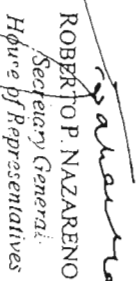
Approved,


FRANKLIN M. DRILON
President of the Senate

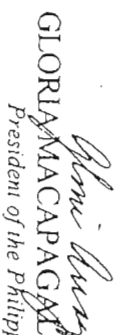

JOSE DE VENECIA JR.
Speaker of the House
of Representatives

This Act which originated in the House of Representatives was finally passed by the House of Representatives and the Senate on January 28, 2004 and January 27, 2004, respectively.


OSCAR S. YABES
Secretary of the Senate


ROBERT P. NAZARENO
Secretary General
House of Representatives

Approved: MAR 31 2004


GLORIA MACAPAGAL-ARROYO
President of the Philippines

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