



18th CITY COUNCIL

Cagayan de Oro

AGENDA



80th Regular Session
Monday / April 23, 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...

April 20, 2018

THE HONORABLE MEMBERS

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

Gentlemen and Ladies:

Please be informed that the **80th Regular Session** of the 18th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro will be on **Monday, 23 April 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 80TH REGULAR SESSION OF THE 18TH CITY COUNCIL
(SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO ON
MONDAY, 23 APRIL 2018**

Order of Business

- A. CALL TO ORDER BY THE HONORABLE CHAIR AND PRESIDING OFFICER**
- B. INVOCATION BY HONORABLE CITY COUNCILOR ROMEO V. CALIZO**
- 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 APRIL 16, 2018
(SEE APPENDIX "A" / Pages 1-19)**
- G. ON APPEARANCE:**

- 1) PROPOSED MOTION NO. 2018-1** - to hear P/SSUPT Nelson Almoradie Aganon, Acting City Police Director of Cagayan de Oro City Police Office (COCPO), on his plans and programs for the COCPO and on the peace and order of the City, among other concerns.

Invited: **P/SSUPT NELSON ALMORADIE AGANON**
Acting City Police Director
Cagayan de Oro City Police Office

H. AGENDA PROPER:

- 1) PROPOSED RESOLUTION NO. 2018-99** - returning to the Barangay Council of Barangay No. 28, this City, its Ordinance No. 018-02, 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
(SEE APPENDIX "B" / Pages 20-27)

Document/s on file:

- Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated April 12, 2018
- Indorsement of the City Budget Officer
- Technical Review Analysis Sheet by the LFC
- Budget Message
- Ordinance No. 018-02, Series of 2018 of Barangay No. 28
- Certified Statement of Income
- Actual 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 YAN LAM S. LIM, CHAIRPERSON
 - COUNCILOR TEODULFO E. LAO, JR., VICE CHAIR
 - COUNCILOR ENRICO D. SALCEDO, MEMBER
 COUNCILOR JAY R. PASCUAL, MEMBER
 COUNCILOR MARIA LOURDES S. GAANE, MEMBER

COMMITTEE ON **LAWS AND RULES**

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

- 2) PROPOSED RESOLUTION NO. 2018-100** - returning to the Barangay Council of Barangay No. 27, this City, its Ordinance No. RCD 2017-001, 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 27 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.

(SEE APPENDIX "C" / Pages 28-39)

Document/s on file:

- Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated October 20, 2017
- Opinion of the City Legal Office dated March 15, 2018
- Minutes of Public Hearing & Attendance
- Ordinance No. RCD-2017-001 of Barangay No. 27

COMMITTEE SPONSOR/S:

COMMITTEE ON **BARANGAY AFFAIRS**

- COUNCILOR YAN LAM S. LIM, CHAIRPERSON
 - COUNCILOR TEODULFO E. LAO, JR., VICE CHAIR
 - COUNCILOR ENRICO D. SALCEDO, MEMBER

COMMITTEE ON **LAWS AND RULES**

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

- 3) PROPOSED RESOLUTION NO. 2018-101** - returning to the Barangay Council of Barangay No. 23, this City, its Ordinance No. 003-08-2017, 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 23 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.

(SEE APPENDIX "D" / Pages 40-46)

Document/s on file:

- Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated August 31, 2017
- Opinion of the City Legal Office dated March 02, 2018
- Letter of Punong Barangay dated August 31, 2017
- Ordinance No. 003-08-2017 of Barangay No. 23

COMMITTEE SPONSOR/S:

COMMITTEE ON **BARANGAY AFFAIRS**

- COUNCILOR YAN LAM S. LIM, CHAIRPERSON
 - COUNCILOR TEODULFO E. LAO, JR., VICE CHAIR
 - COUNCILOR ENRICO D. SALCEDO, MEMBER

COMMITTEE ON **LAWS AND RULES**

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

- 4) **PROPOSED RESOLUTION NO. 2018-102** - returning to the Barangay Council of Lumbia, this City, its Ordinance No. 001-2018, entitled: "*An Ordinance Requiring All Residents, Owners/Lessee, of Any Business, Commercial, Industrial, Private or Public Establishments of Barangay Lumbia to Implement Waste Segregation at Source and Providing Penalty for Violation Thereof and 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.

(SEE APPENDIX "E" / Pages 47-53)

Document/s on file:

- Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated February 27, 2018
- Opinion of the City Legal Office dated March 09, 2018
- Letter of Punong Barangay dated August 31, 2017
- Ordinance No. 001-2018 of Barangay Lumbia

COMMITTEE SPONSOR/S:

COMMITTEE ON **BARANGAY AFFAIRS**

- COUNCILOR YAN LAM S. LIM, CHAIRPERSON
- COUNCILOR TEODULFO E. LAO, JR., VICE CHAIR
- COUNCILOR ENRICO D. SALCEDO, MEMBER

COMMITTEE ON **LAWS AND RULES**

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

- 5) **PROPOSED RESOLUTION NO. 2018-103** - returning to the Barangay Council of Barangay No. 16, this City, its Ordinance No. 2017-001, entitled: "*An Ordinance Enactment on Ecological Solid Waste Management of Barangay 16, Cagayan de Oro City, Requiring All Residents, Business, Commercial, Industrial, Private or Public Establishments to Implement Waste Segregation at Source 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.

(SEE APPENDIX "F" / Pages 54-60)

Document/s on file:

- Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated November 3, 2017
- Opinion of the City Legal Office dated March 09, 2018
- Letter of Punong Barangay dated October 30, 2017
- Ordinance No. 2017-001 of Barangay No. 16

COMMITTEE SPONSOR/S:

COMMITTEE ON **BARANGAY AFFAIRS**

- COUNCILOR YAN LAM S. LIM, CHAIRPERSON
- COUNCILOR TEODULFO E. LAO, JR., VICE CHAIR
- COUNCILOR ENRICO D. SALCEDO, MEMBER

COMMITTEE ON **LAWS AND RULES**

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

- 6) **PROPOSED RESOLUTION NO. 2018-104** - returning to the Barangay Council of Balulang, this City, its Ordinance No. 001-2017, entitled: "*An Ordinance Regulating the Disposal of Garbage, Filth and Other Waste Materials*", 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 "G" / Pages 61-72)

Document/s on file:

- Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated August 31, 2017
- Opinion of the City Legal Office dated March 02, 2018
- Letter of Punong Barangay dated August 29, 2017
- Ordinance No. 001-2017 of Barangay Balulang

COMMITTEE SPONSOR/S:

COMMITTEE ON **BARANGAY AFFAIRS**

- COUNCILOR YAN LAM S. LIM, CHAIRPERSON
- COUNCILOR TEODULFO E. LAO, JR., VICE CHAIR
- COUNCILOR ENRICO D. SALCEDO, MEMBER

COMMITTEE ON **LAWS AND RULES**

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

- 7) PROPOSED RESOLUTION NO. 2018-105** - returning to the Barangay Council of Bugo, this City, its Ordinance No. 004-2017, entitled: "*An Ordinance Implementing Barangay ID System of Barangay Bugo, Cagayan de Oro City*", 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 "H" / Pages 73-78)

Document/s on file:

- Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated November 3, 2017
- Opinion of the City Legal Office dated March 15, 2018
- Letter of Punong Barangay dated November 23, 2017
- Ordinance No. 004-2017 of Barangay Bugo

COMMITTEE SPONSOR/S:

COMMITTEE ON **BARANGAY AFFAIRS**

- COUNCILOR YAN LAM S. LIM, CHAIRPERSON
- COUNCILOR TEODULFO E. LAO, JR., VICE CHAIR
- COUNCILOR ENRICO D. SALCEDO, MEMBER
- COUNCILOR JAY R. PASCUAL, MEMBER
- COUNCILOR MARIA LOURDES S. GAANE, MEMBER

COMMITTEE ON **LAWS AND RULES**

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

- 8) PROPOSED RESOLUTION NO. 2018-106** - returning to the Barangay Council of Macasandig, this City, its Ordinance No. 0003-2017, entitled: "*An Ordinance Amending Article III: Section 14 Fees and Charges of the Revenue Code of Barangay Macasandig under Barangay Ordinance No. 004-2008, the Rental or use of Covered Court from ₱350 per Hour to ₱500 per Hour During Night Time and from ₱150.00 to ₱200.00 per hour during day time and Section 15 Garbage Collection Fees from ₱120.00 to ₱200.00 per year for big establishments only*", 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 "I" / Pages 79-89)

Document/s on file:

- Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated November 22, 2017
- Opinion of the City Legal Office dated March 15, 2018
- Letter of Punong Barangay dated November 6, 2017
- Ordinance No. 0003-2017 of Barangay Macasandig
- Barangay Ordinance No. 004-series 2008
- Minutes of Public Hearing

COMMITTEE SPONSOR/S:

COMMITTEE ON **BARANGAY AFFAIRS**

- COUNCILOR YAN LAM S. LIM, CHAIRPERSON
- COUNCILOR TEODULFO E. LAO, JR., VICE CHAIR
- COUNCILOR ENRICO D. SALCEDO, MEMBER

COMMITTEE ON **LAWS AND RULES**

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

- 9) **PROPOSED RESOLUTION NO. 2018-107** - accrediting the Midkiwan Free Farmers Consumer Cooperative, for purposes of its membership in the local special bodies, pursuant to DILG Memorandum Circular No. 2016-97 and Article 64, Rule XIII of the Rules and Regulations Implementing the 1991 Local Government Code, or funding its project from the City or other sources as required under the COA Circular pertinent thereto.

(SEE APPENDIX "J" / Pages 90-97)

Document/s on file:

- Indorsement of City Vice Mayor Raineir Joaquin V. Uy dated December 13, 2017
- Indorsement of the City Planning and Development Office dated December 13, 2017
- Letter-Response of Midkiwan Free Farmers Consumer Coopertative
- Board Resolution No. Series of 2017
- Application for Accreditation
- Certificate of Registration (9520-10019602)/CIN-0102100808
- By-Laws
- Certificate of Registration
- List of Officers and Members

COMMITTEE SPONSOR/S:

COMMITTEE ON **COOPERATIVES**

- COUNCILOR ENRICO D. SALCEDO, CHAIRPERSON
- COUNCILOR JAY R. PASCUAL, MEMBER
- COUNCILOR TEODULFO E. LAO, JR., MEMBER
- COUNCILOR ANNIE Y. DABA, MEMBER

COMMITTEE ON **LAWS AND RULES**

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

- 10) **PROPOSED ORDINANCE NO. 2018-56** - authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement (MOA) with the Inner Wheel Club West CDO, represented by its President, Ma. Jhosie Jing A. Tarayao, covering the implementation of the project: Construction of One (1) Unit Classroom/Center for Young Pupils from Families Belonging to the Marginalized Sector at the City-owned Mother Teresa Oro Care Center for Children, located in Barangay Puerto, this City, under the terms and conditions stipulated in the MOA submitted to this body.

(SEE APPENDIX "K" / Pages 98-106)

Document/s on file:

- Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated January 9, 2018
- Endorsement of the City Mayor Oscar S. Moreno dated April 12, 2018
- Letter of the City Legal Office dated March 5, 2018
- Draft MOA

COMMITTEE SPONSOR/S:

COMMITTEE ON **EDUCATION**

- COUNCILOR SUZETTE G. MAGTAJAS-DABA, CHAIRPERSON
- COUNCILOR REUBEN R. DABA, MEMBER

COMMITTEE ON **LAWS AND RULES**

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

- 11) **PROPOSED ORDINANCE NO. 2018-57** - enacting the City of Cagayan de Oro Local Investments Incentive Code of 2018.

(SEE APPENDIX "L" / Pages 107-130)

Author: Councilor George S. Goking
 Co-Authors: Vice Mayor Raineir Joaquin V. Uy
 Councilor Ian Mark Q. Nacaya

Document/s on file:

- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated October 6, 2017*
- *Endorsement of the City Mayor Oscar S. Moreno dated October 2, 2017*
- *Draft Ordinance*
- *Revised Investment Incentives ordinance (submitted by ORO-TIPC)*

COMMITTEE SPONSOR/S:

COMMITTEE ON WAYS & MEANS	-	COUNCILOR GEORGE S. GOKING, CHAIRPERSON
COMMITTEE ON LAWS AND RULES	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR GEORGE S. GOKING, MEMBER

- 12) PROPOSED ORDINANCE NO. 2018-58** - approving the application for simple subdivision project of Ms. Hope M. Taleon, Love T. Guerra and Faith T. Yatoc, covering Lot 3 and Lot 4, both of Block 11, Psd-10-013199 with an area of 300 square meters, containing 3 lots, located in Barangay Kauswagan, this City, subject to the herein conditions as recommended by the City Planning and Development Office, to wit:

- a) The subdivision scheme shall not be altered other than what is applied for except when prior clearance from the City Government is secured;
- b) A Certificate of Registration of Lots 3 & 4 must be secured from the HLURB after the verification of survey returns from the Land Management Sector, DENR;
- c) Further subdivision of Lots 3 & 4, both of Block 11, Psd-10-013199 is prohibited without prior approval from the City Government of Cagayan de Oro;
- d) This approval shall be revoked if not registered within period of One (1) year from the date of issue;
- e) Any misrepresentation of the application may cause for cancellation or revocation of subdivision permit

(SEE APPENDIX "M" / Pages 131-138)

Document/s on file:

- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated March 26, 2018*
- *Endorsement of the City Housing Board dated March 21, 2017*
- *Endorsement of the City Planning and Development Office dated March 6, 2018*
- *Final Recommendation for Subdivision Approval*
- *Application for Approval of a Simple Subdivision*
- *Investigation/Verification Report issued by the City Engineer's Office*
- *Transfer Certificate of Title (TCT # 137-2017008041/137-2017008042*
- *Subdivision Plan*
- *Letter-request of the Lot Owner*

COMMITTEE SPONSOR/S:

COMMITTEE ON SUBDIVISION AND LANDED ESTATE	-	COUNCILOR DOMETILO C. ACENAS, JR., CHAIRPERSON
	-	COUNCILOR REUBEN R. DABA, MEMBER
COMMITTEE ON LAWS AND RULES	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR GEORGE S. GOKING, MEMBER

- 13) PROPOSED ORDINANCE NO. 2018-59** - approving the application of Frances Memorial Parents Foundation, Inc., represented by its President, Ms. Veronica Valenzuela, for Development Permit of Sacred Heart Village Subdivision Project, with an area of 40,559 square meters, containing 154 lots, located in Barangay Carmen, this City.

(SEE APPENDIX "N" / Pages 139-145)

Document/s on file:

- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated December 13, 2017*
- *Endorsement of the Cagayan de Oro Housing Board dated December 12, 2017*
- *Endorsement the City Planning and Development Office dated November 24, 2017*
- *Final Recommendation for Development Permit*
- *Technical Evaluation of the City Engineering Office dated November 16, 2017*
- *Application for Development Permit*
- *Certificate of Social Acceptability*
- *Environmental Clearance issued by the CLENRO*
- *Intent To Sell*

COMMITTEE SPONSOR/S:

COMMITTEE ON SUBDIVISION AND LANDED ESTATE	-	COUNCILOR DOMETILO C. ACENAS, JR., CHAIRPERSON
	-	COUNCILOR REUBEN R. DABA, MEMBER

COMMITTEE ON LAWS AND RULES	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR GEORGE S. GOKING, MEMBER

14) PROPOSED ORDINANCE NO. 2018-60 - approving the application of A. Brown Company, Incorporated, represented by its Compliance Manager, Mr. Allan V. Eguilos, for Development Permit (DP) of The Terraces in Xavier Estates Subdivision Project, with a total area of 2.8763 hectares (residential lots - 2.1640 hectares; commercial strip - 0.3121 hectare; and commercial block - 0.4002 hectares) containing 46 lots/units (residential) and 13 lots (commercial), located in Barangay Balulang, this City, subject to the herein conditions as recommended by the City Engineer's Office per its Technical Evaluation dated March 13, 2018, which shall be considered during the development stage, to wit:

- a) Dissilting/reclogging of any siltation and/or eroded materials that may affect a waterway and/or a residential area that may be caused by said development shall be the responsibility of the developer;
- b) Slope Protection Structure shall be provided on a steep section within the applied area;
- c) Any requirement may be imposed when necessary during construction stage; and
- d) All works for this development shall be in accordance with DPWH standard specifications.

(SEE APPENDIX "O" / Pages 146-155)

Document/s on file:

- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated April 6, 2018*
- *Endorsement of the Cagayan de Oro Housing Board dated March 23, 2018*
- *Endorsement the City Planning and Development Office dated March 20, 2018*
- *Final Recommendation for Development Permit*
- *Technical Evaluation of the City Engineering Office dated March 13, 2018*
- *Application for Subdivision Development Permit*
- *Project Profile*
- *Technical Specifications of The Terraces in Xavier Estates Project*

COMMITTEE SPONSOR/S:

COMMITTEE ON SUBDIVISION AND LANDED ESTATE	-	COUNCILOR DOMETILO C. ACENAS, JR., CHAIRPERSON
	-	COUNCILOR REUBEN R. DABA, MEMBER

COMMITTEE ON LAWS AND RULES	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR GEORGE S. GOKING, MEMBER

- 15) PROPOSED ORDINANCE NO. 2018-61** - approving the application of A. Brown Company, Incorporated, represented by its Compliance Manager, Mr. Allan V. Eguilos, for Development Permit (DP) of Xavier Estates Phase 6 Ignatius Enclave Subdivision Project, with a total area of 9.0573 has. (residential lot - 6.7598 has; future development – 1.3699 has.; commercial area – 0.9276 has.), containing 251 lots/units (residential) and 12 lots (commercial), located in Barangay Balulang, this ci#ty, subject to the herein conditions as recommended by the City Engineer's Office per its Technical Evaluation dated March 13, 2018, which shall be considered during the development stage, to wit:

- a) Dissilting/reclogging of any siltation and/or eroded materials that may affect a waterway and/or a residential area that may be caused by said development shall be the responsibility of the developer;
- b) Slope Protection Structure shall be provided on a steep section within the applied area;
- c) Any requirement may be imposed when necessary during construction stage; and
- d) All works for this development shall be in accordance with DPWH standard specifications.

(SEE APPENDIX "P" / Pages 156-165)

Document/s on file:

- Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated April 6, 2018
- Endorsement of the Cagayan de Oro Housing Board dated March 23, 2018
- Endorsement the City Planning and Development Office dated March 20, 2018
- Final Recommendation for Development Permit
- Technical Evaluation of the City Engineering Office dated March 13, 2018
- Application for Subdivision Development Permit
- Project Profile
- Technical Specifications of Xavier Estates Phase 6 Ignatius Enclave

COMMITTEE SPONSOR/S:

COMMITTEE ON SUBDIVISION AND LANDED ESTATE	-	COUNCILOR DOMETILO C. ACENAS, JR., CHAIRPERSON
	-	COUNCILOR REUBEN R. DABA, MEMBER
COMMITTEE ON LAWS AND RULES	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR GEORGE S. GOKING, MEMBER

- 16) PROPOSED ORDINANCE NO. 2018-62** - approving the application of A. Brown Company, Incorporated, represented by its Compliance Manager, Mr. Allan V. Eguilos, for Development Permit (DP) of Xavier Estates Phase 5B Ventura Residence II Subdivision Project with an area of 20,852 square meters, containing 73 lots/units, located in Barangay Balulang, this City, subject to the herein conditions as recommended by the City Engineer's Office per its technical evaluation dated March 13, 2018, which shall be considered during the development stage, to wit:

- a) Dissilting/reclogging of any siltation and/or eroded materials that may affect a waterway and/or a residential area that may be caused by said development shall be the responsibility of the developer;
- b) Slope Protection Structure shall be provided on a steep section within the applied area;

- c) Any requirement may be imposed when necessary during construction stage; and
- d) All works for this development shall be in accordance with DPWH standard specifications.

(SEE APPENDIX "Q" / Pages 166-175)

Document/s on file:

- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated April 6, 2018*
- *Endorsement of the Cagayan de Oro Housing Board dated March 23, 2018*
- *Endorsement the City Planning and Development Office dated March 20, 2018*
- *Final Recommendation for Development Permit*
- *Technical Evaluation of the City Engineering Office dated March 13, 2018*
- *Application for Subdivision Development Permit*
- *Project Profile*
- *Technical Specifications of Xavier Estates Phase 5B Ventura Residence II*

COMMITTEE SPONSOR/S:

COMMITTEE ON SUBDIVISION AND LANDED ESTATE	-	COUNCILOR DOMETILO C. ACENAS, JR., CHAIRPERSON
	-	COUNCILOR REUBEN R. DABA , MEMBER
COMMITTEE ON LAWS AND RULES	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR GEORGE S. GOKING, MEMBER

**MINUTES OF THE 79TH REGULAR SESSION OF THE 18TH CITY COUNCIL
(SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO ON
MONDAY, 16 APRIL 2018**

City Vice Mayor **RAINEIR JOAQUIN V. UY**, Presiding Officer, called the session to order at exactly 3:48 P.M.

The members present were the following:

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

First District:

- City Councilor **GEORGE S. GOKING**
- City Councilor **ROMEO V. CALIZO**
- City Councilor **REUBEN R. DABA**
- City Councilor **ANNIE Y. DABA**
- City Councilor **JAY R. PASCUAL**

Second District:

- City Councilor **NADYA EMANO-ELIPE**, ASSISTANT MINORITY FLOOR LEADER
- City Councilor **MARIA LOURDES S. GAANE, MD.**
- City Councilor **DOMETILO C. ACENAS, JR.**
- City Councilor **TEODULFO E. LAO, JR.**, ASST. MAJORITY FLOOR LEADER
- City Councilor **IAN MARK Q. NACAYA**, MAJORITY FLOOR LEADER
- City Councilor **LEON D. M. GAN, JR.**, MINORITY FLOOR LEADER
- City Councilor **ENRICO D. SALCEDO**

Ex-Officio Member:

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

On Leave:

- City Councilor **EDNA M. DAHINO**
- City Councilor **SUZETTE G. MAGTAJAS-DABA**

Absent:

- City Councilor **ZALDY O. OCON**
- City Councilor **LORDAN G. SUAN**

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

A. ON MINUTES OF THE 78TH REGULAR SESSION ON MARCH 19, 2018

MOTION NO. 23595-2018

MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE 78TH REGULAR SESSION ON MARCH 19, 2018, AND TO CONSIDER THE FURNISHING OF THE COPIES THEREOF TO EACH MEMBER AS THE READING ITSELF

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

MOTION NO. 23596-2018

MOTION TO APPROVE THE MINUTES OF THE 78TH REGULAR SESSION ON MARCH 19, 2018

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Maria Lourdes S. Gaane & George S. Goking, UNANIMOUSLY CARRIED.

B. ON MINUTES OF THE 79TH REGULAR SESSION ON APRIL 19, 2018

RESOLUTION NO. 12937-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BARANGAY NO. 15**, THIS CITY, ITS ORDINANCE NO. 01-18, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12938-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BARANGAY NO. 18**, THIS CITY, ITS ORDINANCE NO. 003-18, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12939-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BARANGAY NO. 21**, THIS CITY, ITS ORDINANCE NO. 001, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12940-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BARANGAY NO. 24**, THIS CITY, ITS ORDINANCE NO. 001, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12941-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BARANGAY NO. 33**, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12942-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BAIKINGON**, THIS CITY, ITS ORDINANCE NO. 001-2018, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12943-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BALUBAL**, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12944-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BONBON**, THIS CITY, ITS ORDINANCE NO. 01, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12945-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BUGO**, THIS CITY, ITS ORDINANCE NO. 01-18, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12946-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **CANITOAN**, THIS CITY, ITS ORDINANCE NO. 01-18, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12947-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **CARMEN**, THIS CITY, ITS ORDINANCE NO. 02, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12948-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **CONSOLACION**, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12949-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **MACABALAN**, THIS CITY, ITS ORDINANCE NO. 01-2018, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED.

RESOLUTION NO. 12950-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **SAN SIMON**, THIS CITY, ITS ORDINANCE NO. 01, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Jay R. Pascual, George S. Goking, Annie Y. Daba & Teodulfo E. Lao, Jr., UNANIMOUSLY CARRIED

MOTION NO. 23597-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NOS. 12937-2018, 12938-2018, 12939-2018, 12940-2018, 12941-2018, 12942-2018, 12943-2018, 12944-2018, 12945-2018, 12946-2018, 12947-2018, 12948-2018, 12949-2018 & 12950-2018.**

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

RESOLUTION NO. 12951-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BARANGAY NO. 4**, THIS CITY, ITS ORDINANCE NO. 004, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Jay R. Pascual, Teodulfo E. Lao, Jr., George S. Goking & Maria Lourdes S. Gaane, UNANIMOUSLY CARRIED

RESOLUTION NO. 12952-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BARANGAY NO. 16**, THIS CITY, ITS ORDINANCE NO. 2, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Jay R. Pascual, Teodulfo E. Lao, Jr., George S. Goking & Maria Lourdes S. Gaane. UNANIMOUSLY CARRIED

RESOLUTION NO. 12953-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **LUMBIA**, THIS CITY, ITS ORDINANCE NO. 2, 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 Ian Mark Q. Nacaya, duly seconded by Councilors Jay R. Pascual, Teodulfo E. Lao, Jr., George S. Goking & Maria Lourdes S. Gaane. UNANIMOUSLY CARRIED.

MOTION NO. 23598-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NOS. 12951-2018, 12952-2018 & 12953-2018.**

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

RESOLUTION NO. 12954-2018

RESOLUTION ACCREDITING THE **INDAHAG SETTLERS LANDLESS ASSOCIATION, INCORPORATED**, FOR PURPOSES OF ITS MEMBERSHIP IN THE LOCAL SPECIAL BODIES, PURSUANT TO DILG MEMORANDUM CIRCULAR NO. 2016-97 AND ARTICLE 64, RULE XIII OF THE RULES AND REGULATIONS IMPLEMENTING THE 1991 LOCAL GOVERNMENT CODE, OR FUNDING ITS PROJECT FROM THE CITY OR OTHER SOURCES AS REQUIRED UNDER THE COA CIRCULAR PERTINENT THERETO

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

RESOLUTION NO. 12955-2018

RESOLUTION ACCREDITING THE **HUGPONG LIVELIHOOD ASSOCIATION (HLA)**, INCORPORATED, FOR PURPOSES OF ITS MEMBERSHIP IN THE LOCAL SPECIAL BODIES, PURSUANT TO DILG MEMORANDUM CIRCULAR NO. 2016-97 AND ARTICLE 64, RULE XIII OF THE RULES AND REGULATIONS IMPLEMENTING THE 1991 LOCAL GOVERNMENT CODE, OR FUNDING ITS PROJECT FROM THE CITY OR OTHER SOURCES AS REQUIRED UNDER THE COA CIRCULAR PERTINENT THERETO

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

MOTION NO. 23599-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NOS. 12954-2018 & 12955-2018.**

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

ORDINANCE NO. 13409-2018

AN ORDINANCE APPROVING THE APPLICATION OF VCDU REALTY CORPORATION, REPRESENTED BY ITS PRESIDENT AND GENERAL MANAGER, MR. VICTOR C. UY, FOR ALTERATION OF PLAN OF PORTION OF **CINDERELLA HOMES-CDO SUBDIVISION PROJECT**, LOCATED IN BARANGAY BULUA, THIS CITY, BY CHANGING THE LOCATION OF ITS CROSS DRAINS AND SOME LATERAL DRAINS, AND OMITTING TWO (2) DETENTION PONDS INTO ONE CAPACITY OF 420 CUBIC METER (AS INDICATED ON THE REVISED DRAINAGE LAY-OUT PLAN); AND FOR THIS PURPOSE, AMENDING ORDINANCE NO. 12744-2014

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

MOTION NO. 23600-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13409-2018.**

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Romeo V. Calizo, Reuben R. Daba & Teodulfo E. Lao, Jr, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13410-2018

AN ORDINANCE APPROVING THE APPLICATION OF PUEBLO DE ORO DEVELOPMENT CORPORATION, REPRESENTED BY MR. CHRYSLER B. ACEBU, FOR DEVELOPMENT PERMIT (DP) OF **BAMBOO LANE**

SUBDIVISION PROJECT, WITH AN AREA OF 19,039 SQUARE METERS, CONTAINING 122 LOTS/UNITS AND 1 SLOT COMMERCIAL LOT, LOCATED IN BARANGAY CARMEN, THIS CITY, SUBJECT TO THE HEREIN CONDITIONS AS RECOMMENDED BY THE CITY ENGINEER'S OFFICE PER TECHNICAL EVALUATION DATED NOVEMBER 29, 2017, WHICH SHALL BE CONSIDERED DURING THE DEVELOPMENT STAGE, TO WIT:

- a) DISSILTING/RECLOGGING OF ANY SILTATION THAT MAY AFFECT A WATERWAY AND/OR A RESIDENTIAL AREA THAT MAY BE CAUSED BY SAID DEVELOPMENT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER;
- b) BANK PROTECTION STRUCTURE SHALL BE PROVIDED ALONG CALAANAN CREEK PER CONDITION STIPULATED IN THE DEVELOPMENT PERMIT OF SAN AUGUSTINE VALLEY HOMES;
- c) ANY REQUIREMENT MAY BE IMPOSED WHEN NECESSARY DURING CONSTRUCTION STAGE; AND
- d) ALL WORKS FOR THIS DEVELOPMENT SHALL BE IN ACCORDANCE WITH DPWH STANDARD SPECIFICATIONS.

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Jay R. Pascual & Romeo V. Calizo, UNANIMOUSLY CARRIED.

MOTION NO. 23601-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13410-2018**.

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Jay R. Pascual & Reuben R. Daba, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13411-2018

AN ORDINANCE APPROVING THE APPLICATION OF THE CAGAYAN DE ORO CITY GOVERNMENT, REPRESENTED BY HONORABLE MAYOR OSCAR S. MORENO, FOR DEVELOPMENT PERMIT (DP) OF **JAPAN NON-GRANT AID RELOCATION PROJECT**, WITH AN AREA OF 77,675 SQUARE METERS MORE OR LESS, CONTAINING 573 LOTS/UNITS, LOCATED IN BARANGAY LUMBIA, THIS CITY

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

MOTION NO. 23602-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13411-2018**.

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilor Jay R. Pascual, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13412-2018

AN ORDINANCE APPROVING THE APPLICATION FOR SIMPLE SUBDIVISION PROJECT OF **MS. ALMIRA A. BENALDO**, COVERING LOT 5, PCS-10-001400 WITH AN AREA OF 6,373 SQUARE METERS, CONTAINING 7 LOTS, LOCATED IN BARANGAY GUSA, THIS CITY

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

MOTION NO. 23603-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13412-2018**.

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba & Jay R. Pascual, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13413-2018

AN ORDINANCE AUTHORIZING THE CITY ACCOUNTANT TO CHARGE THE SUM OF ₱11,285.00 TO THE ITEM: "MAINTENANCE AND OTHER OPERATING EXPENSES – TRAVELLING EXPENSES" IN THE 2018 ANNUAL BUDGET OF THE OFFICE OF THE SANGGUNIANG PANLUNGSOD-KAGAWAD (HONORABLE ANNIE Y. DABA)", THIS CITY, TO COVER REIMBURSEMENT OF THE EXPENSES INCURRED DURING HER OFFICIAL TRAVEL TO PANGLAO, BOHOL LAST SEPTEMBER 21-23, 2016

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba & Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 23604-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13413-2018**.

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba & Jay R. Pascual, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13414-2018

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF AGRICULTURE – REGIONAL FIELD OFFICE 10, REPRESENTED BY REGIONAL DIRECTOR CARLENE C. COLLADO, CPA, COVERING THE GRANT OF THREE (3) UNITS WATER PUMP AND ENGINE SETS WITH ACCESSORIES, UNDER THE TERMS AND CONDITIONS STIPULATED IN THE MOA SUBMITTED TO THIS BODY

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

MOTION NO. 23605-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13414-2018**.

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Jay R. Pascual & Annie Y. Daba, UNANIMOUSLY CARRIED

ORDINANCE NO. 13415-2018

AN ORDINANCE GRANTING FRANCHISE TO GUSA SPORTS COMPLEX, REPRESENTED BY MR. VICENTE TO ANG, JR. (LESSEE), TO OPERATE AS A MULTI-PURPOSE SPORTS CENTER/COCKPIT FOR A PERIOD OF THREE (3) YEARS; PROVIDED, THAT ALL LAWS, ORDINANCES, RULES AND REGULATIONS APPLICABLE THERETO SHALL BE COMPLIED WITH

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

MOTION NO. 23606-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13415-2018**.

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

RESOLUTION NO. 12956-2018

RESOLUTION ACCREDITING THE **PSYCHO-SOCIAL ASSOCIATION OF THE PHILIPPINES (PSAP)**, INCORPORATED, FOR PURPOSES OF ITS MEMBERSHIP IN THE LOCAL SPECIAL BODIES, PURSUANT TO DILG MEMORANDUM CIRCULAR NO. 2016-97 AND ARTICLE 64, RULE XIII OF THE RULES AND REGULATIONS IMPLEMENTING THE 1991 LOCAL GOVERNMENT CODE, OR FUNDING ITS PROJECT FROM THE CITY OR OTHER SOURCES AS REQUIRED UNDER THE COA CIRCULAR PERTINENT THERETO

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

MOTION NO. 23607-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NOS. 12956-20189.**

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Reuben R. Daba & Jay R. Pascual, UNANIMOUSLY CARRIED.

ORDINANCE NO. 13416-2018

AN ORDINANCE APPROVING THE APPLICATION OF **PROHOMES DEVELOPMENT, INCORPORATED**, REPRESENTED BY ITS PRESIDENT, MR. RICHARD D. LIM, FOR THE HEREIN ALTERATIONS OF ITS SUBDIVISION PROJECT, TO WIT:

- CHANGE OF PROJECT NAME FROM "CARMENVILLE SUBDIVISION" TO "FOREVER HOMES", LOCATED IN BARANGAY LUMBIA, THIS CITY; AND
- CHANGE OF NAME OF DEVELOPER/OWNER FROM "BDNME BUILDERS CORPORATION" TO "PROHOMES DEVELOPMENT, INCORPORATED";

AND FOR THIS PURPOSE, FURTHER AMENDING ORDINANCE NO. 12558-2013 (DEVELOPMENT PERMIT), AS AMENDED BY ORDINANCE NO. 13135-2016 AND ORDINANCE NO. 13338-2017.

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

MOTION NO. 23608-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13416-2018.**

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Reuben R. Daba, Romeo V. Calizo, Jay R. Pascual & Annie Y. Daba, UNANIMOUSLY CARRIED

RESOLUTION NO. 12957-2018

RESOLUTION DECLARING THE PERIOD APRIL 30, 2018 TO MAY 6, 2018 AS **ORDER OF DEMOLAY WEEK** IN CAGAYAN DE ORO CITY ON THE OCCASION OF THE 15TH DEMOLAY NATIONAL CONCLAVE AND THE 21ST DEMOLAY ALUMNI NATIONAL CONGRESS TO BE HOSTED BY THE WADIH C. SAAB CHAPTER ORDER OF DEMOLAY-CAGAYAN DE ORO CITY ON MAY 3-6, 2018

Proponent: Councilor George S. Goking

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

MOTION NO. 23609-2018

C U73 MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12957-2018.**

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

MOTION NO. 23610-2018

MOTION TO INCLUDE THE FOLLOWING AS ITEM:

- 14) PROPOSED RESOLUTION NO. 2018-98** - expressing the City's sincerest thanks, gratitude and commendation to P/SSupt Robert Roy V. Bahian for his exemplary performance and sterling leadership as Director of the Cagayan de Oro City Police Office for the period March 15, 2017 to March 23, 2018.

Proponent: Councilor Romeo V. Calizo

Moved by Councilor Romeo V. Calizo, duly seconded by Councilors Annie Y. Daba & Maria Lourdes S. Gaane, UNANIMOUSLY CARRIED.

RESOLUTION NO. 12958-2018

RESOLUTION EXPRESSING THE CITY'S SINCEREST THANKS, **GRATITUDE AND COMMENDATION TO P/SSUPT ROBERT ROY V. BAHIAN** FOR HIS EXEMPLARY PERFORMANCE AND STERLING LEADERSHIP AS DIRECTOR OF THE CAGAYAN DE ORO CITY POLICE OFFICE FOR THE PERIOD MARCH 15, 2017 TO MARCH 23, 2018

Proponent: Councilor Romeo V. Calizo

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

MOTION NO. 23611-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12958-2018**

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilor Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 23612-2018

MOTION TO ADJOURN THE 79TH REGULAR SESSION OF THE 18TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO HELD ON APRIL 16, 2018

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

The session adjourned at 4:25 PM, April 16, 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. 13409-2018

AN ORDINANCE APPROVING THE APPLICATION OF VCDU REALTY CORPORATION, REPRESENTED BY ITS PRESIDENT AND GENERAL MANAGER, MR. VICTOR C. UY, FOR ALTERATION OF PLAN OF PORTION OF CINDERELLA HOMES-CDO SUBDIVISION PROJECT, LOCATED IN BARANGAY BULUA, THIS CITY, BY CHANGING THE LOCATION OF ITS CROSS DRAINS AND SOME LATERAL DRAINS, AND OMITTING TWO (2) DETENTION PONDS INTO ONE CAPACITY OF 420 CUBIC METER (AS INDICATED ON THE REVISED DRAINAGE LAY-OUT PLAN); AND FOR THIS PURPOSE, AMENDING ORDINANCE NO. 12774-2014

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

SECTION 1. The application of VCDU Realty Corporation, represented by its President and General Manager, Mr. Victor C. Uy, for Alteration of Plan of portion of Cinderella Homes-CDO Subdivision Project, located in Barangay Bulua, this City, by changing the location of its cross drains and some lateral drains, and omitting two (2) detention ponds into one capacity of 420 cubic meter (as indicated on the revised drainage lay-out plan), is hereby approved.

SECTION 2. For this purpose, Ordinance No. 12774-2014, entitled: "*An Ordinance Approving the Application of VCDU Realty Corporation Represented by its President and General Manager, Mr. Victor C. Uy, for Development Permit of Cinderella Homes-CDO Subdivision Project with an Area of 2.1010 Hectares, More or Less, Containing 130 Units Located at Barangay Bulua, this City*", is hereby amended accordingly.

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

UNANIMOUSLY APPROVED.

<u>Present:</u>	<i>1st District:</i>	- Councilor George S. Goking	- Councilor Romeo V. Calizo
		- Councilor Annie Y. Daba	- Councilor Reuben R. Daba
		- Councilor Jay R. Pascual	
	<i>2nd District:</i>	- Councilor Nadya B. Emano-Elipse	- Councilor Maria Lourdes S. Gaane
		- Councilor Ian Mark Q. Nacaya	- Councilor Leon D. Gan, Jr.
		- Councilor Dometilo C. Acenas, Jr.	- Councilor Teodulfo E. Lao, Jr.
		- Councilor Enrico D. Salcedo	
	<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 Suzette G. Magtajas-Daba
<u>Absent:</u>		- Councilor Zaldy O. Ocon	- Councilor Lordan G. Suan

ENACTED this 16th day of April 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. 13410-2018

AN ORDINANCE APPROVING THE APPLICATION OF PUEBLO DE ORO DEVELOPMENT CORPORATION, REPRESENTED BY MR. CHRYSLER B. ACEBU, FOR DEVELOPMENT PERMIT (DP) OF BAMBOO LANE SUBDIVISION PROJECT, WITH AN AREA OF 19,039 SQUARE METERS, CONTAINING 122 LOTS/UNITS AND ONE (1) SLOT COMMERCIAL LOT, LOCATED IN BARANGAY CARMEN, THIS CITY, SUBJECT TO THE HEREIN CONDITIONS AS RECOMMENDED BY THE CITY ENGINEER'S OFFICE PER ITS TECHNICAL EVALUATION DATED NOVEMBER 29, 2017, WHICH SHALL BE CONSIDERED DURING THE DEVELOPMENT STAGE

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

SECTION 1. The application of Pueblo de Oro Development Corporation, represented by Mr. Chrysler B. Acebu, for Development Permit (DP) of Bamboo Lane Subdivision Project, with an area of 19,039 square meters, containing 122 lots/units and one (1) slot commercial lot, located in Barangay Carmen, this City, is hereby approved, subject to the herein conditions as recommended by the City Engineer's Office per its Technical Evaluation dated November 29, 2017, which shall be considered during the development stage, to wit:

- a) Dissilting/reclogging of any siltation that may affect a waterway and/or a residential area that may be caused by said development shall be the responsibility of the developer;
- b) Bank Protection Structure shall be provided along Calaan Creek per condition stipulated in the development permit of San Augustine Valley Homes;
- c) Any requirement may be imposed when necessary during construction stage; and
- d) All works for this development shall be in accordance with DPWH standard specifications.

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

UNANIMOUSLY APPROVED.

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

ENACTED this 16th day of April 2018 in the City of Cagayan de Oro.



Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(088) 857-2258; 857-4029; 857-4032; 857-4035



Page 2 of 2 of Ordinance No. 13410-2018

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. 13411-2018

AN ORDINANCE APPROVING THE APPLICATION OF THE CAGAYAN DE ORO CITY GOVERNMENT, REPRESENTED BY HONORABLE MAYOR OSCAR S. MORENO, FOR DEVELOPMENT PERMIT (DP) OF JAPAN NON-GRANT AIDE RELOCATION PROJECT, WITH AN AREA OF 77,675 SQUARE METERS, MORE OR LESS, CONTAINING 573 LOTS/UNITS, LOCATED IN BARANGAY LUMBIA, THIS CITY

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

SECTION 1. The application of the Cagayan de Oro City Government, represented by Honorable Mayor Oscar S. Moreno, for Development Permit (DP) of Japan Non-Grant Aide Relocation Project, with an area of 77,675 square meters, more or less, containing 573 lots/units, located in Barangay Lumbia, 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 George S. Goking	- Councilor Romeo V. Calizo
		- Councilor Annie Y. Daba	- Councilor Reuben R. Daba
		- Councilor Jay R. Pascual	
	<i>2nd District:</i>	- Councilor Nadya B. Emano-Elipse	- Councilor Maria Lourdes S. Gaane
		- Councilor Ian Mark Q. Nacaya	- Councilor Leon D. Gan, Jr.
		- Councilor Dometilo C. Acenas, Jr.	- Councilor Teodulfo E. Lao, Jr.
		- Councilor Enrico D. Salcedo	
	<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 Suzette G. Magtajas-Daba
<u>Absent:</u>		- Councilor Zaldy O. Ocon	- Councilor Lordan G. Suan

ENACTED this 16th day of April 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. 13412-2018

AN ORDINANCE APPROVING THE APPLICATION FOR SIMPLE SUBDIVISION PROJECT OF MS. ALMIRA A. BENALDO, COVERING LOT 5, PCS-10-001400 WITH AN AREA OF 6,373 SQUARE METERS, CONTAINING 7 LOTS, LOCATED IN BARANGAY GUSA, THIS CITY

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

SECTION 1. The application for simple subdivision project of Ms. Almira A. Benaldo, covering Lot 5, PCS-10-001400 with an area of 6,373 square meters, containing seven (7) lots, located in Barangay Gusa, 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 George S. Goking	- Councilor Romeo V. Calizo
		- Councilor Annie Y. Daba	- Councilor Reuben R. Daba
		- Councilor Jay R. Pascual	
	<i>2nd District:</i>	- Councilor Nadya B. Emano-Elipe	- Councilor Maria Lourdes S. Gaane
		- Councilor Ian Mark Q. Nacaya	- Councilor Leon D. Gan, Jr.
		- Councilor Dometilo C. Acenas, Jr.	- Councilor Teodulfo E. Lao, Jr.
		- Councilor Enrico D. Salcedo	
	<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 Suzette G. Magtajas-Daba
<u>Absent:</u>		- Councilor Zaldy O. Ocon	- Councilor Lordan G. Suan

ENACTED this 16th day of April 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. 13413-2018

AN ORDINANCE AUTHORIZING THE CITY ACCOUNTANT TO CHARGE THE SUM OF P11,285.00 TO THE ITEM: "MAINTENANCE AND OTHER OPERATING EXPENSES – TRAVELLING EXPENSES" IN THE 2018 ANNUAL BUDGET OF THE OFFICE OF THE SANGGUNIAN PANLUNGSOD-KAGAWAD (HONORABLE ANNIE Y. DABA), THIS CITY, TO COVER REIMBURSEMENT OF THE EXPENSES INCURRED BY CITY COUNCILOR ANNIE Y. DABA DURING HER OFFICIAL TRAVEL TO PANGLAO, BOHOL LAST SEPTEMBER 21-23, 2016

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

SECTION 1. The City Accountant is hereby authorized to charge the sum of ₱11,285.00 to the item: "Maintenance and Other Operating Expenses – Travelling Expenses" in the 2018 Annual Budget of the Office of the Sangguniang Panlungsod-Kagawad (Honorable Annie Y. Daba), this City, to cover reimbursement of the expenses incurred by City Councilor Annie Y. Daba during her official travel to Panglao, Bohol last September 21-23, 2016.

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

UNANIMOUSLY APPROVED.

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

ENACTED this 16th day of April 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. 13414-2018

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF AGRICULTURE – REGIONAL FIELD OFFICE 10, REPRESENTED BY REGIONAL DIRECTOR CARLENE C. COLLADO, CPA, COVERING THE GRANT OF THREE (3) UNITS WATER PUMP AND ENGINE SETS WITH ACCESSORIES, UNDER THE TERMS AND CONDITIONS STIPULATED IN THE MOA SUBMITTED TO THIS BODY

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 Department of Agriculture – Regional Field Office 10, represented by Regional Director Carlene C. Collado, CPA, covering the grant of three (3) Units Water Pump and Engine Sets with Accessories, under the terms and conditions stipulated in the MOA submitted to this Body.

SECTION 2. The aforesated Memorandum of Agreement (MOA) consisting of two (2) 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 George S. Goking	- Councilor Romeo V. Calizo
		- Councilor Annie Y. Daba	- Councilor Reuben R. Daba
		- Councilor Jay R. Pascual	
	<i>2nd District:</i>	- Councilor Nadya B. Emano-Elipse	- Councilor Maria Lourdes S. Gaane
		- Councilor Ian Mark Q. Nacaya	- Councilor Leon D. Gan, Jr.
		- Councilor Dometilo C. Acenas, Jr.	- Councilor Teodulfo E. Lao, Jr.
		- Councilor Enrico D. Salcedo	
	<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 Suzette G. Magtajas-Daba
<u>Absent:</u>		- Councilor Zaldy O. Ocon	- Councilor Lordan G. Suan

ENACTED this 16th day of April 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. 13415-2018

AN ORDINANCE GRANTING FRANCHISE TO GUSA SPORTS COMPLEX, REPRESENTED BY MR. VICENTE TO ANG, JR. (LESSEE), TO OPERATE AND MAINTAIN A MULTI-PURPOSE SPORTS CENTER/COCKPIT FOR A PERIOD OF THREE (3) YEARS UNDER THE TERMS AND CONDITIONS IMPOSED HEREIN

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

SECTION 1. The Gusa Sports Complex, represented by Mr. Vicente To Ang, Jr. (Lessee), is hereby granted a franchise to operate and maintain a Multi-Purpose Sports Center/Cockpit in Barangay Gusa, Cagayan de Oro City under the following terms and conditions:

- a) That the franchise shall be for three (3) years effective upon approval of this Ordinance;
- b) That the grantee shall:
 - i. install CCTV Cameras pursuant to Ordinance No. 11075-2008, as amended;
 - ii. comply with health and sanitary regulations;
 - iii. comply with building and fire safety regulations;
 - iv. comply cockfighting and derby regulations under Ordinance No. 4373-94 (Codified Ordinance), as amended, and PD 449 (Cockfighting Law of 1974);
 - v. hire or engage the services of duly licensed security guards pursuant to Ordinance No. 12841-2014;
 - vi. comply with environmental regulations.
- c) That the grantee shall, before operating the said Multi-Purpose Sports Center/Cockpit secure business permit and license from the City Government and every year thereafter pay franchise tax to the City, and other taxes and fees applicable to the business;
- d) That the grantee shall apply for derby or special cockfighting permit with the Sangguniang Panlungsod pursuant to Ordinance No. 4373-94 (Codified Ordinance), as amended, and comply with such other requirements as may be imposed under existing or hereafter be subject to laws, rules and regulations;
- e) That the said Multi-Purpose Sports Center/Cockpit shall not be used for any partisan political activity, exhibition of any pornographic materials, or any illegal purpose;
- f) That the grant of this franchise is not exclusive.

SECTION 2. – Any violation of any of the terms and conditions imposed in the preceding Section hereof shall be sufficient cause or ground for suspension or revocation of this franchise by the Sangguniang Panlungsod.

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

UNANIMOUSLY APPROVED.



**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



Page 2 of 2 of Ordinance No. 13415-2018

Present:

1st District: - Councilor George S. Goking - Councilor Romeo V. Calizo
- Councilor Annie Y. Daba - Councilor Reuben R. Daba
- Councilor Jay R. Pascual

2nd District: - Councilor Nadya B. Emano-Elipe - Councilor Maria Lourdes S. Gaane
- Councilor Ian Mark Q. Nacaya - Councilor Leon D. Gan, Jr.
- Councilor Dometilo C. Acenas, Jr. - Councilor Teodulfo E. Lao, Jr.
- Councilor Enrico D. Salcedo

Ex-Officio Member: - Councilor Yan Lam S. Lim (*President, Liga ng mga Barangay*)

On Leave: - Councilor Edna M. Dahino - Councilor Suzette G. Magtajas-Daba

Absent: - Councilor Zaldy O. Ocon - Councilor Lordan G. Suan

ENACTED this 16th day of April 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. 13416-2018

AN ORDINANCE APPROVING THE APPLICATION OF PROHOMES DEVELOPMENT, INCORPORATED, REPRESENTED BY ITS PRESIDENT, MR. RICHARD D. LIM, FOR THE HEREIN SPECIFIED ALTERATIONS OF ITS SUBDIVISION PROJECT; AND FOR THIS PURPOSE, FURTHER AMENDING ORDINANCE NO. 12558-2013 (DEVELOPMENT PERMIT), AS AMENDED BY ORDINANCE NO. 13135-2016 AND ORDINANCE NO. 13338-2017

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

SECTION 1. The application of ProHomes Development, Incorporated, represented by its President, Mr. Richard D. Lim, for the herein alterations of its subdivision project, is hereby approved, to wit:

- a) Change of project name from “Carmenville Subdivision” to “Forever Homes”, located in Barangay Lumbia, this City; and
- b) Change of name of developer/owner from “BDNME Builders Corporation” to “ProHomes Development, Incorporated”;

SECTION 2. For this purpose, Ordinance No. 12558-2013, entitled: *An Ordinance Approving the Application of Carmenville Subdivision, Represented by Ms Eleonor C. Rodriguez, for Development Permit (DP) Containing 140 Lots with an Area of 67,579 Square Meters, Located at Barangay Lumbia, this City*, as amended by Ordinance No. 13135-2016 and Ordinance No. 13338-2017, is hereby further amended accordingly.

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

UNANIMOUSLY APPROVED.

<u>Present:</u>	<i>1st District:</i>	- Councilor George S. Goking	- Councilor Romeo V. Calizo
		- Councilor Annie Y. Daba	- Councilor Reuben R. Daba
		- Councilor Jay R. Pascual	
	<i>2nd District:</i>	- Councilor Nadya B. Emano-Elipse	- Councilor Maria Lourdes S. Gaane
		- Councilor Ian Mark Q. Nacaya	- Councilor Leon D. Gan, Jr.
		- Councilor Dometilo C. Acenas, Jr.	- Councilor Teodulfo E. Lao, Jr.
		- Councilor Enrico D. Salcedo	
	<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 Suzette G. Magtajas-Daba
<u>Absent:</u>		- Councilor Zaldy O. Ocon	- Councilor Lordan G. Suan

ENACTED this 16th day of April 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
(SANGGUNIANG PANLUNGSOD)
18th CITY COUNCIL
(088) 857-4026; 857-4032; 857-4035; 857-2258

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Resolution returning to the Barangay Council of Barangay No. 28, this City, its Ordinance No. 018-02, 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: April 19, 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: 2018-1591

Date: 04/12/2018

Receiver: JESSAMINE

From: CBO

Subject: ANNUAL BUDGET FOR CY 2018 OF BARANGAY # 28, CDO

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: 4-11-18

UK - recommendation approved

HON. YAN LAM LIM
Chairperson

HON. ENRICO D. SALCEDO
Member

HON. MARIA LOURDES S. GAANE
Member

HON. TEODULFO E. LAO, JR.
Vice Chairperson

HON. JAY R. PASCUAL
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: APR 12 2018

FROM: CBO

SUBJECT MATTER: ANNUAL BUDGET FOR CY 2018 OF BARANGAY # 28,
CDO

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

April 12, 2018

The Honorable Members
City Council
Cagayan de Oro City

Gentlemen/Ladies:

Respectfully forwarding the herein Annual Budget CY 2018 of Barangay Brgy. No. 28 with an Estimated Income of P 2,903,378.00 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

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY COUNCIL
Date Received: APR 12 2018 Time: 1:13 pm
By: Mr. Alecar Danao
Atty. Percy G. Salazar
For Cont - By Atty. Salazar
Date: _____
Atty. Percy G. Salazar
City Budget Officer

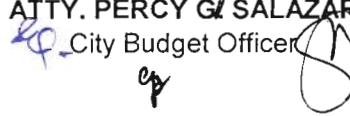
TECHNICAL REVIEW ANALYSIS SHEET
LGU: Barangay No. 28
CY 2018 Annual Budget General Fund

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 2,903,378.00 <u>2,903,378.00</u> P <u>-</u>	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 2,574,525.00 b. 55% thereof (Legal limitation for PS) 1,415,989.00 c. Amount appropriated for PS 1,476,342.00 d. Waived PS Items 354,140.00 e. Net P. S. subject to limitation 1,122,202.00 f. Still Allowable or (Deficiency) 293,787.00	P 1,476,342.00	Total Personal Services did not exceed the 55% limitation. Rates in accordance with LBC No. 2009 dated September 3, 2009 (Uniform and proportionate application)	For Approval.
3. Development Fund a. Amount of IRA 1,354,033.00 b. 20% thereof 270,807.00 c. Amount Appropriated 270,807.00	270,807.00	Appropriation for 20% Development Fund is also provided in accordance with Sec. 287 LGC as implemented by DBM-DILG Joint Memorandum Circular No. 2011-1 Series of 2012 dated April 13, 2011.	For Approval.
4. Reserved For: A. Sangguniang Kabataan (Sec. 329 LGC) a. Total Income (Gen. Fund) 2,782,378.00 b. 10% thereof 278,238.00 c. Amount Appropriated 278,238.00 B. LDRRMF-Calamity Fund (Sec. 324 (d)) a. Total est. revenue fr. regular sources 2,782,378.00 b. 5% thereof 139,119.00 c. Amount Appropriated 139,119.00	278,238.00 139,119.00	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 Capital Outlay: Equipment Infrastructure Projects Others Non-Office/Special Project	738,872.00	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.	

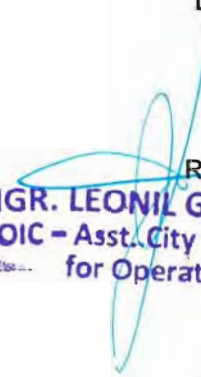
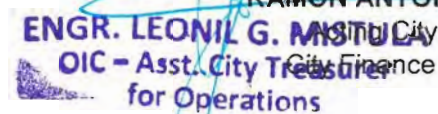
TECHNICAL REVIEW ANALYSIS SHEET
LGU: **Barangay No. 28**
CY 2018 Annual Budget General Fund

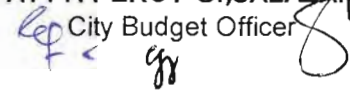
General Findings/Observations:

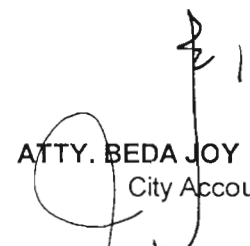
The budget has substantially complied with all the budgetary requirements and general limitations as embodied under the Local Government Code and Local Budget Memorandum No. 75 dated June 1, 2017. Recommending favorable action thereon.

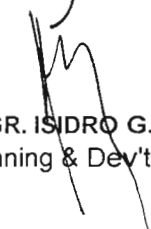

ATTY. PERCY G. SALAZAR
City Budget Officer


LOCAL FINANCE COMMITTEE:


RAMON ANTONIO MENDOZA
City Treasurer
City Finance Department

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


ATTY. PERCY G. SALAZAR
City Budget Officer



ATTY. BEDA JOY B. ELOT, CPA
City Accountant


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


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



Republic of the Philippines
Barangay 28

MINUTES OF THE SESSION OF BARANGAY COUNCIL OF BARANGAY 28
HELD AT THE BARANGAY HALL LAST JANUARY 22, 2018

PRESENT;

Punong Barangay
Barangay Kagawad
Barangay Kagawad
Barangay Kagawad
Barangay Kagawad
Barangay Kagawad
Barangay Kagawad

Hilarion E. Nagar, Jr.
Ruben B. Traje
Nelja B. Tejada
Joniber B. Acierto
Primitiva A. Juntilla
Betchy Tarre
Floro E. Crisologo
Venturada T. Fabre

ABSENT: NONE

RESOLUTION NO. 02-2018
Series of 2018

Presented for consideration is the **Annual Budget** of Barangay 28 for the period **January 1, 2018 to December 31, 2018** in the sum of **P 2,903,378.00**.

NOW, THEREFORE, on motion of Kagawad Ruben B. Traje duly seconded by all members present,

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

APPROPRIATION ORDINANCE NO. 018-02
SERIES OF 2018

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

Be it enacted by the Sangguniang Barangay 28 that the Barangay 28 Barangay Annual Budget covering the period from January 1, 2018 to December 31, 2018 with a total estimated income of **P 2,903,378.00** as against total appropriation in the amount of **P 2,903,378.00** is hereby approved summarized as follows;

1. **Income**

Real Property Tax Due Component	P 638,000.00
Real Property tax Equal Sharing	700,000.00
50% Community Tax	9,528.00
Gov't Service Fees & Other Charges	80,817.00
Miscellaneous- Internal Revenue Allotment (IRA)	1,354,033.00
City Financial Aid	108,000.00
City Aid for Barangay Police	10,000.00
City Aid for BDF	3,000.00
TOTAL	P 2,903,378.00

20% Development Fund : P 270,807.00

FLOOD CONTROL

Declogging of Canals- Barangay Wide

P 144,000.00

Rehabilitation of Barangay Hall

126,807.00

Total

P

270,807.00

Total Budgetary Appropriations :

P 2,903,378.00

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 Panglungsod for review.

APPROVED: January 22, 2018

I hereby certify that the foregoing Resolution No.02-018 embodying Appropriation Ordinance **No. 018-01** both series of **2018** which approved the Barangay Annual Budget for the period January 1, 2018 to December 31, 2018 of Barangay 28, City of Cagayan de Oro, was duly enacted by the Sangguniang Barangay in its regular session held at Barangay 28 on January 22, 2018.

ATTESTED BY:


GRACE P. CAUBANAN
Barangay Secretary


HILARION E. NAGAR, JR.
Barangay Chairman

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:

From :

Received by:

Date:

SUBJECT MATTER: Proposed Resolution returning to the Barangay Council of Barangay No. 27 this City, its Ordinance No. RCD 2017-001, "*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 27 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.

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: April 19, 2018

for information

HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. ROMEO V. CALIZO, *Member*

HON. GEORGE S. GOKING, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING

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

Comm. No.: 2017-1128

Received by : _____

From: BARANGAY 27

Date : _____

SUBJECT MATTER: Ordinance No. RCD 2017-001 of Barangay 27 "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 27 and providing penalty for violation thereof and for other purposes".

Respectfully referred to the Committees on BARANGAY AFFAIRS the herein communication for study, investigation, report and recommendation.

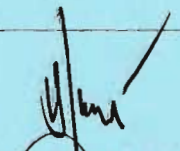
For the City Vice Mayor and Presiding Officer
City Council

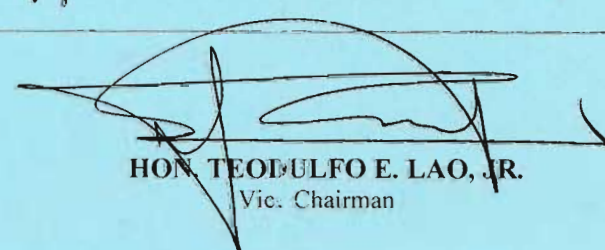
ARTURO S. DE SAN MIGUEL
City Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 4/10/18

UR - recommending approval


HON. YAN LAM S. LIM
Chairman


HON. TEODULFO E. LAO, JR.
Vice Chairman


HON. ENRICO SALCEDO
Member

HON. JAY R. PASCUAL
Member

HON. MARIA LOURDES S. GAANE
Member

HON. NADYA B. EMANO-ELIPE
Member



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

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

DATE: OCTOBER 20, 2017

FROM: BRGY. 27, CDO

SUBJECT MATTER: BARANGAY ORDINANCE NO. RCD 2017-001. 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 27 AND PROVIDING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

ACTION: REFER TO COMMITTEE ON BARANGAY AFFAIRS.

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY



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

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY LEGAL OFFICER
Date Received: **MAR 15 2018**
By: *[Signature]*
No. **RA 2017-1688**
15 March 2018
Date *[Signature]*
Secretary *[Signature]*

HON. YAN LAM LIM
City Councilor
Chairman, Committee on Barangay Affairs
Office of the City Council
Cagayan de Oro City

THRU: MARIA CARLA LARRAZABAL-LICAYAN
Local Legislative Staff Officer V
Chief, Legislative Committees Division
Cagayan de Oro City Council

Dear Hon. Lim:

Forwarded to this Office for review, legal opinion, and appropriate action, is the herein attached letter of Maria Carla Larrazabal-Licayan, Local Legislative Staff Officer V, Chief, Legislative Committees Division, dated 13 March 2018 referring to this Office Barangay Ordinance No. RCD 2017-001 of Barangay 27, this City.

In this connection, kindly be informed that this Office has thoroughly reviewed the above-mentioned Barangay Ordinance and finds the same to be in legal order and poses no legal objection as it is pursuant to Section 391¹ of RA 7160, otherwise known as the Local Government Code of 1991.

For your guidance and information.

[Signature]
ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer

¹(1) Enact ordinances as may be necessary to discharge the responsibilities conferred upon it by law or ordinance and to promote the general welfare of the inhabitants therein;



Republic of the Philippines
City of Cagayan de Oro
BARANGAY 27
Tel. No. 72-57-27



OFFICE OF THE BARANGAY COUNCIL

BARANGAY ORDINANCE NO. RCD 2017 – 001

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 27 AND PROVIDING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES

BE IT ORDAINED by the Barangay Council of Barangay 27, Cagayan de Oro City in session assembled that

SECTION 1. – Title. THIS ORDINANCE SHALL BE KNOWN AS THE “ECOLOGICAL SOLID WASTE MANAGEMENT PROGRAM OF BARANGAY 27, CAGAYAN DE ORO CITY.”

SECTION 2. – MANDATORY SEGREGATION AND WASTE CLASSIFICATION.

a. That the segregation of waste shall be primarily conducted at the source or point of origin, to include household, institutional, industrial, commercial/business establishments and agricultural sources.

b. The segregation of waste shall be primarily conducted and managed at the barangay level specifically for the compostable, recyclable, and reusable waste. Likewise, the barangay shall promote encourage the involvement of Non – Government Organization, People’s Organization and similar in activities pertaining to the solid waste management such as segregation, collection, disposal and others.

c. That the respective barangay council shall initiate in the conduct of resources recovery for the compostable, recyclable and re-usable waste.

d. There shall be a properly identified and marked wastes container or receptacles for on-site collection for each type of waste depending on its classification as to “**COMPOSTABLE**”, “**RESIDUAL/HAZARDOUS**”, “**RECYCLABLE**” and any other waste as may be determined by the City Solid Waste Management Board.

e. The waste containers or receptacles shall be properly marked and identified with description and corresponding code with colors according to the classification of the segregated waste.



OFFICE OF THE BARANGAY COUNCIL

Barangay Ordinance No. RCD 2017 – 001
— Page 2 of 8 Pages —

COLOR CODE	CLASSIFICATION	MATERIALS
GREEN	“COMPOSTABLE OR BIO-DEGRADABLE” (Basurang Malata)	• Sobra nga pagkaon. • Dahon ug sanga sa kahoy. • Panit sa prutas ug utanon. • Hasang ug tinay.
YELLOW	“RECYCLABLE OR REUSABLE” (Basurang dili Malata peru Magamit Pa)	• Paper ug newspaper. • Basiyong plastic ug botelya. • Lata, puthaw, cartoon. • Ug uban pang adunay kapuslanan.
RED	“RESIDUAL/ HAZARDOUS”	• Used napkin and diaper. • Guba nga appliances. • Punder nga bombelya ug fluorescent. • Baterya ug bildo. • Styrofoam ug goma. • Sudlanan sa kemikal. • Guba nga sapatos ug tsinelas.

f. That the properly marked waste container or receptacles shall be such design as readily to permit handling. They shall also be made suitable and appropriate for containing waste with safety and without leakage or spilling to be sanitary.

g. Failure of the business establishments, boarding houses, commercial centers to segregate and/or to comply with this ordinance shall be the ground the of non-issuance of business certification/permit/clearance application/renewal whatsoever until such time they complied with.

SECTION 3. GARBAGE DISPOSAL AND COLLECTION.

a. That the prescribed schedule of garbage disposal to the collection point shall be between _____ and _____ next day, in time for the final collection by garbage trucks provided by the City Local Environment and Natural Resources Office (CLENRO).



OFFICE OF THE BARANGAY COUNCIL

Barangay Ordinance No. RCD 2017 -- 001

— Page 3 of 8 Pages —

b. That no garbage disposal shall be allowed outside of the schedule time to avoid infiltration and unnecessary spillage of garbage by stray dogs and to ensure efficient and effective collection operation.

c. That littering, throwing or dumping of garbage or waste materials in public places such as roads, sidewalks, canals, esteros, open spaces and parks, or any act causing or permitting the same is prohibited.

d. That all house owners and tenants of residential building and owners, managers, operators, occupants and lessees of any commercial/business establishments, government institutions shall be required to clean the area in front of and around vicinity and shall be required to provide their own waste receptacles for efficient waste segregation.

e. That it shall be the duty of the house owner, lessee, occupants, operator/manager of any business/commercial establishment or government institutions to dispose outside our barangay within seventy two (72) hours any and all kinds of construction debris or waste materials scrap such as cement, sand, gravel, lumber, steel and scrap materials coming from construction or renovation of their house or establishment.

f. Those that are not resident/s of Barangay 27 who will be caught in the act dumping, throwing or littering their garbage within the area of jurisdiction of barangay 27 shall be fined of not less than Three Hundred Pesos (Php 300.00) but not more than One Thousand Pesos (Php 1,000.00).

SECTION 4. – COMPOSTING OF BIODEGRADABLE WASTE MATERIALS.

a. That the barangay council shall provide composting barrels/drums at designated places or sites within the barangay to allow residents to dispose their segregated “compostable” or biodegradable waste.

b. That it shall be the duty of the Chairman of the Committee on Health Sanitation and Environment with the assistance of the Barangay Nutrition Scholar (BNS) to ensure that Composting Barrels/Drums are properly maintained and the organic soil being produced in the process shall be utilized for gardening and greening projects.



OFFICE OF THE BARANGAY COUNCIL

Barangay Ordinance No. RCD 2017 – 001

— Page 4 of 8 Pages —

SECTION 5. – ESTABLISHMENT OF MATERIALS RECOVERY FACILITY (MRF).

a. That there shall be a Material Recovery Facility (MRF) to be established in suitable site within the barangay to accommodate segregated “Recyclable” or suitable waste materials brought in by household owners and/or business operators or owners.

b. That Recyclable or Re-usable Waste Materials may be disposed of or sold to junk buyers by the individual household owners or business operators/owners at their own discretion.

c. The Barangay Council shall designate personnel as authorize to open and close the MRF, maintains cleanliness within the area where the MRF is located within the barangay, records the selling of recyclable and re-usable waste materials and its proceeds in the logbook.

d. The MRF opens at 6:00 to 9:00 in the morning and in 4:00 to 8:00 in the evening.

SECTION 6. BARANGAY 27 ECOLOGICAL SOLID WASTE MANAGEMENT PROGRAM.

INITIATIVE/PPAs	STRATEGIC GOALS	SUCCESS INDICATORS	TARGET IMPLEMEN-TATION
- Adaption and creation of resolution and Barangay Ordinance in relation to RA 9003. - Adaption of action planning to the City Council conducted by the BESWMC	Implementation of Republic Act No. 9003	- Adapted the approved the Barangay Resolution in relation to RA 9003. - Adapted the Action Plan conducted by BESWMC	- Adapted - April 2017



OFFICE OF THE BARANGAY COUNCIL

Barangay Ordinance No. RCD 2017 -- 001
— Page 5 of 8 Pages —

INITIATIVE/PPAs	STRATEGIC GOALS	SUCCESS INDICATORS	TARGET IMPLEMENTATION
• Creation of Barangay Resolution and Ordinance scheduling collection of waste (Recyclable and Biodegradable) • Establishment of common MRF • Conduct regular IEC Campaign in every zone or purok (Trainer's Training) • Leaflets distribution with recipients signature. • Reorganized and conduct monthly coordination meeting with the BESWMC. • No segregation, no collection of wastes provided in the Barangay Ordinance. • Mandatory household composting. • Conduct composting training seminar. (Trainers Training)	Implementation of Republic Act No. 9003	• Created and approved collection schedule. • Functional and income generating. • Conducted regular IEC and distributed leaflets with recipients signature. • Organized and conducted monthly BESWMC coordination meeting. • 100% segregated at source. • 100% practiced household composting. • Conducted composting (Documented)	• April 2017 • ASAP 2017 • April 2017 (TOT-ASAP) • March 2017 • April 2017 • April 2017 • April 1st week 2017



OFFICE OF THE BARANGAY COUNCIL

Barangay Ordinance No. RCD 2017 -- 001

— Page 6 of 8 Pages —

INITIATIVE/PPAs	STRATEGIC GOALS	SUCCESS INDICATORS	TARGET IMPLEMENTATION
• Beautification contest for Urban Gardening. • Enforcement of penalties as provided in the Barangay Ordinance. • Informed the dog owners and include during the regular IEC. • Create ordinance in relation to stray dogs. • Enforcement of visibility and penalties as provided in the Ordinance (pick-up points).	Implementation of Republic Act No. 9003	• Awarded the Most Urban Container Gardening Beautified. • Number of individuals apprehended • Informed dog owners • Number of individuals apprehended.	• April 2017 • April 1st week 2017 • March 2017 • April 2017 • April 2017
• Informing the landlords and boards thru leaflets distribution with recipients' signature of the landlords together with the boarders. • Enforcement and penalties as provided in the Barangay Ordinance.	Massive information, education, communication campaign.	• Informed landlords and boarders with recipients' signature.	• On-going.
• No segregation, no collection policy as provided in the Brgy. Ordinance.		• Segregated at source	• April 2017.



OFFICE OF THE BARANGAY COUNCIL

Barangay Ordinance No. RCD 2017 – 001
— Page 7 of 8 Pages —

INITIATIVE/PPAs	STRATEGIC GOALS	SUCCESS INDICATORS	TARGET IMPLEMENTATION
• Biodegradable Waste will be collected by the Barangay. • Informing the establishments for Barangay Ordinance and RA 9003. • Establishment shall attend solid waste management orientation upon application/ renewal of business clearance as provided in the Barangay Ordinance. • Informing the Academe/ Religious sector for the Barangay Ordinance and Republic Act No. 9003	Massive information, education, communication campaign.	• Collected and composted. (Documentary) • Informed establishments and attended the Solid Waste Management Seminar. (Documented) • Collected and composted. (Documented)	• April 2017. • April 2017. • April 2017.

SECTION 7. – PENALTY CLAUSE. Any person who violated, disobeyed, refused, omitted or neglected to comply with Section 3 (a), (b), (c), (d), and (e) of this Ordinance shall upon conviction be punished with a fine of not less than Three Hundred Pesos (Php 300.00) but not exceeding to One Thousand Pesos (Php 1,000.00) or render community service of not less than one (1) day but not more than five (5) days or both depending upon the discretion of the Court.

SECTION. 8. – LEGAL BASIS. The basis of this Ordinance is to ensure implementation of proper segregation, collection and disposal of solid waste stipulated in the City Codified Ordinance No. 8975 – 2003 and as provided in the Republic Act No. 9003, otherwise known as Ecological Solid Waste Management Act of 2000.



Republic of the Philippines
City of Cagayan de Oro
BARANGAY 27
Tel. No. 72-57-27



OFFICE OF THE **BARANGAY COUNCIL**

Barangay Ordinance No. RCD 2017 – 001

— Page 8 of 8 Pages —

SECTION 9. RELATION TO PRIOR CITY ORDINANCE. Any provision of this Ordinance which may be substantially the same with any existing city ordinance shall be construed as restatement and not as new enactment.

SECTION 10. EFFECTIVITY CLAUSE. This Ordinance shall take effect Fifteen (15) days after its approval by the City Council of Cagayan de Oro.

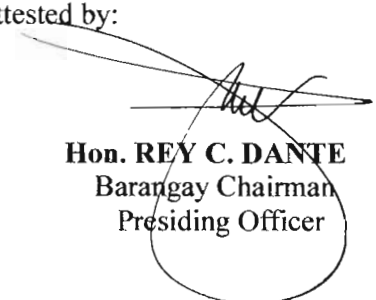
UNANIMOUSLY APPROVED.

DONE this 18th day of July 2017 at Barangay 27, in the City of Cagayan de Oro, Philippines.

WE HEREBY CERTIFY to the correctness of the aforementioned Barangay Ordinance.

JUVY G. JUBAY
Barangay Council Secretary

Attested by:


Hon. REY C. DANTE
Barangay Chairman
Presiding Officer

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 Resolution returning to the Barangay Council of Barangay No. 23 this City, its Ordinance No. 003-08-2017, "*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 23 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.

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: April 19, 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: 2017-1010

Date: 09/01/2017

Receiver: JESSAMINE

From: BARANGAY 23. CDO

Subject: ORDINANCE NO. 003-08-2017. 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 23 AND PROVIDING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

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: 3/22/18

recommending approval - UK

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: AUGUST 31, 2017

FROM: BARANGAY 23, CDO

SUBJECT MATTER: ORDINANCE NO. 003-08-2017. 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 23 AND PROVIDING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

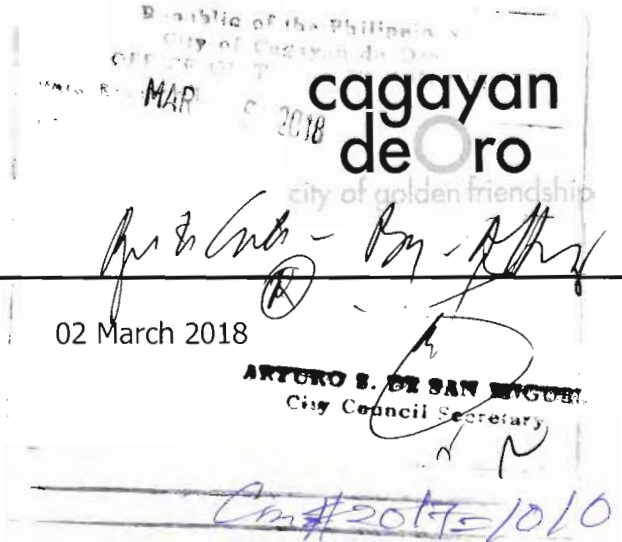
ACTION: REFER TO COMMITTEE ON **BARANGAY AFFAIRS.**

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
CITY LEGAL OFFICE



HON. YAN LAM LIM

City Councilor
Chairman, Committee on Barangay Affairs
Office of the City Council
Cagayan de Oro City

THRU: MARIA CARLA LARRAZABAL-LICAYAN

Local Legislative Staff Officer V
Chief, Legislative Committees Division
Cagayan de Oro City Council

Dear Hon. Lim:

Forwarded to this Office for review, legal opinion, and appropriate action, is the herein attached letter of Maria Carla Larrazabal-Licayan, Local Legislative Staff Officer V, Chief, Legislative Committees Division, dated 20 February 2018 referring to this Office Barangay Ordinance No. 003-084-2017 of Barangay 23, this City.

In this connection, kindly be informed that this Office has thoroughly reviewed the above-mentioned Barangay Ordinance and finds the same to be in legal order and poses no legal objection as it is pursuant to Section 391¹ of RA 7160, otherwise known as the Local Government Code of 1991, and Section 10² of RA 9003, otherwise known as the Ecological Solid Waste Management Act of 2000.

For your guidance and information.

ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer

¹(1) Enact ordinances as may be necessary to discharge the responsibilities conferred upon it by law or ordinance and to promote the general welfare of the inhabitants therein;

² Section 10. *Role of LGUs in Solid Waste Management* - Pursuant to the relevant provisions of R.A. No. 7160, otherwise known as the Local government code, the LGUs shall be primarily responsible for the implementation and enforcement of the provisions of this Act within their respective jurisdictions.

Segregation and collection of solid waste shall be conducted at the barangay level specifically for biodegradable, compostable and reusable wastes: *Provided*, That the collection of non-recyclable materials and special wastes shall be the responsibility of the municipality or city.



Republic of the Philippines
CITY OF CAGAYAN DE ORO
Barangay 23
8566714



ORDINANCE NO.003-08-2017

AN ORDINANCE REQUIRING THE MANDATORY SEGREGATION OF WASTE AT SOURCE TO ALL RESIDENTS, LEASE OCUPANTS OF ANY BUSINESS, COMMERCIAL, PRIVATE AND PUBLIC ESTABLISHMENTS OF BARANGAY 23 AND PROVIDING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES

BE IT ORDAINED by the Barangay Council of the Barangay 23, Cagayan de Oro in session assembled that

SECTION 1. – Title. This ordinance shall be known as the “**ECOLOGICAL SOLID WASTE MANAGEMENT PROGRAM** of Barangay 23, Cagayan de Oro City”.

SECTION 2. – Mandatory Segregation and Waste Classification

a. That segregation of waste shall be primarily conducted at the source or point of origin, to include household, institutional, industrial, commercial/business establishments and agricultural sources.

b. The segregation of waste shall be primarily conducted and managed at the barangay level specifically for the compostable, recyclable, and reusable waste. Likewise, the barangay shall promote encourage the involvement of Non-Government Organization, People’s Organization and similar in activities pertaining to the solid waste management such as segregation, collection, disposal, and others.

c. That the respective Barangay Council shall initiate in the conduct of resources recovery for the compostable, recyclable, and re-usable waste.

d. There shall be a properly identified and marked wastes container or receptacles for on-site collection for each type of waste depending on its classification as to “COMPOSTABLE”, RESIDUAL/HAZARDOUS”,

“RECYCLABLE” and any other waste as may be determined by the City Solid Waste Management Board.

e. That waste containers or receptacles shall be properly marked and identified with description and corresponding coded with colors according to the classification of the segregated waste

- b. That no garbage disposal shall be allowed outside of the scheduled time to avoid infiltration and unnecessary spillage of garbage by stray dogs and to ensure efficient and effective collection operation.
- c. That littering, throwing or dumping of garbage or waste materials in public places such as roads, sidewalks, canals, esteros, open spaces and parks, or any act causing or permitting the same is prohibited.
- d. That all house owners and tenants of residential building and owners, managers, operators, occupants and lessees of any commercial/business establishments, *government institutions* shall be required to clean the area in front of and around their vicinity and shall be required to provide their own waste receptacles for efficient waste segregation.
- e. That it shall be the duty of the house owner, lessee, occupants, operator/manager of any business/commercial establishment or government institutions to dispose outside our barangay within Seventy Two (72) hours any and all kinds of construction debris or waste materials scrap such as cement, sand, gravel, lumber, steel and scrap materials coming from construction or renovation of their house or establishment.

SECTION 4. – Composting of Biodegradable Waste Materials

- a. That the Barangay Council establish an material recovery facility for composting of biodegradable waste
- b. That it shall be the duty of the Chairman of the Committee on Health Sanitation and Environment with the assistance of the Barangay Nutrition Scholar (BNS) to ensure that Composting Barrels/Drums are properly maintained and the organic soil being produced in the process shall be utilized for gardening and greening projects.

SECTION 5. – Establishment of Materials Recovery Facility (MRF)

- a. That there shall be a Material Recovery Facility (MRF) to be established in suitable site within the barangay to accommodate segregated “Recyclable or suitable” waste materials brought in by household owners and/or business operators or owners.
- b. That Recyclable or Re-usable Waste materials may be disposed of or sold to junk buyers by the individual household owners or business operators/owners at their own discretion.

SECTION 6. – Penalty Claus. Any person who violated disobeyed, refused, omitted or neglected to comply with the Section 3 (a), (b), (c), (d) and (e) of this Ordinance shall upon conviction be punished with a fine of not less than Three Hundred Pesos (300.00) but not exceeding One Thousand Pesos (P1,000) or render community service of not less than (1) day but not more than five (5) days or both depending upon the discretion of the court.

SECTION 7. – Legal Basis. The basis of this ordinance is to ensure implementation o proper segregation, collection and disposal of Solid Waste stipulated in the City Codified Ordinance No. 8975 series of 2003 and as provided in Republic Act 9003 commonly known as the Ecological Solid Waste Management Act of 2000.

SECTION 8. – Relation to Prior City Ordinance. Any provision of this ordinance which may be substantially the same with any existing city ordinance shall be construed as restatement and not as new enactment.

SECTION 9. – Effectivity Clause. This ordinance shall take effect fifteen (15) days after its approval by the City Council of Cagayan de Oro.

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

(068) 857-4026; 857-4032; 857-4035; 857-2258

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Resolution returning to the Barangay Council of Lumbia this City, its Ordinance No. 001-2018, "*An Ordinance requiring all residents, owners/ lessee, of any business, commercial, industrial, private or public establishments of Barangay Lumbia to implement waste segregation at source and providing penalty for violation thereof and 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.

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: April 19, 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: 2018-1450

Date: 02/27/2018

Receiver: JESSAMINE

From: BARANGAY LUMBIA, CDO

Subject: ORDINANCE NO. 001-2018, AN ORDINANCE REQUIRING ALL RESIDENTS, OWNERS/LESSEES, OF ANY BUSINESS, COMMERCIAL, INDUSTRIAL, PRIVATE OR PUBLIC ESTABLISHMENTS OF BARANGAY LUMBIA TO IMPLEMENT WASTE SEGREGATION AT SOURCE AND PROVIDING PENALTY FOR VIOLATION THEREOF AND OTHER PURPOSES.

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: 2/27/18

Recommending Approval - LR

HON. YAN LAM LIM
Chairperson

HON. ENRICO D. SALCEDO
Member

HON. MARIA LOURDES S. GAANE
Member

HON. TEODULFO E. LAO, JR.
Vice Chairperson

HON. JAY R. PASCUAL
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

FEB 27 2018

From

BARANGAY LUMBIA, CDO



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

SUBJECT MATTER: ORDINANCE NO. 001-2018. AN ORDINANCE REQUIRING ALL RESIDENTS, OWNERS/LESSEES, OF ANY BUSINESS, COMMERCIAL, INDUSTRIAL, PRIVATE OR PUBLIC ESTABLISHMENTS OF BARANGAY LUMBIA TO IMPLEMENT WASTE SEGREGATION AT SOURCE AND PROVIDING PENALTY FOR VIOLATION THEREOF AND OTHER PURPOSES.

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

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



09 March 2018

HON. YAN LAM LIM

City Councillor
Chairman, Committee on Barangay Affairs
Office of the City Council
Cagayan de Oro City

THRU: MARIA CARLA LARRAZABAL-LICAYAN

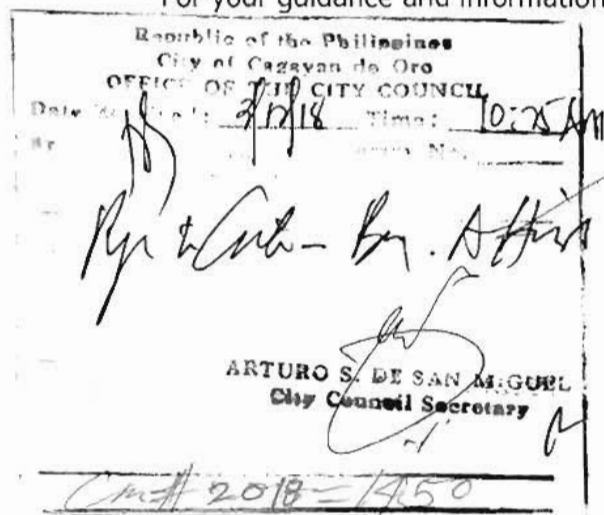
Local Legislative Staff Officer V
Chief, Legislative Committees Division
Cagayan de Oro City Council

Dear Hon. Lim:

Forwarded to this Office for review, legal opinion, and appropriate action, is the herein attached letter of Maria Carla Larrazabal-Licayan, Local Legislative Staff Officer V, Chief, Legislative Committees Division, dated 01 March 2018 referring to this Office Barangay Ordinance No. 001-2018 of Barangay Lumbia, this City.

In this connection, kindly be informed that this Office has thoroughly reviewed the above-mentioned Barangay Ordinance and finds the same to be in legal order and poses no legal objection as it is pursuant to Section 391¹ of RA 7160, otherwise known as the Local Government Code of 1991, and Section 10² of RA 9003, otherwise known as the Ecological Solid Waste Management Act of 2000.

For your guidance and information.



ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer

¹(1) Enact ordinances as may be necessary to discharge the responsibilities conferred upon it by law or ordinance and to promote the general welfare of the inhabitants therein;

² Section 10. *Role of LGUs in Solid Waste Management* - Pursuant to the relevant provisions of R.A. No. 7160, otherwise known as the Local government code, the LGUs shall be primarily responsible for the implementation and enforcement of the provisions of this Act within their respective jurisdictions.

Segregation and collection of solid waste shall be conducted at the barangay level specifically for biodegradable, compostable and reusable wastes: *Provided*, That the collection of non-recyclable materials and special wastes shall be the responsibility of the municipality or city.



REPUBLIC OF THE PHILIPPINES
CITY OF CAGAYAN DE ORO
BARANGAY LUMBIA

OFFICE OF THE PUNONG BARANGAY

ORDINANCE NO. 001 - 2018

AN ORDINANCE REQUIRING ALL RESIDENTS, OWNERS/LESSEE, OF ANY BUSINESS, COMMERCIAL, INDUSTRIAL, PRIVATE OR PUBLIC ESTABLISHMENTS OF BARANGAY LUMBIA TO IMPLEMENT WASTE SEGREGATION AT SOURCE AND PROVIDING PENALTY FOR VIOLATION THEREOF AND OTHER PURPOSES;

WHEREAS: Republic Act 9003, otherwise known as the Ecological Solid Waste Management Act of 2000 and the its Implementing Rules and Regulations, approved as Department Administrative Order No. 2001-34, every local government unit is mandated to adopt a systematic, comprehensive and ecological solid waste management program;

WHEREAS: the Sangguniang Barangay of Lumbia recognizes its vital role in the implementation of Solid Waste reduction at source, diversion of waste through reusing, recycling, composting and other resource recovery activities, and the establishment of a Materials Recovery Facility (MRF);

NOW THEREFORE,

BE IT ORDAINED, by the members of the Sangguniang Barangay of Lumbia, this city in session assembled that:

Section 1. Title- This Ordinance shall be known as the Waste Segregation at Source Ordinance of Barangay Lumbia.

Section 2. Purpose- This Ordinance is enacted to adopt a comprehensive and systematic ecological solid waste management program.

Section 3. Declaration of Principles- The enactment of this ordinance is anchored in and its implementation shall be guided by the following principles;

- 3.1. Republic Act 9003 which aims to protect public health and environment.
Encourage resource conservation and recovery, promote greater private and public participation, support research on technologies and techniques in SWM and promote environmental awareness.

Section 4. Mandatory Segregation of Waste at Source.

- 4.1. That segregation of waste shall be primarily conducted at source or point of origin, to include household, institution, commercial/business establishments and other similar source.
- 4.2. That all Non-Government Organizations (NGO), People's Organizations (PO) and similar groups involved in solid waste management activities are hereby encouraged to promote and participate in the implementation of this ordinance.
- 4.3. That waste containers or receptacles shall be properly marked or identified with description according to the classification of segregated waste as follows;

- 5.2. That no garbage disposal shall be allowed outside of the schedule time to avoid infiltration and unnecessary spillage of garbage by stray dogs ensure efficient and effective collection operation.
- 5.3. That littering, throwing or dumping of garbage or waste materials, open burning of residual and hazardous waste in public places such as roads, sidewalks, canals, esteros, open spaces and parks, or any act causing or permitting the same is prohibited.
- 5.4. That all house owners and tenants of residential building and owners/lessees and occupants of any commercial/business establishments, government institutions shall be required to clean the area in front of and around their vicinity and shall be required to provide their own waste receptacles for efficient waste segregation.
- 5.5. That it shall be the duty of the house owner/lessee, occupants, of any business/commercial establishment or government institutions to dispose outside our barangay within Seventy Two (72) hours any and all kinds of construction debris or waste materials scrap such as cement, sand, gravel, lumber, steel and scrap materials coming from construction or renovation of their house or establishment.

Section 6. Establishment of Materials Recovery Facility (MRF).

- 6.1. That there shall be a Material Recovery facility (MRF) to be established in suitable site within the barangay to accommodate segregated "Recyclable or suitable" waste materials pick up by Barangay collectors.
- 6.2. That Recyclable or Re-usable Waste materials may be disposed of or sold to junk buyers by the Barangay.
- 6.3. That any amount earned from MRF shall be deposited to barangay Trust Fund account, and shall be used for any BESWM programs and activities.

Section 7. Composting of Biodegradable Waste Materials.

- 7.1. That the Barangay Council shall provide composting pit at MRF sites located at Sitio Patpat, Lumbia allow garbage collectors to dispose the collected "Compostable" or Biodegradable Waste by the barangay garbage collectors.
- 7.2. That it shall be the duty of the Chairman of the Committee on Environment with the assistance of the Chairman on Committee on Health and Chairman on Agriculture to ensure that Composting Barrels/Drums are properly maintained and the organic soil being produced in the process shall be utilized for gardening and greening projects.

Section 8. Penalty

- 8.1. First Offense- Reprimand with Written Promissory Statement
- 8.2. Second Offense - Two (2) Hour Community Service
- 8.3. Third Offense - Php. 300.00 fine with Two (2) hour Community

service

8.4. Fourth Offense - Php. 500.00 Fine with Eight (8) hours of Community Service

8.5. Minors- Parent/s shall shoulder penalty/ies

8.6. Any amount collected from violators shall be deposited to Barangay Trust Fund account and shall be used for any BESWM programs and projects.

Section 9. Implementers.

9.1. Barangay Officials

9.2. Barangay Ecological Solid Waste Management Committee (BESWMC)-Lumbia

9.3. Barangay Tanods

9.4. Sitio Leaders

Section 10. Coverage. This ordinance is applicable within the territorial jurisdiction of Barangay Lumbia, City of Cagayan de Oro.

Section 11. Separability. If any part of this ordinance shall be declared invalid by a court of competent jurisdiction, or be suspended or be revoked by the Sangguniang Panglungsod, such judgment shall not affect, impair or invalidate the remainder of the ordinances, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in question.

Section 12. Repealing Clause. All barangay ordinances, rules and regulations, or parts thereof, in conflict or inconsistent with any provisions of this ordinance are hereby repealed or modified accordingly.

Section 13. Effectivity. This ordinance shall take effect Fifteen (15) Days from its approval.

AUTHORS : Lumbia Barangay Council

DATE FILED: February 26, 2018

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 Resolution returning to the Barangay Council of Barangay No. 16, this City, its Ordinance No. 2017-001, "*An Ordinance enactment on ecological solid waste management of Barangay 16, Cagayan de Oro City, requiring all residents, business, commercial, industrial, private or public establishments to implement waste segregation at source and providing penalty for violation thereof and 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.

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: April 19, 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: 2017-1158

Date: 11/03/2017
Receiver: JESSAMINE

From: BARANGAY 16, CDO
Subject: ORDINANCE NO. 2017-001. AN ORDINANCE ENACTMENT ON ECOLOGICAL SOLID WASTE MANAGEMENT OF BARANGAY 16, CAGAYAN DE ORO CITY, REQUIRING ALL RESIDENTS, BUSINESS, COMMERCIAL, INDUSTRIAL, PRIVATE OR PUBLIC ESTABLISHMENTS TO IMPLEMENT WASTE SEGREGATION AT SOURCE AND PROVIDING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

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: 11-10-18

Recommendation approved - UK

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: NOVEMBER 3, 2017

FROM: BARANGAY 16, CDO

SUBJECT MATTER: ORDINANCE NO. 2017-001. AN ORDINANCE ENACTMENT ON ECOLOGICAL SOLID WASTE MANAGEMENT OF BARANGAY 16, CAGAYAN DE ORO CITY, REQUIRING ALL RESIDENTS, BUSINESS, COMMERCIAL, INDUSTRIAL, PRIVATE OR PUBLIC ESTABLISHMENTS TO IMPLEMENT WASTE SEGREGATION AT SOURCE AND PROVIDING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

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

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



09 March 2018

HON. YAN LAM LIM

City Councilor
Chairman, Committee on Barangay Affairs
Office of the City Council
Cagayan de Oro City

THRU: MARIA CARLA LARRAZABAL-LICAYAN

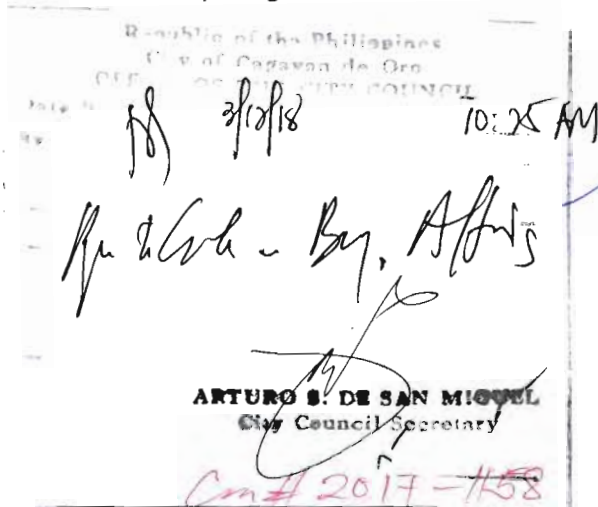
Local Legislative Staff Officer V
Chief, Legislative Committees Division
Cagayan de Oro City Council

Dear Hon. Lim:

Forwarded to this Office for review, legal opinion, and appropriate action, is the herein attached letter of Maria Carla Larrazabal-Licayan, Local Legislative Staff Officer V, Chief, Legislative Committees Division, dated 01 March 2018 referring to this Office Barangay Ordinance No. 2017-001 of Barangay 16, this City.

In this connection, kindly be informed that this Office has thoroughly reviewed the above-mentioned Barangay Ordinance and finds the same to be in legal order and poses no legal objection as it is pursuant to Section 391¹ of RA 7160, otherwise known as the Local Government Code of 1991, and Section 10² of RA 9003, otherwise known as the Ecological Solid Waste Management Act of 2000.

For your guidance and information.



ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer

¹(1). Enact ordinances as may be necessary to discharge the responsibilities conferred upon it by law or ordinance and to promote the general welfare of the inhabitants therein;

² Section 10. Role of LGUs in Solid Waste Management - Pursuant to the relevant provisions of R.A. No. 7160, otherwise known as the Local government code, the LGUs shall be primarily responsible for the implementation and enforcement of the provisions of this Act within their respective jurisdictions.

Segregation and collection of solid waste shall be conducted at the barangay level specifically for biodegradable, compostable and reusable wastes: *Provided*, That the collection of non-recyclable materials and special wastes shall be the responsibility of the municipality or city.



Republic of the Philippines
City of Cagayan de Oro
BARANGAY 16

OFFICE OF THE BARANGAY COUNCIL

ORDINANCE NO. 2017-001

AN ORDINANCE ENACTMENT ON ECOLOGICAL SOLID WASTE MANAGEMENT OF BARANGAY 16, CAGAYAN DE OR CITY. REQUIRING ALL RESIDENTS,BUSINESS,COMMERCIAL, INDUSTRIAL, PRIVATE OR PUBLIC ESTABLISHMENTS TO IMPLEMENT WASTE SEGREGATION AT SOURCE AND PROVIDING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES

Section 1. The Title. This ordinance shall be known as “An Ordinance Enactment on the Ecological Solid Waste Management of Barangay 16”

Section 2. Coverage. . This ordinance shall apply to all residential houses, commercial establishments such as restaurants, eateries, hotels, school, public and private offices;

Section 3. Legal Basis Purpose, Goal and Objectives This Ordinance is enacted the provisions of Republic Act No. 9003 which mandates the proper segregation and collection of garbage.

Section 4. Purpose.

- a.** To guide, regulate the generation of solid wastes within the Barangay and promote an orderly and sanitary system for the same;
- b.** To enhance the total environment of the locality through the necessary control and mitigation of negative impacts of solid waste;
- c.** To promote and protect the health, safety, peace and convenience of the general welfare of the inhabitants.

Section 5. Goal. The primary goal of this Ordinance is to enhance ecological balance of the community through sustainable and integrated waste management

Section 6. Objectives. The objectives of this ordinance are the following:

- a.** To ensure round-the clock cleanliness through the orderly management of waste;

Section 9. Collection/Drop-off Points. Only segregated solid waste materials must be brought to the collection at the time and date of collection; and A personnel must be assigned in every collection points to ensure that the delivered solid wastes by the household are properly segregated.

Section 10. Barangay Aides. The barangay must assign barangay aides to check the delivered solid waste materials and handle the transfer of segregate solid waste materials from barangay MRF or from the collection points to the garbage truck.

Section 11. Residential Areas. The garbage shall be collected through the present system of collection within the barangay.

Section 12. Schools and business Establishments. All garbage in these locations shall also be collected in the same manner as in Section 10.

Section 13. Time and Dumping. Time of dumping of ecological solid waste for collection at the collection points/sites shall be daily 6-7:30 pm daily and Sunday

Section 14. Prohibited Acts. The following Acts are prohibited and its corresponding Fines and Penalties:

- a. Bringing out and dumping of garbage outside of collection day and proper time for dumping for collection, indiscriminately dumping garbage, littering throwing, dumping of solid waste matters in public places, such as roads, sidewalks, canals, drainage systems, curbs and gutters.
- b. The open and indiscriminate burning of residential and special wastes;
- c. Causing or permitting the collection of non-segregated or unsorted waste/non segregation of wastes into biodegradable, recyclable, and residual/special; and

Section 15. – Fines and Penalties. The following fines and penalties shall be imposed to any person who violates specific provisions of this ordinance. He/she shall be issued with a citation ticket or notice of violation by an enforcer duly assigned by the Punong barangay.

First offense - warning

Second offense- 300 pesos

Third offense - 500.00 pesos

- a. Not keeping the surroundings areas and immediate premises clean by establishments, institutions, households and other concerned occupants. Streets shall be kept clean by occupants or owners of properties lining the streets from the line of the property to the middle of the streets and from one party to the other.

First offense - Warning

Second offense - 500.00 pesos

Third offense - 1,000.00 pesos

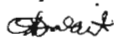
Section 16. Citizens Suits. For purpose of enforcing the provisions of this Ordinance, any citizens may file an appropriate civil or criminal action in the barangay against any person who violates or fail to comply with the provisions of this ordinance. The barangay itself shall exempt such action from payments of filing fees.

Section 17. Repealing clause. All existing ordinances and resolutions of this barangay found to be inconsistent herewith are hereby repealed or modified accordingly.

Section 18. Effectivity. This ordinance shall take effect in accordance with the provisions of the local Government Code 1991.

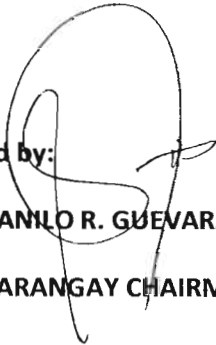
ENACTED AND APPROVED by the BARANGAY 16 COUNCIL this 27, 2017.
UNANIMOUSLY CARRIED AND APPROVED .

Prepared by:


ANITA A. BALACUIT

BARANGAY SECRETARY

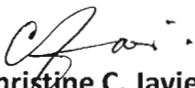
Approved by:


DANILO R. GUEVARA

BARANGAY CHAIRMAN

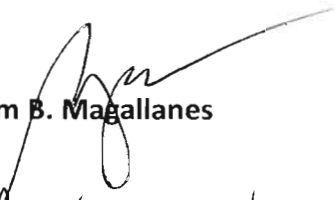
Barangay Kagawad:

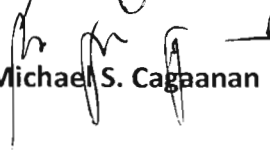

Walter A. Kiunisala

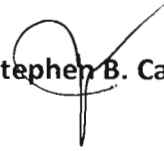

Christine C. Javier


Roy O. Salugsugan


Claudia O. Amto


Jim B. Magallanes


Michael S. Cagaanan


Stephen B. Cairel

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 Resolution returning to the Barangay Council of Balulang, this City, its Ordinance No. 001-2017, "An Ordinance regulating the disposal of garbage, filth and other waste materials", 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: April 19, 2018

a 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: 2017-1006

Date: 09/01/2017

Receiver: JESSAMINE

From: BARANGAY BALULANG, CDO

Subject: ORDINANCE NO. 001-2017. AN ORDINANCE REGULATING THE DISPOSAL OF GARBAGE FILTH OTHER WASTE MATERIALS.

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

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTUROS. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 3/27/18

Unanimously approved

HON. YAN LAM LIM
Chairperson

HON. ENRICO D. SALCEDO
Member

HON. MARIA LOURDES S. GAANE
Member

HON. TEODULFO E. LAO, JR.
Vice Chairperson

HON. JAY R. PASCUAL
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

W/CDO



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

02 March 2018

HON. YAN LAM LIM

City Councilor
Chairman, Committee on Barangay Affairs
Office of the City Council
Cagayan de Oro City

ARTURO S. DE SAN MIGUEL
City Council Secretary

THRU: MARIA CARLA LARRAZABAL-LICAYAN

Local Legislative Staff Officer V
Chief, Legislative Committees Division
Cagayan de Oro City Council

Dear Hon. Lim:

Forwarded to this Office for review, legal opinion, and appropriate action, is the herein attached letter of Maria Carla Larrazabal-Licayan, Local Legislative Staff Officer V, Chief, Legislative Committees Division, dated 20 February 2018 referring to this Office Barangay Ordinance No. 001-2017 of Barangay Balulang, this City.

In this connection, kindly be informed that this Office has thoroughly reviewed the above-mentioned Barangay Ordinance and finds the same to be in legal order and poses no legal objection as it is pursuant to Section 391¹ of RA 7160, otherwise known as the Local Government Code of 1991, and Section 10² of RA 9003, otherwise known as the Ecological Solid Waste Management Act of 2000.

For your guidance and information.

ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer

¹(1) Enact ordinances as may be necessary to discharge the responsibilities conferred upon it by law or ordinance and to promote the general welfare of the inhabitants therein;

² Section 10. *Role of LGUs in Solid Waste Management* - Pursuant to the relevant provisions of R.A. No. 7160, otherwise known as the Local government code, the LGUs shall be primarily responsible for the implementation and enforcement of the provisions of this Act within their respective jurisdictions.

Segregation and collection of solid waste shall be conducted at the barangay level specifically for biodegradable, compostable and reusable wastes: *Provided*, That the collection of non-recyclable materials and special wastes shall be the responsibility of the municipality or city.



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: AUGUST 31, 2017

FROM: BARANGAY BALULANG, CDO

SUBJECT MATTER: ORDINANCE NO. 001-2017. AN ORDINANCE REGULATING THE DISPOSAL OF GARBAGE, FILTH, OTHER WASTE MATERIALS.

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
BARANGAY BALULANG

OFFICE OF THE PUNONG BARANGAY

**BARANGAY ORDINANCE
NO. 001-2017**

AN ORDINANCE REGULATING THE DISPOSAL OF GARBAGE,
FILTH AND OTHER WASTE MATERIALS.

BE IT ORDIANED by the Barangay Council of Barangay Balulang
Cagayan de Oro City on session assembled that:

SECTION 1. No person, natural or judicial, shall dispose of any
garbage, filth or other waste matters in any place like river, creeks and
canals in this barangay except in places duly designated by the Barangay
Council as a garbage disposal area.

SECTION 2. (a) All educational institution, wether private or
public; all commercial and industrial establishments such as: hotels,
restaurants, eateries, carenderias, sari-sari stores, mini marts and all other
similar establishments shall undertake the cleaning of their own estate,
yards and immediate premises.

(b) All garbage filth and other waste shall be placed in a
proper receptacles or bins for collection of garbage collectors.

(c) All business establishments operating in this barangay are
hereby required to provide their own respective garbage bins which shall
be placed in a proper place in front of their establishment. Failure to
comply such requirement shall be considered as sufficient ground for the
Punong Barangay in refusing the issuance of a
"Barangay Clearance" to be used in securing a renewal of the Mayor's
Permit without prejudice to the filing of an appropriate charge in the court

(d) Other necessary rules and regulations shall be issued by
the Punong Barangay for the proper and effective implementation of this
ordinance.

SECTION 3. Penalty: Any person who violated, dis-obey, refused
any provisions of this Ordinance shall be punished by a fine of not less than
Three Hundred (P300.00) Pesos but not more than One Thousand (P1,000.00) Pesos.



Republic of the Philippines
City of Cagayan de Oro
BARANGAY BALULANG

OFFICE OF THE PUNONG BARANGAY

SECTION 4. Repealing Clause. All Ordinances, rules and regulations, or parts thereof whose provisions are in conflict with or contrary to, the provisions of this Ordinance are hereby repealed, amended and modified accordingly.

SECTION 5. Effectivity. This Ordinance shall take effect after fifteen (15) days from the date its approval.

UNANIMOUSLY APPROVED.

Hon. ROLDAN C. MABAYLAN
Kagawad

HON. JORGE M. WASLO
Kagawad

HON. ALAN C. GALOPE
Kagawad

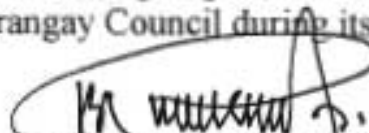
HON. ROY R. ACEBES
Kagawad

HON. CLEA R. SALUDARES
Kagawad

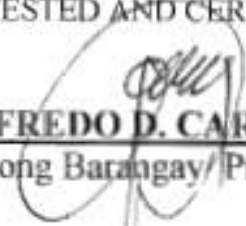
HON. NARCISO C. RADO
Kagawad

HON. SEGUNDO T. PIQUERO, JR.
Kagawad

I hereby certify to the correctness of the foregoing Ordinance which was duly enacted and approved by the Barangay Council during its regulars session held on August 7, 2017.


VIRGILIO S. PENDRE, SR.
Barangay Secretary

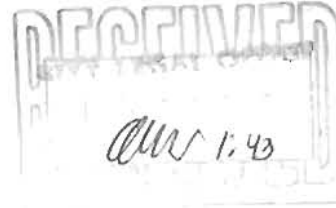
ATTESTED AND CERTIFIED AS DULY ENACTED:


ALFREDO D. CARCOSA
Punong Barangay/ Presiding

APPROVED: August 21, 2017



Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(088) 857-4026; 857-4029; 857-4032; 857-4035; 857-2258



February 20, 2018

ATTY. REYMOND Q. VILLABLANCA

Assistant City Legal Officer
City Legal Office
Cagayan de Oro City

Sir:

Acting upon instruction of the Chairman of the City Council Committee on Barangay Affairs, may we refer to your office the within Ordinance No. 002-2017 of Barangay Balulang "*Ordinance Regulating the disposal of garbage, filth and other waste materials*", for review and legal opinion.

Thank you.

Very truly yours,

MARIA CARLA LARRAZABAL-LICAYAN

Local Legislative Staff Officer V
Chief, Legislative Committees Division
By the Authority of HON. YAN LAM LIM
Chairman, Committee on Barangay Affairs

Enclosed:

- Brgy. Balulang Ord. No. 001-2017

Ref. No. 2017-1006- Comm. on Brgy Affairs



Republic of the Philippines
City of Cagayan de Oro
BARANGAY BALULANG

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY CLERK
Date Received: AUG 31 2017

9:45

[Signature] to Card. Bay, Affairs

1st Endorsement
August 29, 2017

Date

[Signature]

Respectfully endorsed to the Honorable Sangguniang Panglungsod,
Cagayan de Oro City, the herein Barangay Ordinance No. 001-2017 of
Barangay Balulang for their information and kind consideration.

[Signature]
ALFREDO D. CARCOSA
Punong Barangay

1,000.00 PESOS.

OFFICE OF THE PUNONG BARANGAY

BARANGAY ORDINANCE NO. 001-2017

AN ORDINANCE REGULATING THE DISPOSAL OF WASTE MATERIALS

BE IT ORDAINED by the Barangay Council of Barangay Mardun, Laguan de Oro City on session assembled that:

SECTION 1. No person, natural or artificial, shall dispose of any garbage, filth or other waste matters in any place like river, creeks and canals in this barangay except in places duly designated by the Barangay Council as a garbage disposal area.

SECTION 2. (a) All educational institutions, whether private or public, all commercial and industrial establishments such as hotel, restaurants, eateries, cenderarias, sari-sari stores, mini-marts and all other similar establishments shall undertake the cleaning of their own estate, yards and immediate premises.

(b) All garbage filth and other waste shall be placed in a proper receptacles or bins for collection of garbage collectors.

(c) All business establishments operating in this barangay are hereby required to provide their own respective garbage bins which shall be placed in a proper place in front of their establishment. Failure to comply such requirement shall be considered as sufficient ground for the Punong Barangay in refusing the issuance of a "Barangay Clearance" to be used in securing a renewal of the Mayor's Permit without prejudice to the filing of an appropriate charge in the court.

(d) Other necessary rules and regulations shall be issued by the Punong Barangay for the proper and effective implementation of this ordinance.

SECTION 3. Penalty. Any person who violated, disobeyed, neglected and provisions of this Ordinance shall be punished by a fine of not less than Three hundred (P300.00) Pesos but not more than Five hundred (P500.00) Pesos.



Republic of the Philippines
City of Cagayan de Oro
BARANGAY BALULANG

OFFICE OF THE PUNONG BARANGAY

SECTION 4. Repealing Clause. All Ordinances, rules and regulations, or parts thereof whose provisions are in conflict with or contrary to, the provisions of this Ordinance are hereby repealed, amended and modified accordingly.

SECTION 5. Effectivity. This Ordinance shall take effect after fifteen (15) days from the date its approval.

UNANIMOUSLY APPROVED.

Hon. ROLDAN C. MABAYLAN

Kagawad

HON. JORGE M. WASLO

Kagawad

HON. ALAN C. GALOPE

Kagawad

HON. ROY R. ACEBES

Kagawad

HON. CLEA R. SALUDARES

Kagawad

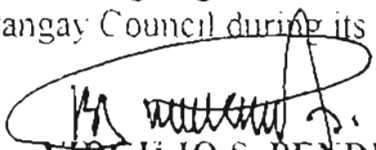
HON. NARCISO C. RADO

Kagawad

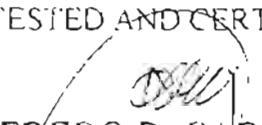
HON. SEGUNDO T. PIQUERO, JR.

Kagawad

I hereby certify to the correctness of the foregoing Ordinance which was duly enacted and approved by the Barangay Council during its regular session held on August 7, 2017.


VIRGILIO S. PENDRE, SR.
Barangay Secretary

ATTESTED AND CERTIFIED AS DULY ENACTED:


ALFREDO D. CARCOSA

Punong Barangay/Presiding

APPROVED: August 21, 2017



Communication Number: 2017-1006

Date: 09/01/2017

Receiver: JESSAMINE

From: BARANGAY BALULANG, CDO

Subject: ORDINANCE NO. 001-2017: AN ORDINANCE REGULATING THE DISPOSAL OF GARBAGE FILTH OTHER WASTE MATERIALS.

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: 2-19-2018

HON. YAN LAM LIM
Chairperson

HON. TEODULFO E. LAO, JR.
Vice Chairperson

HON. ENRICO E. 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
BARANGAY BALULANG

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY
Date Received: **AUG 31 2017**

9.45

[Signature] to Card. Bay. Affairs

1st Endorsement
August 29, 2017

Date

..R.L.C.

[Signature]

Respectfully endorsed to the Honorable Sangguniang Panglungsod, Cagayan de Oro City, the herein Barangay Ordinance No. 001-2017 of Barangay Balulang for their information and kind consideration.

[Signature]
ALFREDO D. CARCOSA
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 Resolution returning to the Barangay Council of Bugo, this City, its Ordinance No. 004-2017, "An Ordinance implementing Barangay ID System of Barangay Bugo, Cagayan de Oro City", 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

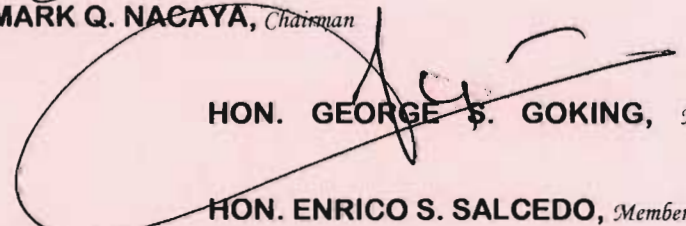
COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: April 19, 2018

> for inclusion


HON. IAN MARK Q. NACAYA, Chairman

HON. ZALDY O. OCON, Vice Chairman


HON. GEORGE S. GOKING, Member

HON. ROMEO V. CALIZO, Member

HON. ENRICO S. SALCEDO, Member

DISSENTING

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

Comm. No.: 2017-1243

Received by : _____

From: BARANGAY BUGO

Date : _____

SUBJECT MATTER: Ordinance #004-2017 of Barangay Bugo "An Ordinance implementing Barangay ID system of Barangay Bugo, Cagayan de Oro City".

Respectfully referred to the Committees on BARANGAY AFFAIRS the herein communication for study, investigation, report and recommendation.

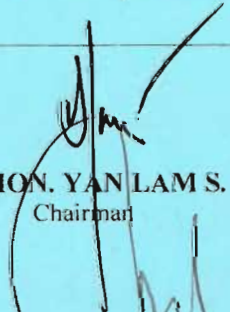
For the City Vice Mayor and Presiding Officer
City Council

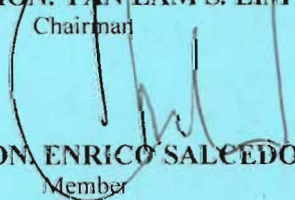
ARTURO S. DE SAN MIGUEL
City Secretary

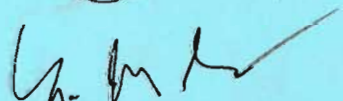
COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: April 16, 2018

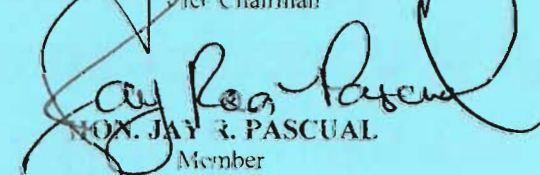
Un-recommending approval


HON. YAN LAM S. LIM
Chairman


HON. ENRICO SALCEDO
Member


HON. MARIA LOURDES S. GAANE
Member


HON. TEOFILO E. LAO, JR.
Vice Chairman


HON. JAY R. PASCUAL
Member


HON. NADIA B. EMAMO-ELIPE
Member



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

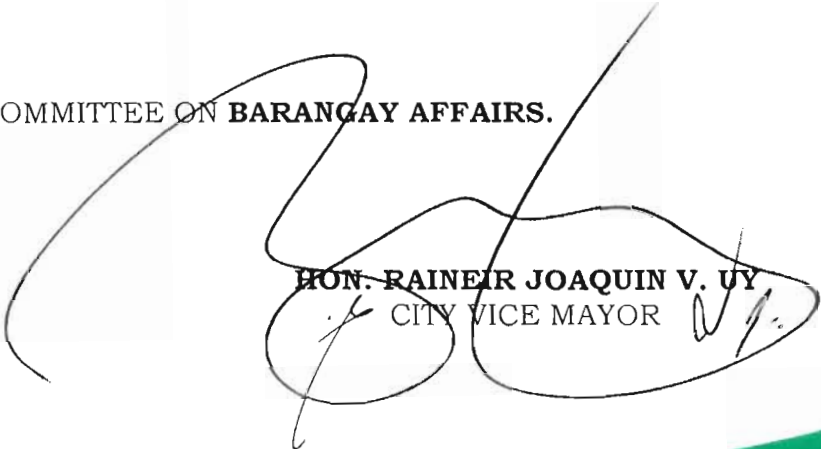


2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

DATE: NOVEMBER 28, 2017
FROM: BARANGAY BUGO. CDO

SUBJECT MATTER: ORDINANCE NO. 004-2017. AN ORDINANCE
IMPLEMENTING BARANGAY ID OF BARANGAY BUGO, CAGAYAN DE ORO
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
CITY LEGAL OFFICE

cagayan de oro
Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY CLERK
Date Received: city of golden triangle
By: [Signature] MAR 19 2018
ACTION: BA2017-1243
Date: [Signature] MIGUEL
[Signature]

15 March 2018

HON. YAN LAM LIM

Chairman, Committee on Barangay Affairs

Thru: MARIA CARLA LARRAZABAL-LICAYAN

Local Legislative Staff Officer V

Chief, Executive Committees Division

Dear Hon. Lim:

This is in response to your letter dated 7 March 2018 seeking for review and legal opinion the Ordinance No. 004-2017 of Barangay Bugo "An Ordinance implementing Barangay ID System of Barangay Bugo, Cagayan de Oro City."

In this connection, kindly be informed that this Office poses no legal objection to the approval of Ordinance No. 004-2017 of Barangay Bugo, this Office finds the same to be in legal order, pursuant to Section 394 (d) (6) of R.A. 7160, otherwise known as the Local Government Code of 1991, to wit:

"provides that the Barangay Secretary shall keep an updated record of all inhabitants of the barangay containing the following items of information: name, address, place and date of birth, sex, civil status, citizenship, occupation, and such other items of information as may be prescribed by law or ordinances;"

In application of this particular provision, the Barangay Bugo may issue IDs to its inhabitants containing the information enumerated under Section 394 (d) (6) of the Local Government Code and such other information as maybe prescribed by law or ordinance.

Provided further, that this Barangay Ordinance shall not mandate the inhabitants to apply for the Barangay ID System on the pretext that it will serve as a requirement in the delivery of basic services.

Moreover, the right to privacy as enshrined in our Constitution does not bar all incursions into individual privacy. It merely requires that the law be narrowly focused and a compelling interest justifies such intrusions. Intrusions into the right must be accompanied by proper safeguards and well-defined standards to prevent constitutional invasions.¹

We hope that we have sufficiently addressed your concerns.

For you information and appropriate action.

ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer

¹ Ople vs Torres, G.R. No. 127685, 23 July 1998



OFFICE OF THE SANGGUNIANG BARANGAY

BARANGAY ORDINANCE # 004-2017

Section I: Title
An Ordinance implementing Barangay ID System of Barangay Bugo, Cagayan de Oro City.

Section II: Purpose

- a). to serve as a Maintenance System of the barangay to be used in keeping records of the constituents, including his/her personal data.
- b). serve as a Barangay ID with unique reference number (URN) to determine his/ her residency.
- c). to help reduce the hard time procedure for accessing files and records.
- d). serve as census like system of the barangay for all of its constituents and new people living in the place.
- e). benefits its residence for they will be accommodated easily for they will have an identification that can be used to access their accounts if there are some changes to be done in their part. It will also be easy for them in requesting some information and services because the barangay already have it.

Section III: Requirements

- a). Barangay residents have the option for barangay ID card.
- b). residents of at least six(6) months can avail of the Barangay ID.
- c). At least 15 years of age can apply for the Barangay ID.

Section IV: Cost of ID – Php 25.00

Section V: Validity of Barangay ID: 1 year from the date of issue

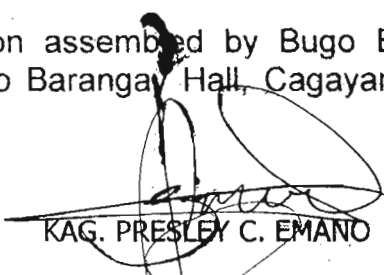
Section VI: Effectivity:
This Barangay Ordinance will take effect on first week of January 2018 upon approval of the City Council.

UNANIMOUSLY APPROVED in regular session assembled by Bugo Barangay Council held on November 9, 2017 at the Bugo Barangay Hall, Cagayan de Oro City.

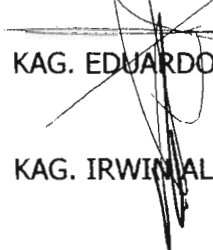

KAG. EDWIN V. ABAN
(Proponent)


KAG. ALAN D. IGOT


KAG. PONCIANO J. DAWAL


KAG. PRESLEY C. EMANO


KAG. EDUARDO V. SALILIG


KAG. IRWIN ALLEN P. ALERIA

Done this 9th day of November 2017 at Barangay Bugo, Cagayan de Oro City.

I CERTIFY TO THE CORRECTNESS OF THE FOREGOING ORDINANCE
CONSISTING OF 2 PAGES INCLUDING THIS PAGE.

Attested by:


MONICO R. CAPIRIG
Acting Punong Barangay


RODOLFO Y. JAMERO, JR.
Barangay Secretary

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:

From :

Received by:

Date:

SUBJECT MATTER: Proposed Resolution returning to the Barangay Council of Macasandig, this City, its Ordinance No. 0003-2017, "An Ordinance amending Article III: Section 14 Fees and Charges of the Revenue Code of Barangay Macasandig under Barangay Ordinance No. 004-20018, the rental or use of covered court from P350.00 per hour to P500 per hour during night time and from P150.00 to P200.00 per hour during day time and Section 15 Garbage Collection Fees from P120.00 to P200.00 per year for big establishments only", 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: April 19, 2018

for inclusion

HON. IAN MARK Q. NACAYA, Chairman

HON. ZALDY O. OCON, Vice Chairman

HON. ROMEO V. CALIZO, Member

HON. GEORGE S. GOKING, Member

HON. ENRICO S. SALCEDO, Member

DISSENTING

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

Comm. No.: 2017-1229

Received by : _____

From: BARANGAY MACASANDIG

Date : _____

SUBJECT MATTER: Ordinance No. 0003-2017 of Barangay Macasandig "An Ordinance amending Article 111; Section 14 Fees and Charges of the Revenue Code of Barangay Macasandig under Barangay Ordinance No. 004-2008, the rental or use of covered court from P350.00 per hour to P500.00 per hour during day time and Section 15 Garbage collection fees from P120.00 to P200.00 per year for big establishments only".

Respectfully referred to the Committees on BARANGAY AFFAIRS the herein communication for study, investigation, report and recommendation.

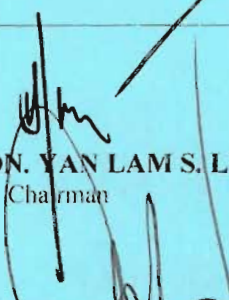
For the City Vice Mayor and Presiding Officer
City Council

ARTURO S. DE SAN MIGUEL
City Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 4-10-18

OK - recommending approval


HON. YAN LAM S. LIM
Chairman


HON. TEODULFO E. LAO, JR.
Vice Chairman


HON. ENRICO SALCEDO
Member

HON. JAY R. PASCUAL
Member

HON. MARIA LOURDES S. GAANE
Member

HON. NADYA B. EMANO-ELIPE
Member



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



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

DATE: NOVEMBER 22, 2017

FROM **BARANGAY MACASANDIG, CDO**

SUBJECT MATTER: ORD. NO. 0003-2017. AN ORDINANCE AMENDING ART. NO. 111; SEC. 14 FEES AND CHARGES OF THE REVENUE CODE OF BARANGAY MACASANDIG UNDER BARANGAY ORDINANCE NO. 004-2008, THE RENTAL OR USE OF COVERED COURT FROM 350.00 ~~PER~~ HOUR TO 500.00 PER HOUR DURING NIGHT TIME AND FROM P150.00 TO P200.00 PER HOUR DURING DAY TIME AND SEC. 15 GARBAGE COLLECTION FEES FROM P120.00 TO P200.00 PER YEAR FOR BIG ESTABLISHMENTS ONLY.

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
CITY LEGAL OFFICE

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY COUNCIL
Date Received: **MAR 19 2018**
By: *[Signature]*
ACTION T KEN
15 March 2018
Date
MIGUEL
1629

HON. YAN LAM LIM
City Councilor
Chairman, Committee on Barangay Affairs
Office of the City Council
Cagayan de Oro City

THRU: MARIA CARLA LARRAZABAL-LICAYAN
Local Legislative Staff Officer V
Chief, Legislative Committees Division
Cagayan de Oro City Council

Dear Hon. Lim:

Forwarded to this Office for review, legal opinion, and appropriate action, is the herein attached letter of Maria Carla Larrazabal-Licayan, Local Legislative Staff Officer V, Chief, Legislative Committees Division, dated 13 March 2018 referring to this Office Barangay Ordinance No. 0003-2017 of Barangay Macasandig, this City.

In this connection, kindly be informed that this Office has thoroughly reviewed the above-mentioned Barangay Ordinance and finds the same to be in legal order and poses no legal objection as it is pursuant to Section 391¹ of RA 7160, otherwise known as the Local Government Code of 1991.

For your guidance and information.

[Signature]
ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer

¹(1) Enact ordinances as may be necessary to discharge the responsibilities conferred upon it by law or ordinance and to promote the general welfare of the inhabitants therein;



Republic of the Philippines
Cagayan de Oro City
Barangay Macasandig
Telephone No. 857-3329



On motion jointly moved and jointly seconded by the members present, be it:

RESOLVED, as the Sangguniang Barangay (Barangay Council) of Barangay Macasandig, hereby resolved to adopt the following:

ORDINANCE NO. 0003 -2017

AN ORDINANCE AMENDING ARTICLE 111; SECTION 14 FEES AND CHARGES OF THE REVENUE CODE OF BARANGAY MACASANDIG UNDER BARANGAY ORDINANCE NO. 004-2008, THE RENTAL OR USE OF COVERED COURT FROM P350.00 PER HOUR TO P 500.00 PER HOUR DURING NIGHT TIME AND FROM P 150.00 TO P200.00 PER HOUR DURING DAY TIME AND SECTION 15 GARBAGE COLLECTION FEES FROM P 120.00 TO P 200.00 PER YEAR FOR BIG ESTABLISHMENTS ONLY..

Whereas, there is an existing Barangay Ordinance 004-2008 entitled "An Ordinance providing for the 2008 Revenue Code of Barangay Macasandig approved by the City Council on December 8, 2008;

Whereas, Article 111, Section 14 stipulates the charges/rates for the use of Covered Court at P 350.00 per hour during night time and P 150.00 for day time, this present rate could not cope with the CEPALCO's monthly billings.

Whereas, Article 111 Section 15 stipulates the charges of garbage collection fees of P 10.00 per month or P 120.00 per year for all households/families and other establishments,

Whereas, this proposed amendments were presented for consultation to the public during the 28th Barangay Assembly held last October 8, 2017 at the Covered court. There was no objection and it was approved through a Motion from Ms. Lyda Gaston, duly seconded by Mr. Dixie Beja, UNANIMOUSLY CARRIED.

Now therefore,

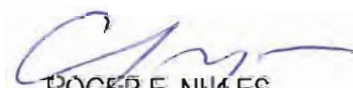
BE IT ORDAINED, BY THE Barangay Council of Macasandig AN ORDINANCE AMENDING SECTION 14 OF ARTICLE 111; FEES AND CHARGES OF THE REVENUE CODE OF BARANGAY MACASANDIG UNDER BARANGAY ORDINANCE NO. 004-2008, THE RENTAL OR USE OF COVERED COURT FROM P350.00 PER HOUR TO P 500.00 PER HOUR DURING NIGHT TIME AND FROM P 150.00 TO P200.00 PER HOUR DURING DAY TIME AND SECTION 15 GARBAGE COLLECTION FEES FROM P 120.00 TO P 200.00 PER YEAR FOR BIG ESTABLISHMENTS ONLY..

UNANIMOUSLY APPROVED.

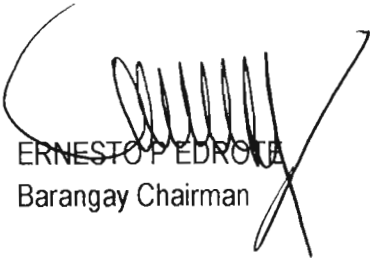
Done this 16th day of October 2017 at Barangay Macasandig, Cagayan de Oro City.

I HEREBY Certify the correctness of the aforestated Ordinance.

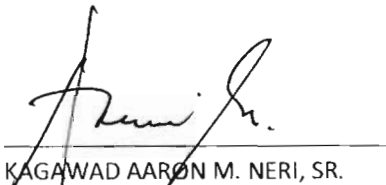
Prepared by

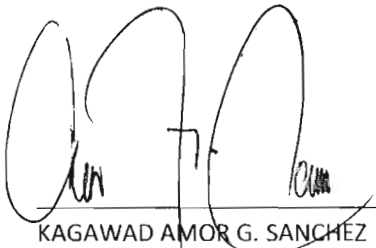

ROGER E. NILES
Barangay Secretary

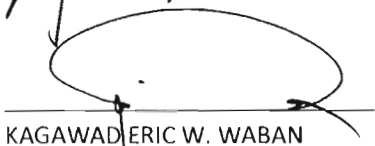
Attested as duly enacted:

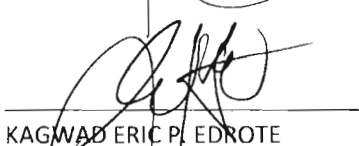

ERNESTO P. EDROTE
Barangay Chairman

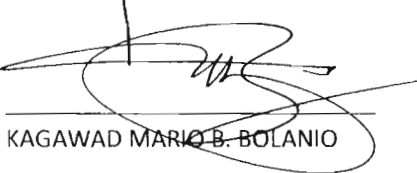
Conformed:

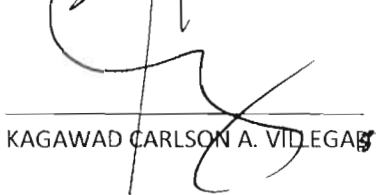

KAGAWAD AARON M. NERI, SR.

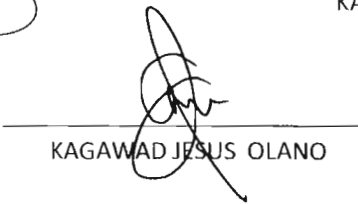

KAGAWAD AMOR G. SANCHEZ


KAGAWAD ERIC W. WABAN


KAGAWAD ERIC P. EDROTE


KAGAWAD MARIO B. BOLANIO


KAGAWAD CARLSON A. VILLEGAS


KAGAWAD JESUS OLANO

BARANGAY ORDINANCE NO. 004-SERIES 2008

AN ORDINANCE PROVIDING FOR 2008 REVERNUE CODE OF BARANGAY MACASANDIG AND FOR OTHER PURPOSES

BE IT ENACTED by the Sangguniang Barangay of Macasandig, Cagayan de Oro City.

ARTICLE I

GENERAL PROVISIONS

Section 1. Title – this Ordinance shall be known and cited us the 2008 Revenue Code of Barangay Macasandig.

SECTION 2. Scope and Application – This Code shall be govern the levy, assessment, and collection of taxes, fees, charges and other impositions within the jurisdiction of Barangay Macasandig.

ARTICLE II TAXES

SECTION 3. Tax on Retail Stores –There is hereby imposed an annual tax on owners or operators of retail stores in the barangay with an individual gross receipts or sales of the proceeding year of not more than P50,000.00 at the raten of 1% of the gross receipts or sales from the immediate proceeding year.

SECTION 4. Newly- operated business – For newly started retail stores, the initial tax shall be P250.00 payable to the barangay treasurer upon application of permit to operate the business.

SECTION 5. Two or more retail stores operated by the owner –When two or more stores operated by one owner within the barangay , each store shall be assessed and be made to pay taxes separately.

SECTION 6. Time of payment. –The tax imposed on retail stores shall accrue on the first day of January of each year and may be paid the barangay treasurer within the first 20 days of January of each year without surcharge and penalty.

SECTION 7. Surcharge and penalty. – Failure to pay the tax within the time required shall subject the taxpayer to a surcharge of 24% of the amount of the unpaid taxes and interest of 2% per month thereof including surcharges, until such amount is fully paid, but in no case shall it exceed 36 months.

SECTION 8. Sworn Statement of Retail Store Owners. – The owner or operator of retails stores shall submit to the barangay treasurer a sworn statement of gross sales or receipt for the preceding calendar year. The Barangay Treasurer may verify the gross receipts or sales of the taxpayer under the best available evidence upon which the tax may be based.

SECTION 9. Examination of Books of Accounts. – The Barangay Treasurer may upon authority of the punong barangay or upon resolution of the barangay council, examine the book of accounts and other pertinent records of any person or any juridical entity subject to tax on retail stores. Such examination shall be made during regular business hours, only once every tax period; Provided however, That in case of fraud or intent to evade payment of taxes, the same maybe examined and assessed once for every taxable year but not more than ten (10) years from the discovery of the fraud or intent to evade payment.

ARTICLE III FEES AND CHARGES

SECTION 10. Barangay Clearance. – There is here by imposed the following fee to any person for the issuance of barangay clearance or certification, to wit:

a) Barangay Clearance:	
i. Students	P 10.00
ii. Local	30.00
iii. Foreign National (Residency purposes)	500.00
b) Barangay Certification	50.00
c) Water Installation/Connection:	
i. Residential	50.00
ii. Commercial, Institutional, Industrial	100.00
d) Electric Installation/Connection:	
i. Residential	100.00
ii. Commercial, Institutional, Industrial	200.00
e) Building Permit	200.00 – 1,000.00
f) Fencing Permit	100.00 – 1,000.00
g) Filing of Cases:	
i. Civil/criminal	100.00
ii. Demand of payment	
h) Certificate to File Action	300.00
i) Installation of Communication Facilities:	
i. Telecommunication Tower	1,000.00
ii. Cellsite Antenna	1,000.00
j) Installation of ATM	500.00
k) Retail Store	50.00
l) Dealership	200.00
m) Restaurant/Eatery/Bakeshop	200.00
n) Apartment :	
i. First 3 doors	300.00
ii. Succeeding door	50.00/door
o) Rent-a-car	250.00
p) Car Wash	500.00
q) Filling Station	1,000.00
r) Internet Café/ Barbershop/ Parlor & Services.....	300.00
s) Peddler	50.00
t) Banks and other financial institutions	1,000.00
u) Hotels, inns, pension house	1,000.00
v) Warehouse	1,000.00
w) Others (Depends on the initial capital of the business ...	100.00 – 1,000.00
x) Amusement Places:	
i. KTV – Video K	500.00
ii. Night and Day Clubs	1,250.00
iii. Cabaret or Dance Halls	1,000.00
iv. Skating Rinks	1,000.00
v. Bath Houses, Swimming Pools, Resorts & other similar establishments	1,000.00
vi. Social Clubs & Voluntary Associations	1,000.00
vii. Billiards and Pool Halls per table	100.00
viii. Bowling Alleys per establishment per lane:	
1. Automatic	100.00
2. Non- Automatic	50.00
ix. Mahjong per table	500.00
x. Merry-go-round, Roller Coaster, Ferries Wheels, Swings, Shooting Galleries & other similar contrivances (per each contrivance) :	
1. First ten (10) days per day	50.00
2. Per day thereafter	25.00
xi. Boxing Stadium, Auditorium, gymnasium, concert halls or similar establishments per event	
xii. Pelota/Tennis/Squash Courts per court	500.00
xiii. Gun Clubs	400.00
xiv. Judo Karate Clubs	300.00
xv. Shooting	1,000.00

y) Amusement Devices:

i. Each videoke machine.....	300.00
ii. Each machine or apparatus for visual entertainment	150.00
iii. Each apparatus for weighing persons	150.00
iv. Each pinball machine and other vending machine for any use	240.00
v. Each machine or apparatus for printing letters	150.00
vi. Similar devices for vending games of skills	150.00
vii. Coin-operated amusement machine	1,000.00
z) Other amusement places not above enumerated	500.00

SECTION 11. Amusement places. – There is hereby imposed an annual regulatory fee on amusement places which charge admission or usage fees, to wit:

a) DISCO	500.00/ night
b) BOXING	
National Championship	P 2,000.00
Regional Championship	P 1,000.00
Non- Championship:	
Participated by Foreigners	P 2,000.00
Non- Championship Bouts	P 1,000.00
c) BASKETBALL	
PBA	P 1,500.00
PBL	P 1,000.00
Invitational Local Games	P 500.00
d) National Fashion Shows	P 1,000.00
Back-to-Back fashion shows participated by Local Models and not more than five (5) national fashion Models	P 2,000.00
e) Pop Rock or similar Concert involving:	
Foreign professional artists	P 5,000.00
Filipino professional or recording artists	P 3,000.00
f) Karate, Arnis, Wrestling & Similar Sports	P 1,000.00
g) International circus	P 5,000.00
h) Carnival Fair	P 1,000.00

SECTION 12. Commercial breeding of fighting cocks, poultry and livestock. – There is hereby imposed a fee for the commercial breeding of fighting cocks, pigs and livestock, as follows:

A. Fighting cocks	
a) Not less 6 but not more than 10 heads	P 25.00
b) 11-15 heads	50.00
c) 16-25 heads	75.00
d) in excess of 25 heads	5.00 per head
B. Poultry	P 0.50/head
C. Livestock	P 10.00/head

SECTION 13. Billboards and other advertisements. – There is hereby imposed a fee on billboards, signboards, neon signs and outdoor advertisements located in Barangay Macasandig at the following rates.

a) Billboards or signboards for advertisements of business, per square meter or fraction thereof:	
i. Single-faced	P 10.00
ii. double-faced	20.00
b) Billboards or signs for professionals, per square meter or fraction thereof	8.00

- c) Billboards, signs or advertisement for business and professions painted on any building or structures or otherwise separated or detached therefrom, per square meter thereof..... 9.00
- d) Advertisement by means of vehicles, balloons, kites, etc.
 - i. Per day or fraction thereof 40.00
 - ii. Per day or fraction thereof 60.00
 - iii. Per month or fraction thereof 80.00
- e) In addition to the above prescribed rates for the use of electric or neon lights in billboards, per square meter or fraction thereof 10.00

SECTION 14. Barangay –owned facilities. There is hereby imposed a service charge for the use of the following barangay government-owned facilities:

- a) Covered Court:
 - i. Day Time 150.00/ hour
 - ii. Night Time (using full halogen lights) 350.00/ hour

(Note: With additional minimal charges for the extra use of electric power at P 100.00 depending on the wattage of the electrical equipment or appliance unit used.)
- b) Monthly rental of covered court bleacher, basement/spaces of approximately 3 x 3 or 9 sq.m. space 2,500.00/month
- c) Lawn mower, grass cutter 300.00/day excluding operator
- d) Chain Saw 500.00/day excluding operator
- e) Concrete mixer 500.00/day excluding operator
- f) Steel fences/railings 50.00/day/unit
- g) Dumptruck 2,500.00/day

SECTION 15. Service fee for door-to-door garbage collection. – There is hereby imposed a fee for the door-to-door collection of segregated (at source) garbage from each household at the rate of P 10.00 per month.

ARTICLE IV
ADMINISTRATIVE PROVISIONS

SECTION 16. Collection of Taxes, fees, charges. – The Barangay Treasurer shall collect all taxes, fees and charges, surcharges and/or penalties impose hereof. He/she may not delegate the collection thereof unless authorized by the Sangguniang Barangay.

SECTION 17. Deposit and accounting of collection. – All taxes, fees and charges, surcharges and/or penalties collected shall be deposited in the barangay treasury within the day they are collected or on the first office hour the date after the money is collected. All collections from this Ordinance shall be credited to the general fund of the barangay.

SECTION 18. Collection Remedies. – The remedies for the collection of local taxes, fees, or charges, and related surcharges and interest resulting from delinquency shall be:

- (a) By administrative action thru distraint of goods, chattels, or effects, and other personal property of whatever character, including stocks and other securities, debts, credits, bank accounts, and interest in and rights to personal property, and by levy upon real property and interest in or rights to real property; and

(b) By judicial action which the punong barangay, with concurrence of the majority of the Sangguniang Barangay, may pursue concurrently or simultaneously with the above collection remedies.

SECTION 19. Barangay Clearance requirement. – No person shall open or begin his business, trade or occupation or continue doing the same for the ensuing calendar year without first securing Barangay Clearance and paying applicable fees therefore as herein provided.

SECTION 20. Exemptions – The Punong Barangay or the Sangguniang Barangay may grant exemption from the payment of fees and charges imposed under Article III hereof for official projects, programs and activities undertaken by the national government or city government and their instrumentalities as well as for charitable undertakings by non- government organizations and charitable agencies.

ARTICLE V FINAL PROVISIONS

SECTION 21. Penalty – Any person, natural or judicial, found violating any of the provisions of this Code shall be penalized with a fine of not less than P500.00 but nor more than P 1,000.00

SECTION 22. Separability Clause. – If for any reason, any section or provision of this code shall be held to be unconstitutional or invalid by competent authority, such judgment or action shall not affect or impair the other sections or provisions thereof.

SECTION 23. Applicability Clause. – All other matters relating to the impositions in this Code shall be governed by pertinent provisions of existing laws and other ordinances.

SECTION 24. Repealing Clause. – all ordinances, rules and regulations, or part thereof, in conflict with, or inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 25. Effectivity. – This Code shall take effect after 15 days following its review by the City Council and publication in conspicuous public areas of the barangay.

UNANIMOUSLY APPROVED.

Done this 8th day of May, 2008, at Barangay Macasandig, Cagayan de Oro City.

I hereby certify that the foregoing Tax Ordinance No. 004-Series of 2008 otherwise known as the "Revenue Code of Barangay Macasandig, 2008" was enacted by the Sangguniang Barangay during 10th regular session held at the Barangay Legislative Hall on April 24, 2008.

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 Resolution accrediting the Midkiwan Free Farmers Consumer Coopertative, for purposes of its membership in the local special bodies, pursuant to DILG Memorandum Circular No. 2016-97 and Article 64, Rule XIII of the Rules and Regulations Implementing the 1991 Local Government Code, or funding its project from the City or other sources as required under the COA Circular pertinent thereto.

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

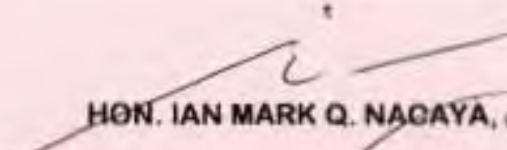
FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

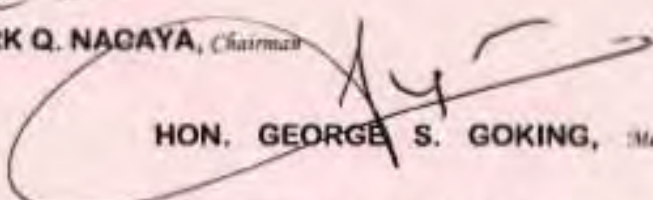
COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: April 19, 2018

+ for inclusion


HON. IAN MARK Q. NAGAYA, *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: 2017-1271

Date: 12/13/2017

Receiver: JESSAMINE

From: CPDO

Subject: APPLICATION FOR ACCREDITATION OF MIDKIWAN FREE FARMERS CONSUMER COOPERATIVE.

Respectfully referred to COMMITTEE ON COOPERATIVES
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 16, 2018 (Perusal)

Recommendation for Approval (Committee based on the)

HON. ENRICO D. SALCEDO
Chairperson

HON. ANNIE Y. DABA
Member

HON. TEODULFO E. LAO, JR.
Member

HON. LORDAN G. SUAN
Vice Chairperson

HON. JAY R. PASCUAL
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: December 13, 2017

From: CPDO

Subject Matter: APPLICATION FOR ACCREDITATION OF MIDKIWAN FREE FARMERS
CONSUMER COOPERATIVE.

ACTION: REFER TO COMMITTEE ON COMMITTEE ON **COOPERATIVE.**

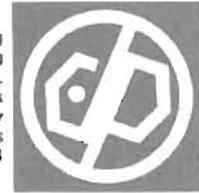
HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



Republic of the Philippines
City of Cagayan de Oro
**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



DEC 13 2017
December 13, 2017

Mr. ARTURO S. DE SAN MIGUEL
Secretary
Sangguniang Panlungsod
Cagayan de Oro City

Sir:

I am forwarding herewith the application of **MIDKIWAN FREE FARMERS CONSUMER COOPERATIVE** for accreditation and selection of their representative to the local special bodies after finding it has complied with all the administrative requirements that would qualify the civil society organization for endorsement to the City Council.

Thank you very much.

Very truly yours,


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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor
Presiding Officer
Sangguniang Panlungsod
City of Cagayan de Oro

Dear Vice Mayor Uy:

In response to your Notice of Call for Accreditation, please be informed that
Midkiman Free Farmers Consumer Cooperative
(Name of Civil Society Organization)
with office address at Midkiman Bayanga C.D. OC, this City, would like to seek
accreditation by the Sanggunian.

Attached herewith are the following administrative requirements in support of our
application:

1. Duly accomplished Application Form for Accreditation;
2. Board Resolution;
3. Certificate of registration issued by May 11, 2011;
4. List of current officers and members;
5. CY 3-5-17 Annual Accomplishment Report;
6. CY 2010 Financial Statement;
7. Profile indicating the purpose and objective of our organization, and
8. Copy of the Minutes of CY 3-5-17 Meeting of the organization.

Very truly yours,

Aggita P. Calivara
(Head of the Organization)

-Sample Application Form for Accreditation-

Name of Organization : Midkiman Free Farmer Consumer Cooperative
 Address : Midkiman, Bayanga Cagayan de Oro City
 Contact No. : 09356371507
 Date Organized : November 24, 2002 Date Registered: 5-11-2011

Registering or Accrediting Agency: (Check appropriate box.)

- ☐ Securities and Exchange Commission
☒ Cooperatives Development Authority
☐ Department of Labor and Employment
☐ Department of Social Welfare and Development
☐ Department of Health
☐ Department of Agriculture
☐ Department of Agrarian Reform
☐ National Anti-Poverty Commission
☐ National Commission on Indigenous Peoples
☐ National Housing Authority
☐ Insurance Commission
☐ Philippine Regulatory Commission
☐ Housing and Land Use Regulatory Board
☐ Others: (Please specify.) _____

Organizational Level: (Check applicable box.)

- ☐ Barangay-based
☐ Chapter
☐ Affiliate of a larger organization (Please identify the larger organization.) _____
☒ Others: (Please specify.) Makapil sa Kinabang sa Akensya

Purposes/Objectives: (Use of additional sheets, if necessary.)

Para makapil sa mga among building para rod me
mabubuwag sa among ubang mga shop ug aron usab
among mabigyan ng kulan.

CY _____

Projects	Costs	Beneficiaries	Status
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Project Financing (Sources of Schemes)

Services the Organization provides or can participate in

Name of Officers and Members of its Board of Directors

Chairman - Angela P. Calinades

V-Chairman - Belma D. Saramillo

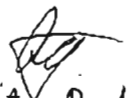
Members - Raymunda Cuizon

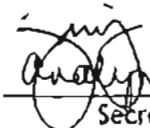
Dulito Calinades, Mitchell Rodino, Julieta Plonzo, Renita Pargamento

List of Members: (Use separate sheet.)

- Within the LGU
- Outside of the LGU, if any

WE HEREBY CERTIFY to the correctness of the above information.


Angela P. Calinades
President


Dulito Calinades
Secretary



REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
DEPARTMENT OF FINANCE
COOPERATIVE DEVELOPMENT AUTHORITY

Registration number : **9520-10019602**

CERTIFICATE OF REGISTRATION

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

This is to certify that

Midkiwan Free Farmers Consumers Cooperative

Name of Coop

0102100808

CIN

with address at MIDKIWAN, BAYANGA, CAGAYAN DE ORO, MISAMIS ORIENTAL, has filed the Articles of Cooperation and By-laws duly signed and acknowledged for its organization under and in accordance with the provisions of Republic Act 9520 were presented for registration with the Authority on May 11, 2011. This certifies further that the said Articles of Cooperation and By-laws have complied with the provisions of the said Republic Act 9520 and its Implementing Rules and Regulations.

By virtue of the powers and duties vested in me by law, the above named cooperative is hereby registered with the Cooperative Development Authority and shall continue to enjoy the rights and privileges in accordance with Republic Act 9520 and all other laws appurtenant thereto unless this Certificate is suspended or cancelled for cause.

Given in Quezon City, Philippines, this 13th day of May, 2011.


EMMANUEL M. SANTIAGUEL, Ph.D
Chairperson

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

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Ordinance authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement with the Inner Wheel Club West CDO, represented by its president Ma. Jhosie Jing A. Tarayao, covering the implementation of its project: Construction of One (1) unit classroom/center for young pupils from families belonging to the marginalized sector at the City-owned Mother Teresa Oro Care Center for Children, located in Barangay Puerto, this City, under the terms and conditions stipulated in the MOA submitted to this body.

*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: April 19, 2018

2 for inclusion

HON. IAN MARK Q. NACAYA, Chairman

HON. ZALDY O. OCON, Vice Chairman

HON. GEORGE S. GOKING, Member

HON. ROMEO V. CALIZO, Member

HON. ENRICO S. SALCEDO, Member

DISSENTING

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

Comm. No. _____

Received by: _____

From: _____

Date: _____

Subject: Letter response from the City Legal Office relative to the Memorandum of Agreement (MOA) between the City Government of Cagayan de Oro and the Inner Wheel Club of West CDO, represented by its President Ma. Jhosie Jane A. Tarayao, covering the implementation of the construction of one (1) unit classroom/center project located at Upper Puerto, this City, with the information that said MOA is in legal order, and to request the City Council that necessary ordinance authorizing the City Mayor Hon. Oscar S. Moreno, to enter into and sign the same be duly acted.

Respectfully referred to the Committee on EDUCATION, 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 13, 2018 For recommending approval-LR
(Defers until submission of the City Mayor's request and recommendation
then to LR)*

Suzette G. Daba
Chairman: HON. SUZETTE G. MAGTAJAS-DABA

Vice-Chairman: HON. JAY R. PASCUAL

Member: HON. MARIA LOURDES S. GAANE

Member: HON. ROMEO V. CALIZO

Reuben R. Daba
Member: HON. REUBEN R. DABA

Ex-Officio-Member: _____

Ex-Officio-Member: _____

Ex-Officio-Member: _____

DISSENTING

Member

Member



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



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

DATE: JANUARY 9, 2018

From: CMO

SUBJECT MATTER: REQUEST FOR THE PASSAGE OF A RESOLUTION AUTHORIZING THE CITY MAYOR OSCAR S. MORENO TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE INNER WHEEL CLUB OF WEST CDO, REP., BY ITS PRESIDENT, MA. JHOSIE JANE A TARAYAO, COVERING THE IMPLEMENTATION OF THE CONSTRUCTION OF A 1 UNIT CLASSROOM/CENTER PROJECT FOR YOUNG PUPILS FROM FAMILIES BELONGING TO THE MARGINALIZED SECTOR AT THE CITY-OWNED MOTHER TERESA ORO CARE CENTER FOR CHILDREN, LOCATED AT UPPER PUERTO.

ACTION: REFER TO COMMITTEE ON EDUCATION.

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



April 12, 2018

**THE HONORABLE PRESIDING OFFICER, and
THE HONORABLE MEMBERS OF THE SANGGUNIANG PANLUNGSOD,**
This City

SUBJECT: REQUEST FOR THE PASSAGE OF A RESOLUTION AUTHORIZING CITY MAYOR OSCAR S. MORENO TO REPRESENT CITY GOVERNMENT OF CAGAYAN DE ORO IN HIS CAPACITY AS THE LOCAL CHIEF EXECUTIVE TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) WITH INNER WHEEL CLUB OF WEST CDO, TO BE REPRESENTED BY ITS PRESIDENT, MS. JHOSIE JANE A. TARAYAO, COVERING THE PARTIES' COLLABORATION IN THE CONSTRUCTION OF A ONE (1) UNIT CLASSROOM/CENTER FOR YOUNG PUPILS AT THE MOTHER TERESA ORO CARE FOR CHILDREN LOCATED AT MAITUM, UPPER PUERTO, THIS CITY, WITH A BUDGET OF PHP1.0 MILLION UNDER A 70%-30% SHARING SCHEME

LADIES AND GENTLEMEN:

This refers to the Memorandum of Agreement (MOA) to be entered into by and between the City Government of Cagayan de Oro, to be represented by the undersigned as the local chief executive, and Inner Wheel of West CDO, to be represented by its President, Ms. Jhosie Jane A. Tarayao covering the Parties' collaboration in the construction of a one (1) unit classroom/center for young pupils at the Mother Teresa Oro Care for Children located at Maitum, Upper Puerto, this city, worth Php1.0 Million, under a sharing scheme of 70% from the local government unit (LGU) and 30% from Inner Wheel Club of West CDO, respectively.

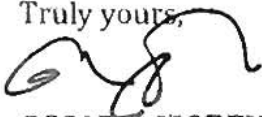
This laudable collaboration further promotes the education program of the local government unit, particularly in our effort to address the learning needs of young pupils belonging to the marginalized sector at the said area.

In this regard, we respectfully request for the passage of Resolution granting authority to the undersigned to enter into the above-mentioned MOA. A copy of the MOA and other pertinent documents are attached herewith for your perusal.

Hoping for your favorable response on this request.

Thank you.

Truly yours,


OSCAR S. MORENO
Mayor 



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

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY LEGAL OFFICER
MAR 6 2018
cagayan de Oro
city of golden friendship
By *[Signature]* By *[Signature]*
ARTURO S. DE SAN PEDRO
City Council
[Signature]
C-1307-17

5 March 2018

HON. SUZETTE M. DABA

Chairman, Committee on Education

Thru: MARIA CARLA LARRAZABAL-LICAYAN

Local Legislative Staff Officer V

Chief, Executive Committees Division

Dear Ms. Licayan:

This pertains to your herein attached 1st Indorsement dated 1 March 2018, relative to the MEMORANDUM OF AGREEMENT ("MOA") between the City Government of Cagayan de Oro and Inner Wheel Club of West CDO, represented by its President Ma. Jhosie Jane A. Tarayao, covering the implementation of the construction of one (1) unit classroom/center project located at Upper Puerto, Cagayan de Oro City, with a request for our review and legal opinion.

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

For your information and appropriate action.

[Signature]
ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("MOA") is executed is executed this ____ of March 2018 in the City of Cagayan de Oro, Philippines, by and between:

The **CITY GOVERNMENT OF CAGAYAN DE ORO CITY**, a local government unit created and existing under the laws of the Republic of the Philippines, with offices located at the City Hall Compound at Gen. Capistrano and Justo Gaerlan Sts., and duly represented by its City Mayor, **HON. OSCAR S. MORENO**, and herein referred to as "**FIRST PARTY**";

and

INNER WHEEL CLUB of WEST CDO, a non-stock organization created and existing under the laws of the Republic of the Philippines, with office located at Brgy. Kauswagan, Cagayan de Oro City, and duly represented by its President, **MS. JHOSIE JING A. TARAO**, and herein referred to as "**SECOND PARTY**".

WITNESSETH:

WHEREAS, the **FIRST PARTY**, under the present administration has identified Education as a vital component of its Eight-Point Agenda;

WHEREAS, the **FIRST PARTY** adopts the policy of engaging the concerned stakeholders as partners in local governance for purposes of transparency and accountability, as well as to optimize the use of its limited resources;

WHEREAS, the **SECOND PARTY** is engaged in charitable projects and is committed in promoting the education of young children from families belonging to the marginalized sector in the city;

WHEREAS, the **SECOND PARTY** is desirous to implement the construction project of a 1 unit classroom/center for young pupils at the Mother Teresa Oro Care For Children owned by the **FIRST PARTY** located at Upper Puerto;

WHEREAS, the **PARTIES** are willing to enter into a partnership for the construction of said classroom/center, adopting a 70%-30% sharing scheme covering its total cost;

NOW, THEREFORE, for and in consideration of the aforesaid premises, the **PARTIES** hereby agree as follows:

ROLES AND RESPONSIBILITIES

A. CITY GOVERNMENT OF CAGAYAN DE ORO CITY (FIRST PARTY) shall:

1. Allow the construction of a 1 unit classroom/center project at its property at the Mother Teresa Oro Care Center for Children;
2. Allocate Php700,000.00 representing 70% of the total funding requirement for the project estimated at Php1,000,000.00 prior to its implementation;
3. Assist and facilitate the processing of all the requirements needed for the implementation of the project;

B. INNER WHEEL CLUB of WEST CDO (SECOND PARTY) shall:

1. Coordinate with the **FIRST PARTY** on matters pertaining to the implementation of the 1 unit classroom/center project;
2. Provide the other 30% of the funding requirement for the project in the amount of Php300,000.00 and undertake the completion of the project; and
3. Cause the turnover of the project to the **SECOND PARTY** upon its completion.

IN WITNESS WHEREOF, the **PARTIES** have set their hands this ____ day of March 2018.

**CITY GOVERNMENT OF
CAGAYAN DE ORO (FIRST PARTY)**

**INNER WHEEL CLUB OF
WEST CDO (SECOND PARTY)**

By:

By:

OSCAR S. MORENO
Mayor 

JHOSIE JING A. TARAO
President

Signed in the Presence of

ACKNOWLEDGEMENT

Republic of the Philippines)
City of Cagayan de Oro) S.S.

BEFORE ME, Notary Public for and in the City of Cagayan de Oro, Philippines, personally appeared the aforesaid parties showing me their respective government-issued Identification Cards:

<u>Name</u>	<u>Government-issued ID</u>
1. Oscar S. Moreno	- Phil. Passport with Control No. EB947666; Expiry Date:28/18/18
2. Jhosie Jing A. Tarayao	- TIN: 170-426-391-000

All known to me to be the same persons who executed the foregoing instrument and acknowledged to me that the same is of their own free act and voluntary deed.

This instrument, consisting of two (2) pages, including the page on which this acknowledgment is written, has been signed on each of every page thereof by the principals and their witnesses, and sealed with my notarial seal.

WITNESS MY HAND AND SEAL this ____ day of March 2018 in Cagayan de Oro City, Philippines.

Doc. No. ____
Page No. ____
Book No. ____
Series of 2018

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("MOA") is executed is executed this ____ of March 2018 in the City of Cagayan de Oro, Philippines, by and between:

The **CITY GOVERNMENT OF CAGAYAN DE ORO CITY**, a local government unit created and existing under the laws of the Republic of the Philippines, with offices located at the City Hall Compound at Gen. Capistrano and Justo Gaerlan Sts., and duly represented by its City Mayor, **HON. OSCAR S. MORENO**, and herein referred to as "**FIRST PARTY**";

and

INNER WHEEL CLUB of WEST CDO, a non-stock organization created and existing under the laws of the Republic of the Philippines, with office located at Brgy. Kauswagan, Cagayan de Oro City, and duly represented by its President, **MS. JHOSIE JING A. TARAO**, and herein referred to as "**SECOND PARTY**",

WITNESSETH:

WHEREAS, the **FIRST PARTY**, under the present administration has identified Education as a vital component of its Eight-Point Agenda;

WHEREAS, the **FIRST PARTY** adopts the policy of engaging the concerned stakeholders as partners in local governance for purposes of transparency and accountability, as well as to optimize the use of its limited resources;

WHEREAS, the **SECOND PARTY** is engaged in charitable projects and is committed in promoting the education of young children from families belonging to the marginalized sector in the city;

WHEREAS, the **SECOND PARTY** is desirous to implement the construction project of a 1 unit classroom/center for young pupils at the Mother Teresa Oro Care For Children owned by the **FIRST PARTY** located at Upper Puerto;

WHEREAS, the **PARTIES** are willing to enter into a partnership for the construction of said classroom/center, adopting a 70%-30% sharing scheme covering its total cost;

NOW, THEREFORE, for and in consideration of the aforesaid premises, the **PARTIES** hereby agree as follows:

ROLES AND RESPONSIBILITIES

A. CITY GOVERNMENT OF CAGAYAN DE ORO CITY (FIRST PARTY) shall:

1. Allow the construction of a 1 unit classroom/center project at its property at the Mother Teresa Oro Care Center for Children;
2. Allocate Php700,000.00 representing 70% of the total funding requirement for the project estimated at Php1,000,000.00 prior to its implementation;
3. Assist and facilitate the processing of all the requirements needed for the implementation of the project;

B. INNER WHEEL CLUB of WEST CDO (SECOND PARTY) shall:

1. Coordinate with the **FIRST PARTY** on matters pertaining to the implementation of the 1 unit classroom/center project;
2. Provide the other 30% of the funding requirement for the project in the amount of Php300,000.00 and undertake the completion of the project; and
3. Cause the turnover of the project to the **SECOND PARTY** upon its completion.

IN WITNESS WHEREOF, the **PARTIES** have set their hands this ____ day of March 2018.

**CITY GOVERNMENT OF
CAGAYAN DE ORO (FIRST PARTY)**

**INNER WHEEL CLUB OF
WEST CDO (SECOND PARTY)**

By:

By:

OSCAR S. MORENO
Mayor

JHOSIE JING A. TARAO
President

Signed in the Presence of

ACKNOWLEDGEMENT

Republic of the Philippines)
City of Cagayan de Oro) S.S.

BEFORE ME, Notary Public for and in the City of Cagayan de Oro, Philippines, personally appeared the aforesaid parties showing me their respective government-issued Identification Cards:

Name

Government-issued ID

1. Oscar S. Moreno - Phil. Passport with Control No. EB947666; Expiry Date:28/18/18
2. Jhosie Jing A. Tarayao - TIN: 170-426-391-000

All known to me to be the same persons who executed the foregoing instrument and acknowledged to me that the same is of their own free act and voluntary deed.

This instrument, consisting of two (2) pages, including the page on which this acknowledgment is written, has been signed on each of every page thereof by the principals and their witnesses, and sealed with my notarial seal.

WITNESS MY HAND AND SEAL this ____ day of March 2018 in Cagayan de Oro City, Philippines.

Doc. No. ____
Page No. ____
Book No. ____
Series of 2018

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: [REDACTED] Proposed Ordinance enacting the City of Cagayan de Oro Local Investments Incentive Code of 2018.

Author: Councilor George S. Goking
Co-Authors: Vice Mayor Raineir Joaquin V. Uy
Councilor Ian Mark Q. Nacaya

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: April 19, 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) 724854; (088) 857-4029; 857-4035; 857-2018



ITEM NO. 1

Comm. No.
From:

Received by:
Date:

Subject Matter:

To discuss the Proposed Cagayan de Oro Investment Incentives Code of 2017 of the City.

Referred to the **COMMITTEE ON WAYS AND MEANS**, the herein communication for study, investigation, report and/or recommendation.

FOR THE CITY VICE MAYOR
& PRESIDING OFFICER:

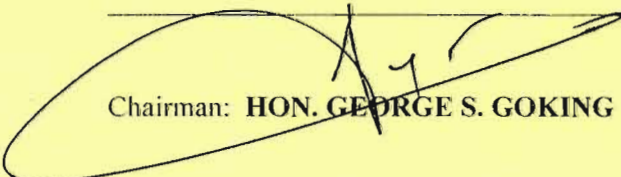
ARTURO S. DE SAN MIGUEL
City Council Secretary

=====

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: MARCH 21, 2018

Recommendation: Approval (C/R) -


Chairman: **HON. GEORGE S. GOKING**

Vice Chairman: **HON. ZALDY O. OCON**

1ST
Member: **HON. ROMEO V. CALIZO**

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

3RD
Member: **HON. DOMETILO C. ACENAS JR.**

DISSENTING

Member

Member



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



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

DATE: OCTOBER 6, 2017

FROM: CMO

SUBJECT MATTER: COPY OF THE PROPOSED CAGAYAN DE ORO INVESTMENT INCENTIVES CODE OF 2017.

ACTION: REFER TO COMMITTEE ON WAYS AND MEANS.

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



Republic of the Philippines
City of Cagayan de Oro

OFFICE OF THE CITY MAYOR

Republic of the Philippines
City of Cagayan de Oro
Date: OCT 10 2017
By: [Signature]
October 2, 2017
Whears
7071080

THE HONORABLE MEMBERS

Sangguniang Panglungsod
Cagayan de Oro City

Thru: **The Honorable RAINEIR JOAQUIN UY**
Vice Mayor, Cagayan de Oro City

Ladies and Gentlemen:

It is my great honor and privilege to bring to the attention of the esteemed City Council, the draft Cagayan de Oro Investment Incentives Code of 2017.

This draft seeks to update the Cagayan de Oro Investment Incentives Code of 2002 by taking into account the current economic outlook of Cagayan de Oro vis-à-vis the country and the world and the city's vision and mission.

Enclosed is a copy of the proposed Cagayan de Oro Investment Incentives Code of 2017.

Inclusion of this matter in the agenda of the City Council would be very highly appreciated.

Thank you very much.

Very truly yours,

[Signature]
OSCAR S. MORENO
City Mayor [Signature]

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE CITY VICE MAYOR
CITY OF CAGAYAN DE ORO
RECEIVED
DATE: 10/5/17
TIME: 4:45 PM
BY: [Signature]

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PROPOSED ORDINANCE NO. 2018-____

AN ORDINANCE ENACTING THE CITY OF CAGAYAN DE ORO LOCAL INVESTMENTS INCENTIVE CODE OF 2018

*Introduced by Councilor George S. Goking, author
and Vice Mayor Raineir Joaquin V. Uy and Councilor Ian
Mark Q. Nacaya, co-authors*

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

TITLE I
TITLE, DECLARATION OF POLICY AND OBJECTIVES

SECTION 1. TITLE - This Ordinance shall be known as the “Cagayan de Oro City Investments Incentive Code of 2018.”

SECTION 2. DECLARATION OF POLICY – It is the declared policy of this City to actively encourage the participation of the private sector in the promotion of economic growth and prosperity in the City, and for the purpose, it shall grant fiscal and non-fiscal incentives to investors, both local and foreign, particularly in identified investment priority areas, to attract new investors and keep and retain existing investments and encourage their expansion, in addition to generally creating and maintaining a business-friendly environment that will accelerate economic progress, generate employment opportunities, increase revenues and income, reduce poverty, and improve the over-all quality of life for the people of the City of Cagayan de Oro.

SECTION 3. PURPOSES AND OBJECTIVES. – The purposes and objectives of “The City of Cagayan de Oro Local Investments Incentive Code of 2014” are as follows:

- a. To provide guidelines, standards, and procedures for the grant, administration, and availment of local incentives;
- b. To define the scope and breadth of incentives that the City may grant in its effort to attract investments to the City consistent with the policy of this Code, as well as promote and support micro-small medium enterprises (MSMEs) and create business opportunities that can pave the way to an improved utilization of local resources, develop markets for local products, and ignite the ingenuity of the entrepreneurs and other stakeholders;
- c. To provide the guidelines and criteria for the identification of Investment Priority Areas (IPAs);
- d. To provide for the promotion of the IPAs of the City;
- e. To establish the Local Investments and Incentives Board (Board) and the Cagayan de Oro Trade and Investment Promotions Center (Oro-TIPC) to implement this Code and all the investments promotion programs of the City for business attraction, retention, expansion and/or diversification; and
- f. To identify the conditions for the grant of incentives to investors and their continued enjoyment of the same, subject to the maximum term of the incentives thus granted.

46 **SECTION 4. STATEMENT OF POLICIES ON THE IDENTIFICATION OF**
47 **POLICIES AND APPROVAL OF INCENTIVES APPLICATIONS** - In line with the
48 foregoing declared policy, the City of Cagayan de Oro hereby adopts the following policies:
49

- 50 1. **Grant of incentives** – The grant of incentives shall be based on categorical criteria, time-
51 bound, and in conformance with national laws. The incentives shall be fairly
52 administered to ensure a level playing field for investors in the locality. The incentives
53 shall be extended only to business activities that support and promote the development
54 vision of the City as expressed in its Comprehensive Development and Land Use Plan and
55 those which are consistent with the investment thrust of the region and national
56 government.

57
58 The determination of areas of investment to be included in the list of IPAs (**IPA List**)
59 shall be based on long-term comparative advantage, taking into account the value of social
60 objectives and employing economic criteria along with market, technical, and financial
61 analysis. As far as practicable, the City shall consider an economic activity an IPA if it is
62 shown to be economically, technically, and financially sound after thorough investigation
63 and analysis by the Board, without prejudice, however, to the determination of the same
64 by the national government as such.

- 65
66 2. **Policy in the Identification of IPAs** – Business activities shall be considered for inclusion
67 in the IPA List on the basis of the following criteria:
68
69 a. significant potential contribution to the growth of priority industry clusters or to a
70 vital industry in the City or the Region which will have positive impact to the City;
71 b. alignment of the business activity with the development vision of the City
72 c. capacity to generate employment, whether direct or indirect, particularly for those
73 within the City;
74 d. substantial amount of additional capital investment that will be brought into the City;
75 e. application of modernizing technology in the business that will result in improved
76 productivity and market expansion;
77 f. ability to promote the dispersal of business/commercial activities to new growth areas
78 and to less developed areas within the City as identified in the CLUP;
79 g. ability to promote the City's environmental sustainability;
80 h. significant contribution to the infrastructure development of the City especially
81 through Public Private Partnership (**PPP**);
82

83 *Provided,* That in the case of Existing Businesses (as defined in Section 5 hereof), in
84 the interest of maintaining the current revenue sources of the City, they shall only be
85 qualified to avail of incentives in case they undertake an Expansion or Modernization or
86 New Project, as defined in Section 5.
87

- 88 3. **Identification of Investment Priority Areas** – The business activities entitled to incentives
89 should be limited to those included in the list of Mandatory Investment Priority Areas
90 (MIPA List) or the list of Local Investment Priority Areas (LIPA List); provided that,
91 the local incentives of those in the MIPA List shall generally be limited to those granted
92 and subject to the terms and conditions under the relevant Incentive Law, as hereinafter
93 defined.
94
95 4. **On continuing conditions of the grant of incentives** – The Board may impose any of the
96 following minimum continuing conditions on Registered Enterprises as a condition to
97 their continued entitlement to the incentives granted at the time of their registration.
98

- 99 a. efficient use of natural resources to conserve and protect those indigenous to the
100 City;
- 101 b. enhance the positive effect and/or minimize the adverse impact of their operation on
102 the environment by undertaking business practices that adhere to the country's
103 environmental laws, such as efficient solid waste and pollution management,
104 adopting technologies that reduce greenhouse gas emissions, and implementing
105 climate change adaptation measures and disaster risk reduction and management,
106 among others;
- 107 c. compliance with all applicable labor law and standards, including those relating to
108 occupational health and safety; and
- 109 d. In the case of Registered Enterprises enjoying fiscal incentives beyond three (3)
110 years,¹ adoption of a corporate social responsibility program to be implemented one
111 year after its registration.
112
- 113 5. **On the procedure for the grant of incentives** – The procedure for the application,
114 processing, and grant of applications for incentives shall be transparent and reasonable,
115 and must be completed within a reasonable period not exceeding three (3) months from
116 Date of Official Acceptance, as defined below. No requirement shall be imposed unless
117 there is categorical ample basis, reason or purpose for imposing the same. Where the
118 applicant for registration anchors its application on its status as an entity registered under
119 an Incentive Law with a Registering Agency, as defined in this Code, the procedure for
120 its registration under this Code shall be simplified and shall be made mainly dependent
121 on the fact of its registration with the Registering Agency.
122

123 TITLE II 124 DEFINITION OF TERMS

125 SECTION 5. – DEFINITIONS - For purposes of this Code - 126

- 127
- 128 a. ***“Barangay Micro Business Enterprise”/“BMBE”*** shall be as defined under the Barangay
129 Micro Business Enterprises (BMBEs) Act of 2002 (Republic Act No. 9178), *i.e.*, any
130 business entity or enterprise engaged in the production, processing or manufacturing of
131 products or commodities, including agro-processing, trading and services, whose total
132 assets including those arising from loans but exclusive of the land on which the particular
133 business entity's office, plant and equipment are situated, shall not be more than Three
134 Million Pesos (P3,000,000.00).
135
- 136 b. ***“Board”*** shall mean the Cagayan de Oro Local Investment and Incentives Board created
137 under this Code, the powers and composition of which shall be as provided under Section
138 7.
139
- 140 c. ***“Board of Investments”/ “BOI”*** shall refer to the implementing agency for Books 1 to 5
141 of the Omnibus Investments Code (EO No. 226 dated 27 February 1987) as created under
142 the latter.
143
- 144 d. ***“City”*** shall mean the City of Cagayan de Oro covering all the areas within its territorial
145 jurisdiction as provided for by law and its charter.
146

¹ The grant of incentives for a duration of more than one (1) year is inconsistent with the LGC IRR but not the LGC itself.

- 147 e. **"Code"** shall refer to The City of Cagayan de Oro Local Investments Incentive Code of
148 2013 promulgated pursuant to this Ordinance.
149
- 150 e. **"Date of Official Acceptance"** refers to the date the application for registration was
151 received by the receiving personnel of the LEIPC and recorded in a logbook for the
152 purpose.
153
- 154 f. **"Date of Registration"** refers to the date when the Certificate of Registration is issued by
155 the Board, which information shall be recorded in a Registration Logbook to be
156 maintained by the Board.
157
- 158 g. **"Diversification"** refers to the introduction and production of a distinct line of products
159 or services by an Existing Business, whether or not a Registered Enterprise; Provided,
160 That, to be considered distinct, it should require new investment in terms of machinery
161 or equipment or would involve the use of new skills set not currently used in the existing
162 product or services, Provided further, That a new service or product may constitute a
163 diversification even if such service or product is already within the scope of its original or
164 existing business purposes.
165
- 166 h. **"ECOZONE"** shall be as defined under the Special Economic Zone Act of 1995 (PEZA
167 Law, Republic Act No. 7916), i.e., selected areas with highly developed or which have the
168 potential to be developed into agro-industrial, industrial, tourist/recreational,
169 commercial, banking, investment and financial centers.
170
- 171 i. **"Existing Businesses"** are businesses engaged in activities included in the IPA List but
172 are already operating in the City and are intending to expand and/or diversify to other
173 business ventures falling within the IPAs as defined herein.
174
- 175 j. **"Expansion"** shall mean installation of additional facilities/equipment that will result in
176 the increase in the production capacity of an Existing Business. It may include
177 modernization and rehabilitation. No expansion for additional capacity shall be allowed
178 unless applicant has attained, in general, 85% utilization of its existing capacity.
179
- 180 k. **"Incentive Law"** shall refer to a law, such as the Omnibus Investments Code, granting
181 incentives to specific businesses at both the national and local levels, by virtue of the
182 nature of their business activity pursued or the location where such business is going to
183 be pursued or undertaken, as administered by a designated government agency or office
184 (Registering Agency), such as the BOI.
185
- 186 l. **"Investment Priorities Plan"/"IPP"** shall refer to the annual listing of specific activities
187 that have been identified as priority investment areas and thus encouraged by granting
188 those engaging in the activities in the list the incentives under the Omnibus Investments
189 Code, approved by the President of the Philippines, subject to the recommendation of the
190 BOI.
191
- 192 m. **"Investment Priority Areas"** shall refer to the business activities which are entitled to
193 incentives granted by the City, which investment area or business activity is specifically
194 included in the Mandatory Investment Priority Areas (**MIPAs**) or Local Investment
195 Priority Areas (**LIPAs**), and summarized in an Investment Priority Areas List (**IPA List**)
196 which shall be amended, as necessary, once every two (2) years.
197
- 198 n. **"Oro-TIPC"** refers to the Cagayan de Oro Trade and Investments Promotion Center with
199 the responsibilities and functions provided under Title IV of this Code.

200

201 o. ***“Local Investment Priority Areas”/“LIPAs”*** are investment areas/business activities

202 identified by the Board to be priority investment areas specifically in the City which are

203 not yet among the Mandatory Investment Priority Areas and are encouraged to be pursued

204 within the City by granting to them incentives in accordance with the policy on the grant

205 of incentives provided under subparagraph (1) of Section 5 above.

206

207 p. ***“Local Applicants”*** refer to applicants for incentives under this Code which have no

208 outstanding registration with a Registering Agency under an Incentive Law, provided

209 that its proposed business is under the IPA List.

210

211 q. ***“Local Staff”*** refers to a worker or personnel who is a *bona fide* resident of the City for at

212 least six (6) months where proof of residency consists of the presentation of voter’s

213 ID/Registration and a Barangay Clearance from the barangay where he resides. Where

214 the eligibility of an applicant to avail of incentives is anchored on its ability to generate

215 employment, it should meet the minimum ratio of Local Staff to non-Local Staff, as the

216 Board may prescribe.

217

218 r. ***“Mandatory Investment Priority Areas”/“MIPA”*** are investment areas/business activities

219 identified by the National Government as priority areas of investment and thus

220 encouraged through the extension of incentives not only at the national but also at the

221 local level pursuant to applicable Incentive Law, such as those included in the annual

222 Investment Priorities Plan.

223

224 s. ***“Micro, Small, and Medium Enterprises”/ “MSME”***, for purposes of this Code shall refer

225 to businesses that meet the criteria below and which are to engage in a business activity

226 included in the IPA List:

227

228 By Asset Size:

229

230 Micro Enterprise:	Up to Php3,000,000.00
231 Small Enterprise:	Php3,000,001 – Php15,000,000
232 Medium Enterprise:	Php15,000,001 – Php100,000,000

233

234 Provided, that, in the case of Micro Enterprises, including BMBEs, land which is not

235 officially contributed into the business as capital or purchased by the business shall not

236 form part of the assets of the business for purposes of determining the asset size above.

237

238 Provided further, that, for purposes of securing incentives, in lieu of meeting the foregoing

239 criteria, an enterprise may qualify as an MSME using the following criteria:

240

241 By Number of Employees:

242

243 Micro Enterprise:	1-9 employees
244 Small Enterprise:	10 - 50 employees
245 Medium Enterprise:	51- 199 employees

246

247 In the event that an enterprise falls under different classifications foregoing categories,

248 the classification that will entitle it to more incentives shall be controlling.

249

250 The foregoing categories may be amended, from time to time, to render the definitions

251 consistent with national laws and other issuances pertaining to MSMEs.

252

- 253 t. ***“Modernization or Rehabilitation Projects”*** refer to projects of Existing Businesses or
 254 Registered Enterprises, which projects are registrable and thus, eligible to incentives if
 255 any of following conditions are met:
 256
 257 i. at least twenty percent (20%) reduction in production cost, which if sold in the
 258 Philippines should result in the reduction of the selling price of the product; or
 259 ii. significant increase in productive efficiency including de-bottlenecking; or
 260 iii. meaningful upgrading of product quality; or
 261 iv. upgrade in the technology used in production to bring it at par with the
 262 technology used by leading manufacturers of the product manufactured by the
 263 Registered Enterprise.
 264
 265 The modernization or rehabilitation contemplated may or may not result in increase in
 266 the operating capacity/actual production output to be eligible for registration.
 267
 268 u. ***“New Projects”*** refer to projects or activities in the IPA List that have not started
 269 commercial operation, undertaken by (1) a newly organized/formed enterprise; or 2) an
 270 Existing Business that proposes to engage in an entirely distinct activity from its existing
 271 business as would qualify as a Diversification.²
 272
 273 v. ***“PEZA”*** shall refer to the Philippine Economic Zone Authority, as created under the
 274 PEZA Law.
 275
 276 w. ***“Project Study”*** refers to a project profile which presents, among others, highlights of the
 277 projected financial viability and environmental and socio-economic impact of the
 278 proposed business.
 279
 280 x. ***“Registered Enterprise”*** refers to any individual, partnership, cooperative, or corporation,
 281 whether a domestic or foreign corporation licensed to do business in the Philippines that
 282 has been issued a Certificate of Registration by the Board pursuant to this Code.
 283
 284 y. ***“Registering Agency”*** refers to any other government agency/office/instrumentality that
 285 is authorized to administer incentives under and register and regulate corporations that
 286 are enjoying incentives at the national level pursuant to an applicable Incentive Law, such
 287 as but not limited to the BOI and the PEZA.
 288

289 **TITLE III**
 290 **LOCAL INVESTMENTS AND INCENTIVES BOARD**

291
 292 **SECTION 6. THE LOCAL INVESTMENTS AND INCENTIVES BOARD;**
 293 **CREATION** - The Board is hereby created to implement the provisions of this Code and to
 294 supervise and manage the operation of the Oro-TIPC.
 295

296 **SECTION 7. COMPOSITION OF THE BOARD** - The Board shall be composed of
 297 seven (7) members as follows:
 298

- 299 a. City Mayor as Chairperson
 300 b. The City Administrator or any of the Department Heads as designated by the
 301 Chairperson as Vice Chairperson
 302 c. The Local Economic and Investments Promotion Officer (**LEIPO**) or the City
 303 Planning and Development Coordinator;

² *Ibid*, page 15.

- 304 d. Sanggunian Chairperson of the Committee on Trade, Commerce and Industry;
- 305 e. Sanggunian Chairperson of the Committee on Ways and Means;
- 306 f. Private Sector Representative from significant business/industry sectors in the
- 307 locality to be appointed by the City Mayor for a term of three (3) years
- 308 g. A member of the City Development Council from civil society (CSO) to be
- 309 appointed by the Mayor for a term of three years

310

311 The Board may likewise invite, from time to time, representatives from pertinent
312 national government agencies (**NGAs**), including but not limited to Regional Officers of the
313 BOI/Department of Trade and Industry (**DTI**), and other relevant stakeholders for advice or
314 consultation in their areas of expertise.

315

316 **SECTION 8. MEETINGS AND QUORUM** - The Board shall meet at least once
317 quarterly and upon the call of the Chairperson whenever he deems it necessary on such day
318 and time as the Board may fix. Notice of meetings shall be given to all members of the Board.
319 The presence of at least a majority of the members of the Board shall constitute a quorum and
320 the affirmative vote of a majority of the quorum shall be necessary for the exercise of its powers
321 and the performance of its duties, including the approval of all decisions and policies issued
322 by the Board.

323

324 **SECTION 9. POWERS AND FUNCTIONS** – The primary functions of the Board
325 are to establish a favorable and stable policy for business, encourage and support private sector
326 investment, and encourage business retention and expansion. Pursuant to this, the Board is
327 generally vested with the following powers:

328

- 329 a. Promulgate rules and regulations as may be necessary to implement the intent and
- 330 provisions of this Code;
- 331 b. Every three (3) years, review LIPAs eligible for incentives, taking into consideration the
- 332 developmental needs of the City, relevant economic and technical factors of the City,
- 333 available resources, prospects of an industry, among other relevant considerations;
- 334 c. Adopt an investments promotion program;
- 335 d. Act on applications for registration of projects and availment of local incentives as well
- 336 as suspend or cancel, as appropriate and consistent with this Code, the enjoyment of
- 337 incentives so granted after hearing and with due notice to the Registered Entity;
- 338 e. Recommend to the Sanggunian any amendments to the Code;
- 339 f. Supervise, manage and direct the operations of the Oro-TIPC;
- 340 g. Establish cooperative undertakings with other local government units (**LGUs**), the
- 341 private sector, non-governmental organizations (**NGOs**) or other institutions as may be
- 342 necessary;
- 343 h. Establish trade and investment satellite offices in such other places as may be necessary
- 344 to effectively carry out its mandate;
- 345 i. Decide controversies concerning the implementation of this Code that may arise between
- 346 the Registered Enterprise and the City government agencies or other governmental
- 347 agencies within sixty (60) days after the controversy has been submitted for decision;
- 348 j. Coordinate and consult with the Local Development Councils (**LDCs**) in the
- 349 identification of LIPAs and the formulation of local incentives;
- 350 k. Perform such other tasks necessary and incidental to the performance of its functions.

351

352 **SECTION 10. POWERS AND FUNCTIONS OF THE CHAIRPERSON** – The
353 Chairperson of the Board shall have the following powers and duties:

- 354
- 355 a. Preside over the regular and special meetings of the Board;
 - 356 b. Sign the Certificate of Registration in accordance with the rules and regulations
357 of the Code;
 - 358 c. Render a semi-annual report to the Mayor and the Sanggunian regarding the
359 results of the operation of the Board and its on-going efforts to implement this
360 Code and achieve its mandate; and
 - 361 d. Exercise such other powers and perform such other duties as the Board may direct
362 it to perform to carry out the objectives of this Code.

363

364 **SECTION 11. POWERS AND FUNCTIONS OF THE CHAIRPERSON** - The Vice
365 Chairperson shall have the following powers and duties:

- 366
- 367 a. To preside over the regular and special meetings of the Board in the absence of
368 the Chairperson;
 - 369 b. To perform such other duties and functions as may be necessary for and in behalf
370 of the Chairperson; and
 - 371 c. To exercise such other powers and perform such other duties as the Board may
372 direct it to perform to carry out the objectives of this Code.

373

374

375 **TITLE IV**
376 **THE CAGAYAN DE ORO TRADE AND INVESTMENTS**
377 **PROMOTION CENTER**

378

379 **SECTION 12. CREATION** - The Oro-TIPC is created as the lead office on
380 investments promotion and shall assist the Board in carrying out the objectives of the Code.

381

382 **SECTION 13. COMPOSITION OF THE ORO-TIPC** - The Board shall appoint the
383 head of the Oro-TIPC who may be the Local Economic and Investments Promotion Officer
384 (**LEIPO**) in accordance with Department of Interior and Local Government (**DILG**)
385 Memorandum Circular No. 2010-113, the Local Planning and Development Coordinator, or
386 another senior officer of the City.

387

388 **SECTION 14. FUNCTIONS** - The Oro-TIPC shall function as a one-stop-shop for
389 investors and shall serve as the technical secretariat of the Board, taking an active role in
390 implementing the Code. In addition, it shall have the following duties and responsibilities:

- 391
- 392 a. Prepare and implement, in coordination with the LDC, the annual investments
393 promotion plan as approved by the Board;
 - 394 b. Receive, process and evaluate applications for registration and applications for the
395 availment of local incentives and submit its recommendation to the Board within
396 a specified period from the official receipt of the application;
 - 397 c. Assist in: (1) securing licenses and permits; (2) identifying business or joint
398 venture partners, raw materials suppliers and possible business sites; (3) sourcing
399 skilled manpower and service providers; and (4) facilitating the resolution of
400 issues and concerns encountered by business enterprises, among others;
 - 401 d. Render after-care services to Registered Enterprises as well as to investors in
402 general;

- e. Monitor and supervise compliance of Registered Enterprises with their undertakings and the terms of their Certificate of Registration, as well as properly administer the grant of incentives to investors;
- f. Prepare and disseminate investments promotion collaterals, *e.g.*, brochures and a website or specific pages of the website of the City for the purpose of information dissemination, including issuing reminders to Registered Enterprises, and providing information relevant to investors, among other information generally relevant to doing business in the City;
- g. Conduct briefings to potential investors;
- h. Represent the City in trade and investments meetings, conferences, conventions and other similar gatherings in both domestic and foreign venues as directed by the Board;
- i. Collate, analyze, and compile pertinent data and studies concerning areas that have been or may be declared as IPAs;
- j. Establish cooperative undertakings with other LGUs, the private sector, NGAs/NGOs, or other institutions as may be necessary, useful, and incidental to the effective and efficient implementation of the Code; and
- k. Perform such other functions as may be necessary to implement the intent of the Code.

TITLE V
INVESTMENTS PRIORITY AREAS

SECTION 15. THE IPA LIST - The IPA List, which shall consist of two parts, the MIPA List and the LIPA List, shall be consolidated by the Board and posted on the website of the City and in a newspaper of general circulation in the City at least once in two (2) years. The initial IPA List is as provided under Annex “A”.

The MIPA List shall be automatically amended upon the issuance of the revised annual IPP and/or the issuance of any other law granting incentives, fiscal or otherwise, at the national as well as at the local level. Business activities in the MIPA List shall be dropped in accordance with applicable provisions of national law or the repeal of the law that granted local incentives to a particular business activity. No addition or deletion from the MIPA List shall be made in the absence of a corresponding statutory or other basis issued by the national government. The entitlement to incentives of applicants for registration whose business activity belong to the MIPA List shall be mainly governed by the national law or other issuance pursuant to such law.

The LIPA List shall be determined in accordance with the policies and criteria for the identification of priority investment areas and the grant of incentives provided under Section 4 of this Code, and shall be subject to approval by the Sanggunian Panglungsod.

SECTION 16. PERIODIC REVIEW OF THE LIPA LIST - The Board shall undertake periodic review of the IPAs taking into consideration the socioeconomic development plan and public investment plans formulated by the LDC of the City and the preferred areas of investments as provided under pertinent national laws and may amend the same from time to time based on the results of such periodic review. The policies laid down in Section 4 shall likewise govern each and every subsequent amendment of the LIPA List.

452 The Board may recommend the removal of a business activity from the LIPA List (a)
453 as soon as the sufficient investments in the area has been attained; and (b) continued extension
454 of incentives is no longer to the interest and benefit of the locality.

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458

**TITLE VI
REGISTRATION**

459 **SECTION 17. REGISTRATION PRE-REQUISITE TO AVAIL OF INCENTIVES**

460 - In the interest of orderly administration of local incentives, in all cases, prior registration
461 with the Board is required in order to avail of local incentives. Those entitled to local
462 incentives under Incentive Laws shall complete their registration with the Board at the
463 soonest time possible after they have secured their Certificate of Registration under the
464 applicable Incentive Law to avoid any inconvenience and disallowance of their claims for local
465 incentives for the period prior to their registration with the Board.

466
467

468 **SECTION 18. TYPES OF PROJECTS FOR REGISTRATION** – The following are
469 the types of projects eligible for registration, provided they involve business activities
470 included in the IPA List:

471
472
473
474
475

- a. New Projects;
- b. Expansion Projects;
- c. Modernization Projects; and
- d. Diversification Projects.

476
477
478
479

480 **SECTION 19. REGISTRATION REQUIREMENTS** – The procedure and
481 requirements for application for local incentives shall vary depending on whether or not the
482 applicant has a Certificate of Registration from a Registering Agency pursuant to an Incentive
483 Law.

484
485

486 1. General Requirements

487
488
489
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491
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493

- a. Duly accomplished and notarized application form;
- b. Certified true copy of the primary registration of the applicant to do business in the Philippines as issued by the DTI, SEC, or the CDA, as applicable;
- c. If the applicant has already commenced operation, its latest available comparative audited financial statements acknowledged received by the BIR and the SEC (in the case of corporations); and
- d. Proof of proposed place of business which shall show that the main operating facility, whether a services/manufacturing/production facility or plantation, and not just the warehouse or the administrative office of the applicant is located within the territorial jurisdiction of the City.

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495

496 2. Additional Requirements for Those Registered Under An Incentive Law

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502

In general, no additional requirements or conditions shall be imposed on those whose activities are under the MIPA List and have subsisting registration with a Registering Agency under an Incentive Law as would diminish their right to the local incentives granted them by virtue of their registration under said Incentive Law. Nonetheless, in addition to the general requirements in the immediately preceding provision, the following requirements are required to be submitted:

503
504

- a. Certified true copy of its Certificate of Registration with the appropriate Registering Agency pursuant to the applicable Incentive Law granting

- 505 applicant's business, investment incentives, including the terms and
506 conditions of the same;
507 b. Proof of commencement of commercial operation, if commercial operation has
508 commenced; and
509 c. Copy of the feasibility study/Project Study submitted to the Registering
510 Agency.

511

512 3. Additional Requirements for Local Registrants

513

- 514 a. Project Study;
515 b. Proof that the applicant meets the criteria pursuant to which it is claiming
516 eligibility to avail of incentives; and
517 c. Other specific permits applicable to the business of the applicant by virtue of
518 its location or the nature of its activity, e.g., environmental clearance
519 certificate (ECC).

520

521 **SECTION 20. REGISTRATION PROCEDURE** – The procedure for the processing
522 of registration under this Code is as follows:

523

524 1. Filing of Applications

525

526 All applications shall be filed with the Oro-TIPC together with all the
527 documentary requirements listed above. Prior to acceptance of the application,
528 the Oro-TIPC shall already evaluate the completeness of the application form and
529 the other requirements so that the applicant can be advised immediately of any
530 erroneous or missing documentary requirement. It is only upon the
531 determination of completeness of the application form and the supporting
532 documents that the application may be logged in the Registration Application
533 Logbook and the application form is stamped "Received". The date stamped on
534 the application and entered in the Registration Application Logbook shall be
535 considered as the Date of Official Acceptance of the application.

536

537 2. Assessment

538

539 Simultaneous with the official acceptance of the application, the Oro-TIPC shall
540 issue an Order of Payment for the applicant to already pay a non-refundable filing
541 fee as may be determined by the Board, provided Micro Enterprises shall be
542 exempt from the payment of said Filing Fee.

543

544 3. Publication

545

546 Except for Micro Enterprises, the application shall be published once in a
547 newspaper of general circulation in the province at the applicant's own expense,
548 in a format indicating the name of the applicant, the area of investment, the
549 capacity applied for and the plant site. Micro Enterprises shall, in lieu of
550 publication, post the fact of application and the same information required to be
551 published in the provincial hall and in the [city/municipal] hall where the
552 registered place of business is located.

553

554 4. Evaluation/Approval of Application

555

556 Once an application is officially accepted, the proposed project will be evaluated
557 by the Oro-TIPC, which may conduct ocular inspection at the premises of the

558 business, if necessary. The results of the evaluation by and the recommendation
559 of the Oro-TIPC shall be submitted to the Board and included in the agenda for
560 the immediately succeeding meeting of the Board. The Oro-TIPC shall inform
561 the applicant in writing of the Board action on its application, together with the
562 terms and conditions of the approval/registration.

563
564 The Board shall approve or disapprove the application sixty (60) calendar days
565 from the Date of Official Acceptance, in the case of Local Registrants and thirty
566 (30) days for those already registered with Registering Agencies. If no approval
567 or disapproval is issued within the periods indicated, at no fault attributable to
568 the applicant, the Board is deemed to have approved the application, thus the
569 Board shall nonetheless issue a Certificate of Registration with the usual terms
570 and conditions.

571
572 5. Issuance of Certificate of Registration

573
574 Upon approval, an enterprise shall be issued a Certificate of Registration by the
575 Board through the Oro-TIPC, which shall state, among others, the following:

- 576
577 a. Name of the Registered Enterprise;
578 b. The IPA in which the registered enterprise will engage;
579 c. The incentives granted and the respective term of each incentive; and
580 d. Such other terms and conditions to be observed by virtue of its registration.

581
582 The Certificate of Registration shall be issued not later than five (5) working days
583 from the date of approval of the application by the Board or the lapse of the
584 prescribed processing period. The fact of issuance of the Certificate of
585 Registration under this Code shall be recorded in the Registration Book.

586
587
588 **TITLE VII**
589 **INCENTIVES**

590
591 **SECTION 21. LOCAL FISCAL INCENTIVES UNDER INCENTIVE LAWS –**
592 Registered Enterprises enjoying incentives under an Incentive Law pursuant to a subsisting
593 Certificate of Registration with a Registering Agency shall only enjoy the fiscal and non-fiscal
594 incentives at the local level that are expressly granted under the Incentive Law under which
595 it is registered and specifically included among the incentives in its Certificate of Registration
596 with the Registering Agency.

597
598 A Registered Enterprise which ceases to be registered with a Registering Agency or
599 wishes to avail of local incentives other than those provided under the Incentive Law under
600 which it is registered may apply for incentives under this Code, subject to the registration
601 procedure applicable to Local Applicants.

602
603 **SECTION 22. ADMINISTRATION OF LOCAL INCENTIVES GRANTED**
604 **UNDER INCENTIVE LAWS –** The local incentives of Registered Enterprises pursuant to
605 Incentive Laws shall be subject to the following general policies.

- 606
607 1. Local incentives mandated under national laws shall not be diminished and shall
608 be valid for such period as are allowed under the relevant Incentive Law or as
609 provided under the pertinent Certificate of Registration, provided prior
610 registration is made with the Board, accordingly.

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- a. The term and extent of local incentives as provided under Section 133(g) of the Local Government Code (**LGC**) shall be observed, unless the registration of the Registered Enterprise with the BOI is earlier revoked.
 - b. Unless otherwise amended, duly registered Regional or Area Headquarters or Regional Operating Headquarters of multinational companies shall be exempt from all kinds of local taxes, fees, or charges imposed by the City except real property tax on land improvements.
 - c. Art. 61 of the Cooperative Code, as amended, provides tax exemptions on the transactions of cooperatives with their members. Unless otherwise amended, cooperatives with accumulated reserves and undivided net savings of not more than Ten Million Pesos (Php10,000,000.00) shall be exempt from all local taxes of whatever name and nature.
 - d. Unless otherwise amended, the pertinent provisions of The Special Economic Zone Act of 1995 (Republic Act No. 7916, as amended; "**PEZA Law**") provide for exemption from all taxes, including local taxes, of specific ECOZONE locators but in lieu thereof, the concerned ECOZONE locators shall pay a special tax rate of five percent (5%) on gross income.
2. The withdrawal of incentives for violation of the conditions for the grant of the same under the relevant Incentive Law or the pertinent Certificate of Registration shall automatically result in the withdrawal of local incentives granted pursuant to such Incentive Law or by virtue of the issuance of the Certificate of Registration by a Registering Agency.
 3. The City, through its LDC upon recommendation or coordination with the Board, may provide for incentives in addition to incentives provided under the Incentive Laws.

SECTION 23. GENERAL POLICIES IN THE ADMINISTRATION OF INCENTIVES – Unless specifically provided under an applicable Incentive Law or the LGC, the grant of incentives shall be governed by the following general policies:

1. The grant of local tax exemptions shall not extend to fees and charges imposed for services rendered by the City, such as garbage fees, sanitary inspection fees, electrical inspection fees and other similar fees, as well as rental for use of public utilities owned and operated by the local government such as charges for actual consumption of water, electric power and toll fees for use of public roads and bridges and the like, and those levied for the use of government facilities and properties.
2. Incentives granted shall take effect from—
 - (a) the Date of Registration until the lapse of the term of such incentive, unless another reckoning date is approved by the Board on justifiable grounds, but in no case beyond six (6) months from the Date of Registration; or
 - (b) such other reckoning as may be prescribed under an applicable Incentive Law; *Provided*, That in the case of BOI-registered enterprises, their local

incentives shall be reckoned from the date of their registration with the BOI, as provided under Section 133(g) of the LGC.

3. In case of change of ownership of the enterprise, the local incentives which it is enjoying shall continue to be enjoyed by the enterprise provided that the terms and conditions of the registration of the project are assumed by the new owner/s, *Provided further*, That if a Registered Enterprise is enjoying local incentives pursuant to an Incentive Law, the Certificate of Registration issued by the Registering Agency remains valid despite the change of ownership. Any change in the controlling shareholders of a Registered Enterprise shall be reported to the Board.
4. The local incentives to which a Registered Enterprise is entitled shall be limited to those specified under its Certificate of Registration from the Board, regardless of the enumerated incentives under this Code.

SECTION 24. FISCAL INCENTIVES – Local Applicants who have been registered with the Board (**Registered Local Applicants**) may be entitled to the following fiscal incentives, provided that in each case, the actual incentives that a Registered Enterprise may enjoy shall be those that are specifically granted under its Certificate of Registration:

1. Local Business Tax Holiday (**LBT Holiday**)

Registered enterprises shall enjoy exemption from local business tax that is otherwise due on their gross receipts in accordance with the Cagayan de Oro Revenue Code. The exemption shall be for a term of at least two (2) years but not more than five (5) years. The actual duration of the LBT Holiday shall be determined by the average term using the following criteria:

Criteria	4 years	3 years
a. Projected average number of Local Staff starting on the 2 nd year of operation	More than 50	25- 49
b. Capitalization	More than 60 M	3 M – less than 60 M
c. Nature of technology used	Pioneering or highly advanced technology	Advanced technology which is not yet widely available
d. Location	Located in less developed areas	Located in new growth areas

The Local Applicant shall include the foregoing information and the basis thereof in its Project Study, for further verification by the LEIPC.

2. Real Property Tax (**RPT**) Exemption

Buildings, machinery and equipment and other real property otherwise subject to real property tax used actually, directly and exclusively in the registered activity of Registered Enterprise.

The real property tax exemption shall have the same duration as the LBT Holiday of the Registered Enterprise. The real property tax exemption herein

704 provided shall not be deemed to include exemption from Special Education Fund
705 (SEF).

706

707 **SECTION 25. NON-FISCAL INCENTIVES** – The Board, through the LEIPC, shall
708 provide the following non-fiscal incentives to Registered Enterprises:

709

710 1. Assistance in site selection and negotiation for right of way;

711 2. Joint venture partner identification, partner referral, and identification of possible
712 source of required labor and raw materials;

713 3. Networking with concerned national agencies such as Technical Education Skills
714 and Development Authority (**TESDA**) and other similar institutions for training
715 of workers to enhance manpower skills of the enterprise and assistance in
716 identifying and sourcing of skilled human resources;

717 4. Facilitation and/or referral of existing technical and financial assistance programs
718 available through national and local government;

719 5. Such other aftercare services that may be accorded to investors;

720 6. Micro Enterprises shall be given opportunities to participate in LGU/Non-
721 governmental agency/organization-organized trade fairs and exhibits,
722 entrepreneur development and training, and inclusion in business matching.

723

724

725

726 **TITLE VIII** 727 **CONDITIONS FOR AVAILMENT OF INCENTIVES**

728

729 **SECTION 26. GENERAL CONDITIONS** – Registered Enterprises shall abide by
730 the provisions of this Code and its implementing regulations as well as the terms and
731 conditions specifically imposed in their respective Certificates of Registration. Compliance
732 with the continuing conditions for the availment of the incentives, shall be subject to
733 verification by the Board, and for which reason it shall have visitorial power. Noncompliance
734 by a Registered Enterprise with the conditions of its registration shall be sufficient basis for
735 the Board to exercise its authority under Title XII of this Code.

736

737 **SECTION 27. VISITORIAL POWER AND SCOPE OF POWER** – Without
738 prejudice to the regulatory powers of the City over businesses within its jurisdiction, as
739 provided under the LGC, the visitorial power of the City provided under this Code shall be
740 exercised solely for the purpose of ensuring that the Registered Enterprises continue to satisfy
741 all the terms and conditions of its registration with the Board and continues to meet or satisfy
742 the basis or criteria that rendered them eligible for registration with the Board.

743

744 **SECTION 28. CONTINUING ELIGIBILITY FOR REGISTRATION** – A
745 Registered Enterprise shall continue to satisfy whatever criteria rendered it eligible for
746 registration under this Code. Accordingly, if a Local Applicant was qualified for registration
747 under this Code on account of the amount of manpower, nature of technology, or local raw
748 material that it represented will be used in its production, the Board, through the Oro-TIPC,
749 shall have the authority to inspect the Registered Enterprise to verify that it is in fact using
750 the technology or local material that it represented will be used. If the Registered Enterprise
751 ceases to meet the said registration criteria that rendered it eligible for registration under this
752 Code, the Board shall have the authority to suspend all or some of the incentives of the
753 Registered Enterprise or to revoke its registration subject to the provisions of Title XII below.

754 **SECTION 29. PERIODIC AND OTHER COMPLIANCE REQUIREMENTS –**
755 Nothing under this Code exempts a Registered Enterprise from applicable requirements of
756 the City on businesses, as generally applicable to all businesses or specifically applicable to
757 the business activity or circumstances of the Registered Enterprise. Accordingly, Registered
758 Businesses, except those specifically exempt under applicable law, shall secure and comply
759 with all the requirements to secure a Business Permit and renew the same annually.

760
761 Except as expressly provided under this Code or the Incentive Law under which they
762 are likewise registered, Registered Enterprises shall comply with all applicable laws as other
763 enterprises engaged in the same business as they are engaged in are required to comply with.

764
765 Other than as provided under Section 27 above, Registered Enterprises shall not be
766 required to comply with any other requirements that businesses not registered under this
767 Code are not required to comply with.

768
769 **SECTION 30. ADDITIONAL CONDITIONS ON REGISTERED ENTERPRISE**
770 **UNDER THE MIPA LIST** – Those enjoying incentives by virtue of their registration with a
771 Registering Agency and pursuit of a business activity in the MIPA List shall submit annually
772 to the Oro-TIPC an original copy of a certification from the Registering Agency that it
773 continues to be registered with said Registering Agency and that it remains in good standing
774 as such and thus fully entitled to all the incentives granted under its Certificate of
775 Registration. Failure to submit such certificate to Oro-TIPC on or before every anniversary
776 date of the Registered Enterprise's registration with the Registering Agency shall authorize
777 the Board to exercise its authority under Title XII of this Code

778
779 **TITLE IX**
780 **CORPORATE SOCIAL RESPONSIBILITY**

781
782 **SECTION 31. CSR REQUIREMENT** – BOI-registered enterprises with projects
783 under pioneer status must undertake CSR activities which shall be monitored starting on the
784 fourth year of operation of the business enterprise. Those on non-pioneer status are
785 encouraged, in the course of their operations, to undertake CSR activities in accordance with
786 the development plan of the community where the registered project is located.

787
788 Registered Local Applicants, on the other hand, are encouraged to pursue CSR
789 projects as soon as they can afford to allocate resources for the purposes; however, it shall be
790 mandatory for Registered Local Applicants to pursue CSR projects starting on their fourth
791 year of operation if they enjoy local incentives for a term of more than three (3) years.

792
793 **SECTION 32. ELIGIBLE CSR PROJECTS** – CSR projects which a Registered
794 Enterprise may undertake include but shall not be limited to the following:

- 795
796 1. Urban Renewal, Greening or Re-greening
- 797 a. Rehabilitation and restoration of buildings or other structures in accordance
798 with the urban renewal or restoration plan of the City;
- 799 b. Reforestation, rehabilitation, and urban greening or landscaping of major road
800 sides; areas with historical or tourism value; areas in bio-geographic zones,
801 especially key biodiversity areas; eroded slopes as technically appropriate
802 based on assessment by competent authorities; public open spaces especially
803 in residential and commercial areas including street islands, parks,
804 promenades, parking area peripheries, and the like, provided that the
805 enterprise takes care of the maintenance of the trees and plants. Otherwise,

806 reimbursement of the incentive granted shall be due and demanded should
807 the trees and plants die due to poor maintenance.

- 808
- 809 2. Social Projects
- 810 a. Housing for employees;
- 811 b. Educational projects;
- 812 c. Cultural revivals;
- 813 d. Programs for women, children, elderly, disabled, out of school youth and
- 814 indigenous people;
- 815 e. Community infrastructure projects aligned with the development plan of the
- 816 City; and
- 817 f. Such other projects or activities based on the development needs of the
- 818 community where the project is located or as identified by the National Anti-
- 819 Poverty Commission (NAPC).
- 820

821

822 **TITLE X**

823 **ENVIRONMENTAL PROTECTION**

824

825 **SECTION 33. ENVIRONMENTAL POLICY** – Environmentally critical projects or

826 enterprises locating their activities or expansion projects in environmentally critical areas

827 must comply with the requirements of Presidential Decree No. 1586 (Philippine

828 Environmental Impact Statement System) and related issuances of the Department of

829 Environment and Natural Resources (DENR).

830

831 Projects involving the handling, transport, processing and storage of toxic, hazardous

832 substances and/or nuclear waste shall be subject to strict regulations as provided under

833 applicable local issuances and national laws. The Sanggunian of the City shall have the option

834 to exclude such projects from being entitled to local incentives except to the extent that they

835 fall under the MIPA List.

836

837

838 **TITLE XI**

839 **BUDGET APPROPRIATIONS**

840

841 **SECTION 34. APPROPRIATIONS** – The expenditures to operationalize the Board

842 and the LEIPC shall be provided through regular or supplemental budget. The City shall

843 appropriate the funds necessary for the implementation of the provisions of this Code based

844 on a budget that may be presented by the Board to include Personal Services, Maintenance

845 and Other Operating Expenses (MOOE), Capital Outlay, and Contingency.

846

847 **SECTION 35. REVENUES FROM THE OPERATION OF THE CODE** – Income

848 derived from the operation of this Code shall go to a special account captioned “Local

849 Economic and Investments Promotion Fund” (LEIP Fund), which shall be used solely for

850 the operation and maintenance and other operating expenses of the Board, LEIPC, including

851 investments promotion expenses of the City.

852

853 **SECTION 36. IMMEDIATE RELEASE OF FUND** – For purposes of expediting

854 the operations of the LEIPC, its allocation for the Local Economic and Investments

855 Promotion Fund shall be released, subject to the usual government accounting and auditing

856 rules and regulations.

857

858 **TITLE XII**
859 **PENALTIES**

860
861 **SECTION 37. PENALTIES** - The Certificate of Registration issued under this Code
862 may be cancelled/revoked or the incentives of the Registered Enterprise temporarily
863 suspended upon any of the grounds provided in Section 33 hereof. The cancellation or
864 revocation of the Certificate of Registration shall mean withdrawal of all incentives granted
865 under this Code.
866

867 In case of cancellation or revocation of its Certificate of Registration due to fraudulent
868 misrepresentation relating to a matter that would have otherwise disqualified from or
869 rendered it ineligible for registration under this Code, the Board shall require the refund of
870 all incentives availed of. The effect of the cancellation or revocation of the Certificate of
871 Registration of a Registered Enterprise shall retroact to the day when the continuing
872 condition for registration under the Code, as provided in the terms and conditions of the
873 Certificate of Registration is proven to have been violated/had ceased to exist.
874

875 The Board shall adopt a table of fines and penalties for violations that may be
876 committed by Registered Enterprises of a less serious nature that do not justify the imposition
877 of the penalty of cancellation of the Certificate of Registration. The Board is likewise
878 authorized to give Registered Enterprises a grace period within which they have to remedy
879 any violation committed, whenever such grace period is justified or the violation is of a nature
880 that can be remedied.
881

882 Nothing under this Code prevents the imposition of other penalties that are properly
883 impossible under applicable law depending on the nature of violation committed by a
884 Registered Enterprise, as determined by the appropriate regulatory authority.
885

886 **SECTION 38. GROUNDS FOR CANCELLATION OF CERTIFICATE OF**
887 **REGISTRATION** – The grounds for cancellation of Certificate of Registration are as follows:
888

- 889 1. Violation of the provisions of the Code and such other violation of the relevant
890 laws, rules and regulations or ordinances issued pursuant to or in relation to this
891 Code;
892 2. Violation of material term/condition specified in the Certificate of Registration
893 issued under this Code; or
894 3. Material fraudulent misrepresentation by an enterprise in relation to its
895 application for the grant of incentives under this Code or in any other document
896 required to be submitted pursuant to this Code.
897

898 The Board may impose a lesser penalty of temporary suspension of the incentives
899 granted to the Registered Enterprise if the gravity of the violation, act, or omission committed
900 by a Registered Enterprise is not of a serious nature, or the subsequent conduct or other
901 relevant circumstances of the Registered Enterprise would justify the imposition of a less
902 grave penalty than revocation of the Certificate of Registration of the Registered Enterprise.
903

904 **SECTION 39. PROCEDURE FOR SUSPENSION OF INCENTIVES,**
905 **CANCELLATION, OR REVOCATION OF CERTIFICATE OF REGISTRATION** - The
906 Board, upon a written complaint filed by any interested party or *motu proprio*, may commence
907 proceedings for the cancellation or revocation of the Certificate of Registration issued to an
908 enterprise under this Code. Within ten (10) working days from receipt of a written complaint,
909 the Board shall assess whether there is a *prima facie* case for cancellation or revocation based

on such complaint. Should it find that there is a *prima facie* case for cancellation or revocation, the Board shall issue a show cause notice indicating the ground for cancellation or revocation and the specific circumstances constituting such ground, and directing the enterprise to explain within ten (10) working days from receipt of the notice why its Certificate of Registration should not be revoked. A copy of the written complaint shall be attached to the show cause notice. Within ten (10) working days from receipt of explanation of the enterprise together with its supporting documents, if any, the Board shall schedule a hearing and notify the enterprise of such hearing. Within five (5) days from the conduct of such hearing, the Board shall decide whether or not to cancel or revoke the enterprise' Certificate of Registration based on evidence on record. The enterprise concerned shall be notified in writing of the decision of the Board.

SECTION 40. MOTION FOR RECONSIDERATION - The applicant or business enterprise whose Certificate of Registration has been cancelled or revoked may file a motion for reconsideration with the Board within fifteen (15) days from receipt of the Board's decision, otherwise the decision shall become final and executory.

TITLE XIII
FINAL PROVISIONS

SECTION 41. COORDINATION AMONG LGUS - The City shall as much as possible modify its systems and procedures in the issuance of applicable permits and licenses to be consistent with the provisions of this Code. The Sanggunian of the City shall coordinate or consult with the Sanggunian or Board of concerned LGUs on matters pertaining to incentives such as real property tax, to allow them to align or harmonize their incentives.

SECTION 42. CONSTRUCTION OF THIS CODE – The provisions of this Code shall be construed in harmony with the provisions of existing laws such as but not limited to the Omnibus Investment Code, the PEZA Law, and the Foreign Investments Act of 1991(Republic Act No. 7042, as amended).

SECTION 43. SEVERABILITY – If, for any reason, any portion or provision, section or part of the Code is declared not valid by a court of competent jurisdiction or suspended or revoked by the Sanggunian, such judgment shall not affect or impair the remaining portions, provisions, sections, or parts hereof which shall remain or continue to be in full force and effect.

SECTION 44. REPEALING CLAUSE – All ordinances, rules and regulations or parts thereof which are in conflict or inconsistent with the provisions of this Code are hereby considered repealed, amended or modified, accordingly.

SECTION 45. IMPLEMENTING RULES AND REGULATIONS – Within six (6) months from the approval of this Code, the Board may issue such implementing rules and regulations as it deems necessary to aid in the orderly implementation of this Code and administration of incentives allowed to be extended under this Code.

SECTION 46. PROSPECTIVE APPLICATION – No ordinance shall be passed removing any incentive that is currently being enjoyed by a Registered Enterprise. All ordinances amending this Code, including the IPA List shall take effect prospectively and shall not be construed to adversely affect or impair the rights granted to Registered Enterprises pursuant to their Certificate of Registration.

963 **SECTION 47. TRANSITORY PROVISION** – All enterprises already enjoying
964 incentives from the City at the time this Code takes effect shall be required to comply with
965 the requirements of the Code prospectively. In the interest of ensuring uniformity of
966 treatment, registration in accordance with this Code shall still be required, however, their
967 belated registration shall not result in any impairment or diminution of their incentives or
968 imposition of any penalty. The enterprises covered under this provision shall have thirty (30)
969 days to comply with the registration requirement and shall provide the latest available version
970 of the documentary requirements listed under Section 18 of this Code, provided further that
971 the following documents which are otherwise required shall likewise be dispensed with:

- 972
973 a. Requirement under Section 18(1)(d);
974 b. Requirement under Section 18(2)(c); and
975 c. Requirements under Section 18(3).

976
977 **SECTION 48. EFFECTIVITY** – This Code shall take effect after fifteen (15) days
978 following its publication once a week for two (2) consecutive weeks in a local newspaper of
979 general circulation.

980
981 APPROVED.

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 for simple subdivision project of Ms. Hope M. Taleon, Love T. Guerra and Faith T. Yatoc, covering Lot 3 and Lot 4, both of Block 11, Psd-10-013199 with an area of 300 square meters, containing 3 lots, located in Barangay Kauswagan, this city, subject to the herein conditions as recommended by the City Planning and Development Office

*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: April 19, 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: 2018-1547

Date: 03/27/2018

Receiver: JESSAMINE

From: CAGAYAN DE ORO HOUSING BOARD

Subject: SIMPLE SUBDIVISION OF HOPE M. TALEON, ET.AL., PARTICULARLY LOTS 3 & 4, BLOCK 11, Psd-10-03199 COVERING AN AREA 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.

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: April 19, 2018

CR - 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

Generated from Legislative Management Information System 03/27/2018 9:49 am



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: SIMPLE SUBDIVISION OF HOPE M. TALEON, ET.AL., PARTICULARLY LOTS 3 & 4, BLOCK 11, Psd-10-03199 COVERING AN AREA 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 PURPOSES OF THIS SUBDIVISION IS AMONG CO-OWNERS/HEIRS.

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.

not included

For approval.

RAMON L. FERNANDEZ
Vice Chairperson

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY COUNCIL
Date: 22 MAR 2018 Time: 9:45
Page: 1 Form No.: 1
ACTION TAKEN

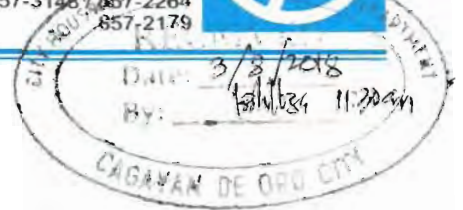
Engr. LEON MIGUEL
City Engineer



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



2nd Endorsement
March 06, 2018

Respectfully forwarded to Cagayan de Oro City Housing Board, the herein plans and documents relative to the application for Simple Subdivision of **Hope M. Taleon Et. Al**, particularly Lots 3&4, Block 11, Psd-10-03199 located at Barangay Kauswagan, this City, represented by **Hope M. Taleon, Love T. Guerra and Faith T. Yatoc**, Applicant, covering an area of 300 sq.m., containing 3 lots, recommending for approval.

ENGR. Isidro G. Borja
City Planning & Devt. Coordinator



FINAL RECOMMENDATION FOR SUBDIVISION APPROVAL

SSA/SA NO. :
PROJECT NO.:
DATE ISSUED: 03-06-2018

NAME OF APPLICANT/DEVELOPER: Hope M. Taleon, Love T. Guerra and Faith T. Yatoc

NAME OF PROJECT: Subdivision Plan of **Hope M. Taleon, et.al.**

LOCATION: Kauswagan, CdeO. **ADDRESS:** Scions Elite Subdivision Subd., Kauswagan,
Cagayan de Oro City

PROJECT DESCRIPTION APPLICATION: Simple Subdivision approval of
Lots 3 & lot 4, both of block 11, psd-10-013199 with a total area of 300 sq. mtrs.,
containing 3 lots located at Kauswagan, this city.

ZONING CLASSIFICATION: Medium Density Residential Zone (R2).

PURPOSE: Subdivision among co-owners/heirs.

C O N D I T I O N S :

- 1 The subdivision scheme shall not be altered other than what is applied for except when prior clearance from the City Government is secured;
- 2 A Certificate of Registration must be secured from the Housing and Land Use Regulatory Board (HLURB) after the verification of survey returns from the Land Management Sector, DENR;
- 3 Further subdivision of Lots 3 & lot 4, both of block 11, psd-10-013199 is prohibited without prior approval from the City Government of Cagayan de Oro ;
- 4 *This approval is exempted from securing License to Sell pursuant to PD 957, Sec. 7 a. (EXEMPT TRANSACTION); with co-owner;*
- 5 This approval shall be revoked if not registered within a period of (1) one year from the date of issue;
6. Any misrepresentation of the application may cause for cancellation or revocation of subdivision permit.


Engr. ISIDRO G. BORJA
City Planning & Development Coordinator

APPLICATION FOR APPROVAL
OF A SIMPLE SUBDIVISION

Feb. 02, 2018

Date

THE CITY COUNCIL
Office of the City Council
Cagayan de Oro City

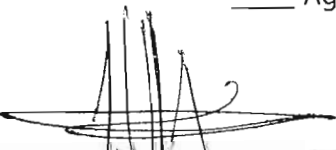


Sir/Mesdames:

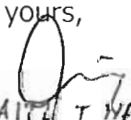
In accordance with Section 4 of PD and its implementing Standard Rules by Executive Order No. 648 dated 07, February 1981 and R.A 7160 and its implementing rules, I am applying for approval for Development of Simple Subdivision Project having and area of 300 sq. m, containing 3 lots.

Attached herewith are:

1. Six (6) sets of the following duly signed and sealed by a Licensed Architect/Engineer;
 - a) Site Development Plan (schematic plan) showing the proposed layout;
 - b) **Vicinity map** or location plan drawn to scale showing the adjoining circulation network as well as existing facilities and utilities at least 100 meter radius from project boundaries.
2. Two (2) copies of Certified True Copy of Title(s) from the Register of Deeds or photo of title(s) together with the owner's copy for the City Government records authentication (Deed of Sale/**Memorandum of Agreement** if the title is not registered in the name of applicant);
3. Latest Tax Receipt
4. Purpose/Intent;
 - ☐ For Sale
 - ☒ Subdivision among co-owners/heirs
 - ☐ Others, (please specify) _____
5. Present Land Use:
 - ☐ Vacant
 - ☒ With house constructed, type:
 - ☒ Concrete
 - ☐ Mixed
 - ☐ Indigenous
 - ☐ Agricultural


HENRY KIMBO M. VELEZ
GEODETIC ENGINEER
Architect/CE/G.E
PTR-3669049
DATE-01-11-2018
PLACE-CDO
TIN-928-416-816

Very truly yours,

  
LORETO T. GUERRA FAITH T. YATOC HOPE M. TALLEON
Applicant

Contact: 097516612314

lot 3, 4 Block II Science Elite subd.
Address Kanawogan CDO

Reg. No. 5380
PTR No. 3669049
Date Issue: 01-11-2018
T.I.N: 928-416-816

Res. Cert. No. 029504091
Date Issue: Feb. 8, 2018
Place Issue: CDO
T.I.N: _____

Republic of the Philippines
CITY OF CAGAYAN DE ORO
CITY ENGINEERS OFFICE
Kauswagan, Cagayan de Oro City

Ref.: Code No. 222
Date: February 13, 2018

Rolando M. Pacuribot
City Engineer

INVESTIGATION/VERIFICATION REPORT
February 23, 2018

Subject : Application for Simple Subdivision applied by Ms. Hope M. Taelon et al.,
Inspected by : Robin G. Dosdos
Location : Kauswagan, Cagayan de Oro City

FINDINGS & OBSERVATIONS :

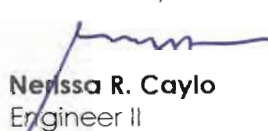
Per investigation/validation conducted on the above subject, the following are the findings and observations, to wit :

1. That Lot 3, Block 11 and Lot 4 Block 11 with an individual lot area of 150 square meters are registered under the name of Hope M. Taelon (T-137-2017008041 and T-137-2017008042 respectively).
2. That Lot 3 and Lot 4 are to be consolidated and subdivided into 3 lots, namely Lot 1, Lot 2 and Lot 3 with an individual lot area of 100 square meters each.
3. That there exist 2 residential structures within the 3 lots and fenced as a whole with CHB fence.
4. That the whole lot is a corner lot and adjacent to an existing 5.80m. more or less wide concrete paved subdivision road on the north and 6.00m. wide more or less concrete paved subdivision road on the north-west.
5. That the said subdivision road is part of the Scions Elite Subdivision Road network.

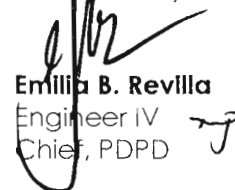
Investigated by :


Robin G. Dosdos
Special Agent

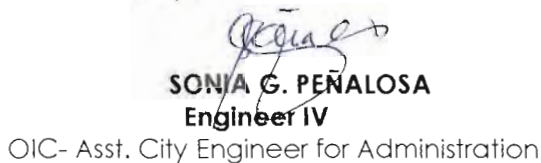
Checked by :


Nerissa R. Caylo
Engineer II

Submitted by :


Emilia B. Revilla
Engineer IV
Chief, PDPD

Noted by :


SONIA G. PEÑALOSA
Engineer IV
OIC- Asst. City Engineer for Administration

File/hope taelon-dosdos
Code#222

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 Frances Memorial Parents Foundation, Inc., represented by its president, Ms Veronica Valenzuela for Development Permit of Sacred Heart Village subdivision project, with an area of 40,559 square meters, containing 154 lots, located in Barangay Carmen, 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: April 19, 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: 2017-1270

Date: 12/13/2017
Receiver: JESSAMINE

From: CAGAYAN DE ORO HOUSING BOARD
Subject: APPLICATION FOR DEVELOPMENT PERMIT OF SACRED HEART VILLAGE REP., BY ITS PRESIDENT MS. VERONICA VALENZUELA LOCATED AT BARANGAY CARMEN, COVERING AN AREA OF 40,559 SQ.M., CONTAINING 154 LOTS

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: April 19, 2018

CR - 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: December 13, 2017

From: CAGAYAN DE ORO HOUSING BOARD

Subject Matter: APPLICATION FOR DEVELOPMENT PERMIT OF **SACRED HEART VILLAGE** REP., BY ITS PRESIDENT MS. VERONICA VALENZUELA LOCATED AT BARANGAY CARMEN, COVERING AN AREA OF 40,559 SQ.M., CONTAINING 154 LOTS

ACTION: REFER TO COMMITTEE ON 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

CAGAYAN DE ORO HOUSING BOARD

1st Endorsement
December 12, 2017

Respectfully forwarded to the 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 11 December 2017:

A. Development Permit:

Application of Sacred Hearth Village represented by its President Ms. Veronica Valenzuela located at Barangay Carmen, covering an area of 40,559 square meters containing 154 lots.

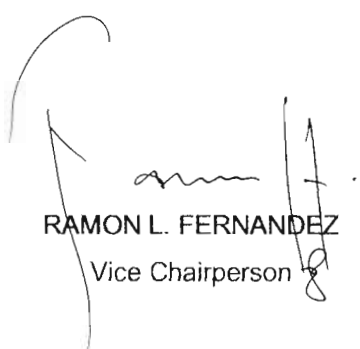
B. Alteration of Plan:

Application of Sunrise Bliss Subdivision particularly the change of alignment of drainage system and its structure from existing reinforced concrete pipe culvert to reinforced line drainage with cover leading to outfall that traverse lots 43, 44, Block 3 and private lot (thru: deed of exchange) having an affected area of 268 sq.m. represented by Mr. Rodolfo C. Dagooc located at Barangay Lumbia, this City.

C. Simple Subdivision:

- a. Application of Mr. Mario A. Macatol located at Barangay Patag, covering an area of 250 square meters, containing 2 lots.
- b. Lot 5, Pcs-10-001400 represented by Ms. Almira A. Benaldo located at Barangay Gusa, covering an area of 6,373 square meters, containing 7 lots.

Recommending for approval.


RAMON L. FERNANDEZ
Vice Chairperson



2nd Endorsement
November 24, 2017

Respectfully forwarded to **Cagayan de Oro City Housing Board**, the herein plans and documents relative to the application for Development Permit of **Sacred Heart Village** represented by Veronica Valenzuela President, located at Barangay Carmen, this City, recommending for approval.


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



FINAL RECOMMENDATION FOR DEVELOPMENT PERMIT

DP No. : _____
DATE ISSUED: 11-24-2017

☒ BP 220 ☐ PD 957 ☒ SEC. 18 RA 7279

NAME OF APPLICANT:
Veronica A. Valenzuela
President

ADDRESS & TEL. NO.:
Lapasan, Cagayan de Oro City

NAME OF DEVELOPER:
Sacred Heart Village

ADDRESS & TEL. NO.:
Cagayan de Oro Cit

AREA IN HAS.:
40, 559.84

NO. OF SALEABLE LOTS/UNITS:
154 lots/ units (on-site Project)

NAME OF PROJECT:
Sacred Heart Village

LOCATION:
Carmen, Cagayan de Oro City

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.

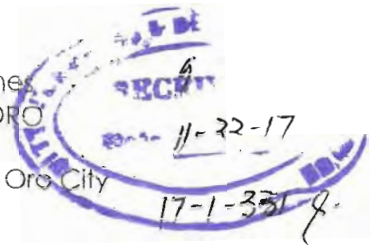
CONDITIONS:

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 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 B.P. 220 in HLURB 2008;
12. Encourage the homeowners/residents to collect/rain or harvesting;


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



November 16, 2017

To : **ENGR. ISIDRO G. BORJA**
City Planning & Development Coordinator

Subject: Technical Evaluation re: Application for Development Permit of Sacred Heart Village Phase 1, 111, 1VA, & 1VB covering an area of 40,559 square meters containing 154 lots, represented by Ms. Veronica E. Valenzuela, President-Francis Memorial Parent Foundation Inc., (FMPFI).

Location : Zone 8, Carmen, Cagayan de Oro City

Enclosure : Plans & other supporting documents

Remarks : Plans duly signed and evaluated as to technical aspects. Please be informed that the applied area is on site subdivision. Portion of Roads and Drainage were developed by Local Government of Cagayan de Oro and DPWH.


ROLANDO M. PACURIBOT C.E, ME
City Engineer

File: sacred heart village-carmen
code#

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 A. Brown Company, Incorporated, represented by its Compliance Manager Mr. Allan V. Eguilos, for Development Permit (DP) of The Terraces in Xavier Estates subdivision project, covering an area of residential lot - 2.1640 has; commercial strip - 0.3121 has; and commercial block-0.4002 has., with a total area of 2.8763 has., containing 46 lots/units (residential) and 13 lots (commercial), located at Barangay Balulang, this city, subject to the herein conditions as recommended by the City Engineer's Office per technical evaluation dated March 13, 2018, which 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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL

City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: April 19, 2018

for inclusion:

HON. IAN MARK Q. NAGAYA, *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: 2018-1578

Date: 04/06/2018

Receiver: JESSAMINE

From: CAGAYAN DE ORO HOUSING BOARD

Subject: APPLICATION FOR DEVELOPMENT PERMIT (PD) OF THE TERRACES IN XAVIER ESTATES LOCATED AT BRGY. BALULANG, THIS CITY, COVERING AN AREA OF RESIDENTIAL LOTS=2.1640 HAS.; COMMERCIAL STRIP=0.3121 HAS.; AND COMMERCIAL BLOCK-0.4002 WITH A TOTAL OF 2.8763 HAS., REPRESENTED BY MR. ALLAN V. EGUILOS, COMPLIANCE MANAGER OF A BROWN CO., INC., TO INCLUDE THE FOLLOWING FINDINGS/REMARKS FROM CITY ENGINEER'S OFFICE, AS STATED THEREIN.

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: April 19, 2018

UK - 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



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



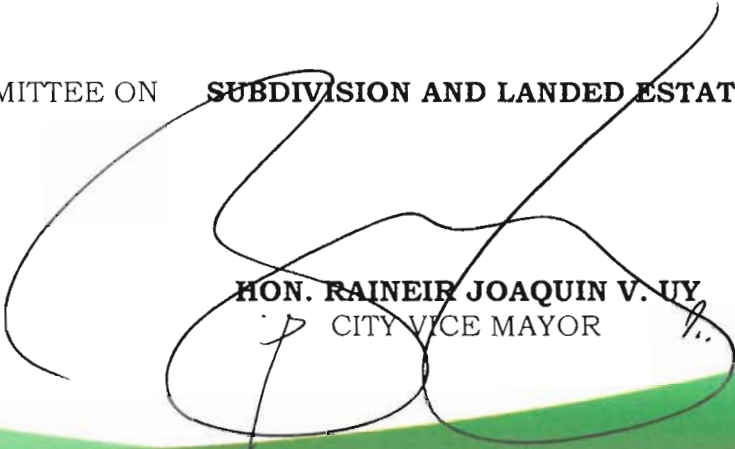
2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

DATE: APR - 6 2018

FROM: CAGAYAN DE ORO HOUSING BOARD

SUBJECT MATTER: APPLICATION FOR DEVELOPMENT PERMIT (PD) OF THE TERRACES IN XAVIER ESTATES LOCATED AT BRGY. BALULANG, THIS CITY, COVERING AN AREA OF RESIDENTIAL LOTS=2.1640 HAS.; COMMERCIAL STRIP=0.3121 HAS.; AND COMMERCIAL BLOCK-0.4002 WITH A TOTAL OF 2.8763 HAS., REPRESENTED BY MR. ALLAN V. EGUILOS, COMPLIANCE MANAGER OF A BROWN CO.,INC., TO INCLUDE THE FOLLOWING FINDINGS/REMARKS FROM CITY ENGINEER'S OFFICE, AS STATED THEREIN.

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
CITY CHIEF EXECUTIVE DEPARTMENT
CAGAYAN DE ORO HOUSING BOARD

APR - 5 2018
Office of the City Engineer
City of Cagayan de Oro
OFFICE OF THE CITY ENGINEER
Date Received: 3-29
By: [Signature]
ACTION: FORWARDED
Date: ARTURO S. LARAN MIGUEL
City Secretary
REMARKS:

1ST Endorsement
March 23, 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.

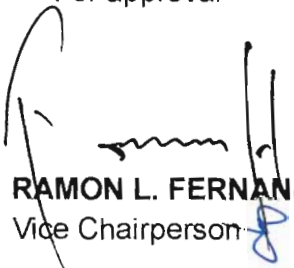
1. Development Permit (DP) application of **The Terraces in Xavier Estates** located at Brgy. Balulang, this City, covering an area of Residential lots = 2.1640 has.; Commercial strip = 0.3121 has.; and Commercial block = 0.4002 with a total of 2.8763 has., represented by Mr. Allan V. Eguilos, Compliance Manager of A brown Co., Inc., to include the following findings/remarks from City Engineer's Office which shall be considered during Development stage:
 - Dessilting/Declogging of any siltation and/or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
 - Slope protection structure shall be provided on a steep section within the applied area;
 - Any requirement maybe imposed when necessary during construction stage; and
 - All works for this development shall in accordance with DPWH Standard Specifications.
2. Development Permit (DP) application of **Xavier Estates Phase 5B Ventura Residence II** located at Brgy. Balulang, this City, covering an area of 20,852 square meters more or less, containing 73 lots/units represented by Mr. Allan V. Eguilod of A brown Co., Inc., to include the following findings/remarks from City Engineer's Office shall be considered during Development Stage:
 - Dessilting/Declogging of any siltation and/or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
 - Slope protection structure shall be provided on a steep section within the applied area;
 - Any requirement maybe imposed when necessary during construction stage; and
 - All works for this development shall in accordance with DPWH Standard Specifications.



CAGAYAN DE ORO HOUSING BOARD

3. Development Permit (DP) application of **Xavier Estates Phase 6 Ignatius Enclave** located at Brgy. Balulang, this City, covering an area of Residential lot = 6.7598 has.; future development = 1.3699 has.; and commercial area = 0.9276 has., with a total of 9.0573 has., represented by Mr. Allan V. Aguilos Compliance Manager of A brown Co., Inc., to include the following findings/remarks from City Engineer's Office which shall be considered during Development Stage:
- Dessilting/Declogging of any siltation and/or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
 - Slope protection structure shall be provided on a steep section within the applied area;
 - Any requirement maybe imposed when necessary during construction stage; and
 - All works for this development shall in accordance with DPWH Standard Specifications.

For approval


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 & 8572264
857-3390



2nd Endorsement
March 20, 2018

Respectfully forwarded to Cagayan de Oro City Housing Board, the herein plans and documents relative to the application for Development Permit of **the terraces in Xavier Estates** represented by **Mr. Allan V. Eguilos**, Compliance Manager located at Upper Balulang, this City covering an area of Residential lots = 2.1640 has. , Commercial strip = 0.3121 has. and Commercial block = 0.4002 has. with a total of 2.8763 has., recommending for approval.


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





FINAL RECOMMENDATION FOR DEVELOPMENT PERMIT

DP No. : _____
DATE ISSUED: 03-19-2018

☐ BP 220 ☒ PD 957 ☐ SEC. 18 RA 7279

NAME OF APPLICANT:

Mr. Allan V. Eguilos
Compliance Manager

ADDRESS & TEL. NO.:

Xavier Estates, Upper Balulang, Cagayan de Oro City
0917-7261-877

NAME OF DEVELOPER:

A. Brown Company, Inc.

ADDRESS & TEL. NO.

Xavier Estates, Upper Balulang, Cagayan de Oro City
0917-7261-877

AREA IN HAS.:

Residential area = 2.1640
Commercial strip = 0.3121
Commercial block = 0.4002
Total area = 2.8763

NO. OF SALEABLE LOTS/UNITS:

residential = 46 lots/units
commercial = 13 lots

NAME OF PROJECT:

The Terraces in Xavier Estates

LOCATION:

Upper Balulang, 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 accessibility ramp for Persons with Disability in compliance to Batasang Pambansa no. 344 also known as Accessibility Law.
11. Provision for detention/retention pond equivalent of 0.01 cu.m./sq.m. of gross applied area;
12. Provision for rainharvesting facility equivalent to 0.02 cu.m./sq.m. of roof area.
13. All application shall conform with the minimum design standard set forth in the Revised Implementing Rules and Regulations of PD 957 in HLURB 2008;
14. The remarks of the City Engineering Office in transmittal letter dated March 13, 2018 shall be considered during development stage to wit;
 - ✓ Dessilting/declogging of any siltation and/or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
 - ✓ Slope protection structure shall be provided on a steep section within the applied area;
 - ✓ Any requirement maybe imposed when necessary during construction stage;
 - ✓ All works for this development shall in accordance with DPWH Standard Specifications.

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 13, 2018

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

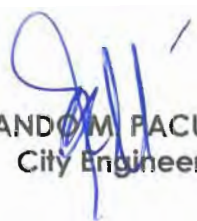
Subject: Technical Evaluation re: Application for Development Permit (DP) of **A. BROWN CO. INC.**, for the subdivision project, the **TERRACES** in **XAVIER ESTAES**, covering an area of 28,763 square meters, containing 46 saleable lots, represented by Mr. Allan V. Eguilos, compliance Manager A. Brown Co., Inc.

Location : Upper Balulang, Cagayan de Oro City

Enclosure : Plans & other supporting documents .

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

- Dessilting/declogging of any siltation and or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
- Slope protection structure shall be provided on a steep section within the applied area;
- Any requirement maybe imposed when necessary during construction stage;
- All works for this development shall be in accordance with DPWH Standard Specifications.


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

File/trans-borja-a.brown-xavier estates terraces -new (DP)
code#

APPLICATION FOR SUBDIVISION DEVELOPMENT PERMIT



MARCH 8, 2018

Date

THE CITY COUNCIL
Cagayan de Oro City

Sirs;

In accordance with section 18 of RA 7279, Section 14 of B.P 220 and Section 04 of P.D 957 (Subdivision and Condominium Buyer's Protective Decree) and its implementing Standards, Rules and Regulation as amended by Executive Order No. 648 dated 07 February 1981 and R.A 7160 Implementing Rules, I am applying for final approval for development of the following projects;

MAIN PROJECT

SOCIALIZED HOUSING PROJECT PER SECTION 18, R.A 7279

Name of Project: THE TERRACES IN Xavier Estates
Total of Project Area: 28,763 SQ.M
No. of Saleable Lots/Units: 46 units
Estimated Cost of Project:
• Raw Land 11,504,612.81
• Land Development 120,328,004.00
• Housing Units 2,284,800.00
Applicable Law (Bp 220/PD 957): PD 957
PALC No. / Date Issued:
Mode of Compliance: ☐ Not Applicable ☐

Project Area

Project Cost

- ☐ New Settlement
☐ Slum Upgrading
☐ Com. Mortgage Proj.
☐ Joint Venture Proj.

The undersigned attests that the plan submitted is in accordance with pertinent laws, decrees, rules and regulations, standards and guidelines and that I assume full responsibility from any non-compliance or violation thereof. It is likewise understood that I shall commence development within three (3) years upon the issuance of development permit.

Attached herewith are documents pertinent to my application.

Very truly yours,

ALLAN V. EGUINOS

A BROWN CO. INC

Applicant

Address: Xavier Estates, Balulang

Cell. No.: 0917-726-1877

T.L.N.: 002-724-446

Republic of the Philippines S.S
CITY OF CAGAYAN DE ORO

08 MAR 2018

SUBSCRIBED AND SWORN to before me this day of _____, 20__ in the City/Province of CITY OF CAGAYAN DE ORO, affiant exhibited to me his/her Residence Certificate No. _____ issued at _____ on _____

Doc No. 438
Page No. 52
Book No. 2
Series of 27

ATTY. SUM ANTHONY P. VILORD
NOTARY PUBLIC
MY COMMISSION EXPIRES ON DECEMBER 31, 2018
PTR NO. 00418770-0-01N16/CDQ
IBP NO. 00411/09 JAN 2018 / MIS. OR.
ROLL NO. 67487/MAY 24 2017
Notary Public

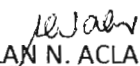
PROJECT PROFILE

PROJECT NAME : THE TERRACES IN XAVIER ESTATES
APPLICANT : ALLAN V. EGUILOS
DEVELOPER : A. BROWN CO. INC.
LOCATION : BRGY. BALULANG, CDOC
TOTAL AREA : 28,763 SQ. M
NO. OF LOTS/UNITS : 46
PROJECT ZONIFICATION : RESIDENTIAL
ZONING/LANDUSE : RESIDENTIAL
CLASSIFICATION : RESIDENTIAL
TYPE OF APPLICATION : Development Permit
: PD 957

ALTERATION PERMIT APPLICATION PARTICULARS

PARAMETERS	REQUIRED AREA/LINEAR METER	PROPOSED AREA /LINEAR METER	REMARKS
Parks & Playground Communities Facilities	4,319.00 sq.m 216.00 sq.m	1,006.70 sq.m 216.00sq.m	Complied/More than the required area. Complied
Road Right of Way (OEPNMARKET/MEDIUM COST)			
Major	12.00	12.00	Proposed ROAD RIGHT OF WAY is in Accordance with road hierarchy of PD 957
Collector			
Minor	10.00	10.00	
Secondary minor	8.00	8.00	
Motor Court			
Alley			
Pathway			
Planting Strips/ Sidewalks			
15m ROW			
12m ROW			
10m ROW			
8m ROW			
6m ROW			
Saleable Lots		46	
RECOMMENDATION : As per evaluation for the application of DP of plan were found in accordance with the PD 957 guidelines and recommending for approval.			

Evaluated By:


ROLAN N. ACLAN

Reviewed By:

Engr. ROLANDO PACURIBOT
City Engineer

Engr. ISIDRO G. BORJA
City Planning & development Coordinator

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 A. Brown Company, Incorporated, represented by its Compliance Manager Mr. Allan V. Eguilos, for Development Permit (DP) of Xavier Estates Phase 6 Ignatius Enclave subdivision project, covering an area of residential lot - 6.7598 has; future development - 1.3699 has.; commercial area - 0.9276 has., with a total area of 9.0573 has., containing 251 lots/units (residential) and 12 lots (commercial), located ~~at~~ Barangay Balulang, this city, subject to the herein conditions as recommended by the City Engineer's Office per technical evaluation dated March 13, 2018, which 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.

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: April 19, 2018

↓ for induction

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: 2018-1576

Date: 04/06/2018
Receiver: JESSAMINE

From: CAGAYAN DE ORO HOUSING BOARD
Subject: DEVELOPMENT PERMIT (DP) APPLICATION OF XAVIER ESTATES PHASE 6 IGNATIUS ENCLAVE LOCATED AT BRGY. BALULANG, THIS CITY, COVERING AN AREA OF RESIDENTIAL LOT=6.7598 HAS., FUTURE DEVELOPMENT=1.3699 HAS.; AND COMMERCIAL AREA=0.9276 HAS., WITH A TOTAL OF 9.0573 HAS., REPRESENTED BY MR. ALLAN V. AGUILOS COMPLIANCE MANAGER OF A BROWN CO., INC., TO INCLUDE THE FOLLOWING FINDINGS/REMARKS FROM CITY ENGINEER'S OFFICE, AS STATED THEREIN.

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: April 19, 2018

CH - 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



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:

APR - 6 2018

FROM:

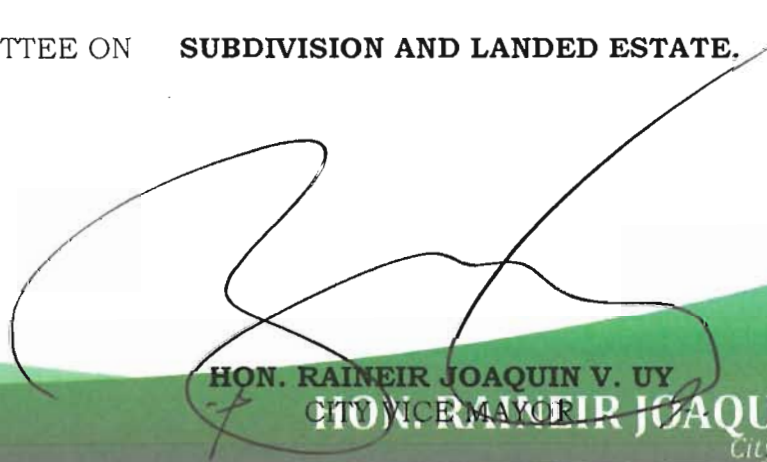
CAGAYAN DE ORO HOUSING BOARD

SUBJECT MATTER: DEVELOPMENT PERMIT (DP) APPLICATION OF XAVIER ESTATES PHASE 6 IGNATIUES ENCLAVE LOCATED AT BRGY. BALULANG, THIS CITY, COVERING AN AREA OF RESIDENTIAL LOT=6.7598 HAS., FUTURE DEVELOPMENT=1.3699 HAS.; AND COMMERCIAL AREA=0.9276 HAS., WITH A TOTAL OF 9.0573 HAS., REPRESENTED BY MR. ALLAN V. AGUILOS COMPLIANCE MANAGER OF A BROWN CO.,INC., TO INCLUDE THE FOLLOWING FINDINGS/REMARKS FROM CITY ENGINEER'S OFFICE, AS STATED THEREIN.

ACTION:

REFER TO COMMITTEE ON

SUBDIVISION AND LANDED ESTATE.



HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR



Republic of the Philippines
City of Cagayan de Oro
CITY CHIEF EXECUTIVE DEPARTMENT
CAGAYAN DE ORO HOUSING BOARD

APR - 5 2018
Office of the City Engineer
City of Cagayan de Oro
OFFICE OF THE CITY ENGINEER
Date Received: _____
By: _____
cagayan de Oro
city of golden friendship

1ST Endorsement
March 23, 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. Development Permit (DP) application of **The Terraces in Xavier Estates** located at Brgy. Balulang, this City, covering an area of Residential lots = 2.1640 has.; Commercial strip = 0.3121 has.; and Commercial block = 0.4002 with a total of 2.8763 has., represented by Mr. Allan V. Eguilos, Compliance Manager of A brown Co., Inc., to include the following findings/remarks from City Engineer's Office which shall be considered during Development stage:
 - Dessilting/Declogging of any siltation and/or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
 - Slope protection structure shall be provided on a steep section within the applied area;
 - Any requirement maybe imposed when necessary during construction stage; and
 - All works for this development shall in accordance with DPWH Standard Specifications.
2. Development Permit (DP) application of **Xavier Estates Phase 5B Ventura Residence II** located at Brgy. Balulang, this City, covering an area of 20,852 square meters more or less, containing 73 lots/units represented by Mr. Allan V. Eguilod of A brown Co., Inc., to include the following findings/remarks from City Engineer's Office shall be considered during Development Stage:
 - Dessilting/Declogging of any siltation and/or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
 - Slope protection structure shall be provided on a steep section within the applied area;
 - Any requirement maybe imposed when necessary during construction stage; and
 - All works for this development shall in accordance with DPWH Standard Specifications.

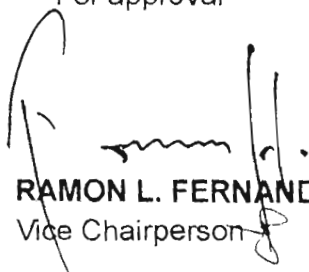


CAGAYAN DE ORO HOUSING BOARD

3. Development Permit (DP) application of **Xavier Estates Phase 6 Ignatius Enclave** located at Brgy. Balulang, this City, covering an area of Residential lot = 6.7598 has.; future development = 1.3699 has.; and commercial area = 0.9276 has., with a total of 9.0573 has., represented by Mr. Allan V. Aguilos Compliance Manager of A brown Co., Inc., to include the following findings/remarks from City Engineer's Office which shall be considered during Development Stage:

- Dessilting/Declogging of any siltation and/or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
- Slope protection structure shall be provided on a steep section within the applied area;
- Any requirement maybe imposed when necessary during construction stage; and
- All works for this development shall in accordance with DPWH Standard Specifications.

For approval


RAMON L. FERNANDEZ
Vice Chairperson



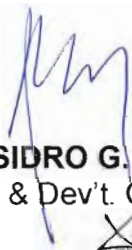
Republic of the Philippines
City of Cagayan de Oro
CITY PLANNING and
DEVELOPMENT OFFICE

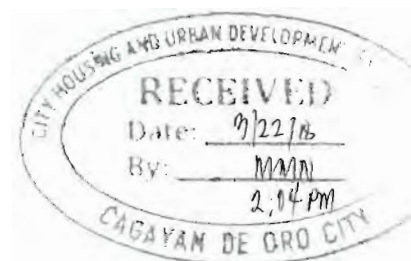
3rd Floor, South Wing
Administrative Building
City Hall Compound,
Capistrano and Hayes Streets
9000 Cagayan de Oro City
Philippines
Tel. Nos. 857-3148 & 8572264
857-3390



2nd Endorsement
March 20, 2018

Respectfully forwarded to Cagayan de Oro City Housing Board, the herein plans and documents relative to the application for Development Permit of **Xavier Estates Phase 6- Ignatius Enclave** represented by **Mr. Allan V. Eguilos**, Compliance Manager located at Upper Balulang, this City covering an area of Residential lot=6.7598 has., future development= 1.3699 has. and Commercial area = 0.9276 has. with a total of 9.0573 has., recommending for approval.


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





FINAL RECOMMENDATION FOR DEVELOPMENT PERMIT

DP No. : _____
DATE ISSUED: 03-19-2018

☐ BP 220 ☒ PD 957 ☐ SEC. 18 RA 7279

NAME OF APPLICANT:

Mr. Allan V. Eguilos
Compliance Manager

ADDRESS & TEL. NO.:

Xavier Estates, Upper Balulang, Cagayan de Oro City
0917-7261-877

NAME OF DEVELOPER:

A. Brown Company, Inc.

ADDRESS & TEL. NO.

Xavier Estates, Upper Balulang, Cagayan de Oro City
0917-7261-877

AREA IN HAS.:

Residential area = 6.7598
Future development = 1.3699
Commercial area 1 = 0.4016
Commercial area 2 = 0.5260
Total area = 9.0573

NO. OF SALEABLE LOTS/UNITS:

Residential lots = 251 lots/ units
Commercial lots = 12 lots

NAME OF PROJECT:

Xavier Estates Phase 6- Ignatius Enclave

LOCATION:

Upper Balulang, 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 accessibility ramp for Persons with Disability in compliance to Batasang Pambansa no. 344 also known as Accessibility Law.
11. Provision for detention/retention pond equivalent of 0.01 cu.m/sq.m. of gross applied area;
12. Provision for rainharvesting facility equivalent to 0.02 cu.m./ sq.m. of roof area.
13. All application shall conform with the minimum design standard set forth in the Revised Implementing Rules and Regulations of PD 957 in HLURB 2008;
14. The remarks of the City Engineering Office in transmittal letter dated March 13, 2018 shall be considered during development stage to wit;
 - ✓ Dessilting/declogging of any siltation and/or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
 - ✓ Slope protection structure shall be provided on a steep section within the applied area;
 - ✓ Any requirement maybe imposed when necessary during construction stage;
 - ✓ All works for this development shall in accordance with DPWH Standard Specifications.

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

PROJECT PROFILE

PROJECT NAME : XAVIER ESTATES PHASE 6 IGNATIUS ENCLAVE
APPLICANT : ALLAN V. EGUILOS
DEVELOPER : A. BROWN CO. INC.
LOCATION : BRGY. BALULANG, CDOC
TOTAL AREA : 90,573.00 SQ. M
NO. OF LOTS/UNITS : 251
PROJECT ZONIFICATION : RESIDENTIAL
ZONING/LANDUSE : RESIDENTIAL
CLASSIFICATION : RESIDENTIAL
TYPE OF APPLICATION : Development Permit
: PD 957

ALTERATION PERMIT APPLICATION PARTICULARS

PARAMETERS	REQUIRED AREA/LINEAR METER	PROPOSED AREA /LINEAR METER	REMARKS
Parks & Playground Communities Facilities	3,176.35 sq.m 635.25 sq.m	3,980.00 sq.m 676.00.00sq.m	Complied/More than the required area. Complied/More than the required area.
Road Right of Way (OEPNMARKET/MEDIUM COST)			
Major	12.00	12.00	Proposed ROAD RIGHT OF WAY is in Accordance with road hierarchy of PD 957
Collector			
Minor	10.00	10.00	
Motor Court			
Alley			
Pathway			
Planting Strips/ Sidewalks			
15m ROW			
12m ROW			
10m ROW			
8m ROW			
6m ROW			
Saleable Lots		251	
RECOMMENDATION : As per evaluation for the application of DP of plan were found in accordance with the PD 957 guidelines and recommending for approval.			

Evaluated By:

ROLAN N. ACLAN

Reviewed By:

Engr. ROLANDO PACURIBOT
City Engineer

Engr. ISIDRO G. BORJA
City Planning & development Coordinator



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



March 13, 2018

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

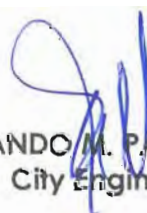
Subject: Technical Evaluation re: Application for Development Permit (DP) of **A. BROWN CO. INC.**, for the subdivision project, **XAVIER ESTAES Phase 6-Ignatius Enclave**, covering an area of **90,573** square meters, containing **25** saleable lots, represented by Mr. Allan V. Eguilos, compliance Manager A. Brown Co., Inc.

Location : Upper Balulang, Cagayan de Oro City

Enclosure : Plans & other supporting documents .

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

- Dessilting/declugging of any siltation and or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
- Slope protection structure shall be provided on a steep section within the applied area;
- Any requirement maybe imposed when necessary during construction stage;
- All works for this development shall be in accordance with DPWH Standard Specifications.


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

File/trans-borja-a.brown-xavier-estaes-phase6-new (DP)
code:##

APPLICATION FOR SUBDIVISION DEVELOPMENT PERMIT



MARCH 8, 2018

Date

THE CITY COUNCIL
Cagayan de Oro City

Sirs;

In accordance with section 18 of RA 7279, Section 14 of B.P 220 and Section 04 of P.D 957 (Subdivision and Condominium Buyer's Protective Decree) and its implementing Standards, Rules and Regulation as amended by Executive Order No. 648 dated 07 February 1981 and R.A 7160 Implementing Rules, I am applying for final approval for development of the following projects;

MAIN PROJECT

SOCIALIZED HOUSING PROJECT PER SECTION 18, R.A 7279

Name of Project:

XAVIER ESTATE PHASE 6
IGNATIUS ENCLAVE

Total of Project Area:

90,577 sq. m.

No. of Saleable Lots/Units:

251 units

Estimated Cost of Project:

- Raw Land
- Land Development
- Housing Units

₱ 48,121,170.00

₱ 277,012,666.00

₱ 1,218,560.00

Applicable Law (Bp 220/PD 957):

PD 957

PALC No. / Date Issued:

Mode of Compliance:

Not Applicable

Project Area

Project Cost

- ☐ New Settlement
- ☐ Slum Upgrading
- ☐ Com. Mortgage Proj.
- ☐ Joint Venture Proj.

The undersigned attests that the plan submitted is in accordance with pertinent laws, decrees, rules and regulations, standards and guidelines and that I assume full responsibility from any non-compliance or violation thereof. It is likewise understood that I shall commence development within three (3) years upon the issuance of development permit.

Attached herewith are documents pertinent to my application.

Sincerely yours,

ALAN S. EMILLOS
A BROWN CO., INC.

Applicant

Address: XAVIER ESTATE PHASE 6, 0000

Tel. No.: 0917 - 726 - 1877

Fax No.: 0902 - 724 - 4446

Republic of the Philippines S.S

CITY OF CAGAYAN DE ORO

SUBSCRIBED AND SWORN to before me this day of 08 MAR 2018, 2018 in the City/Province of CITY OF CAGAYAN DE ORO, affiant exhibited to me his Residence Certificate No. _____ issued at _____ on _____

Doc No. 474
Page No. 55
Book No. 2
Series of 0018

ATTY. STEPHEN ANTHONY P. VILORO
NOTARY PUBLIC
MY COMMISSION EXPIRES ON DECEMBER 31, 2018
PTR NO. 8641978 / 09 JAN 16 / CDO
IBP NO. 00411 / 09 JAN 2018 / MIS. OR.
RCR NO. 67492 / MAY 24, 2017
Notary Public

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 A. Brown Company, Incorporated, represented by its Compliance Manager Mr. Allan V. Eguilos, for Development Permit (DP) of Xavier Estates Phase 5B Ventura Residence II subdivision project, with an area of 20,852 square meters, containing 73 lots/units, located in Barangay Balulang, this city, subject to the herein conditions as recommended by the City Engineer's Office per technical evaluation dated March 13, 2018, which 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.

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL

City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: April 19, 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: 2018-1577

Date: 04/06/2018

Receiver: JESSAMINE

From: CAGAYAN DE ORO HOUSING BOARD

Subject: SUBJECT MATTER: DEVELOPMENT PERMIT (DP APPLICATION OF XAVIER ESTATES PHASE 5B VENTURA RESIDENCE II LOCATED AT BRGY. BALULANG, THIS CITY, COVERING AN AREA OF 20,852 SQ.M., MORE OR LESS, CONTAINING 73 LOTS/UNITS REPRESENTED BY MR. ALLAN V. EGUILOS OF A BROWN CO., INC. TO INCLUDE THE FOLLOWING/REMARKS FROM CITY ENGINEERS OFFICE, AS STATED THEREIN.

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: April 19, 2018

UR - 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

Generated from Legislative Management Information System, 04/06/2018 9:02 am



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

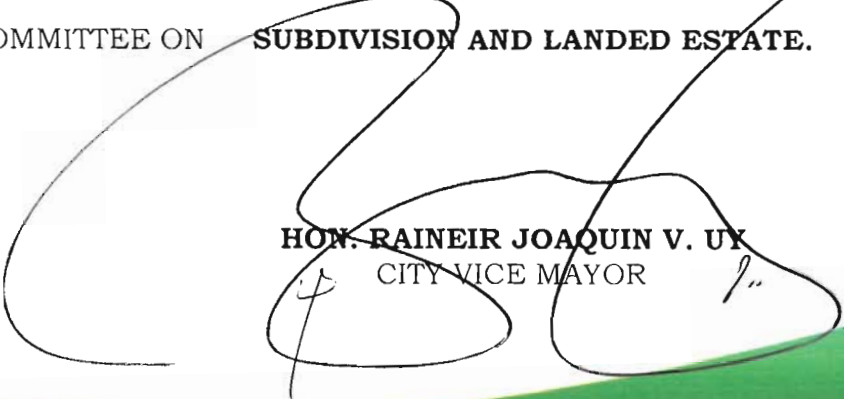


2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

DATE: APR - 6 2018
FROM: CAGAYAN DE ORO HOUSING BOARD

SUBJECT MATTER: DEVELOPMENT PERMIT (DP APPLICATION OF XAVIER ESTATES PHASE 5B VENTURA RESIDENCE II LOCATED AT BRGY. BALULANG, THIS CITY, COVERING AN AREA OF 20,852 SQ.M., MORE OR LESS, CONTAINING 73 LOTS/UNITS REPRESENTED BY MR. ALLAN V. EGUILOS OF A BROWN CO.,INC. TO INCLUDE THE FOLLOWING/REMARKS FROM CITY ENGINEERS OFFICE, AS STATED THEREIN.

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



APR - 5 1988
City of Cagayan de Oro
OFFICE OF THE CITY COMMISSIONER
Date Received: _____
By: _____
AC: _____
City of Golden Friendship

Date _____
 ARIC _____
 City Secretary

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. Development Permit (DP) application of **The Terraces in Xavier Estates** located at Brgy. Balulang, this City, covering an area of Residential lots = 2.1640 has.; Commercial strip = 0.3121 has.; and Commercial block = 0.4002 with a total of 2.8763 has., represented by Mr. Allan V. Eguilos, Compliance Manager of A brown Co., Inc., to include the following findings/remarks from City Engineer's Office which shall be considered during Development stage:
 - Dessilting/Declogging of any siltation and/or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
 - Slope protection structure shall be provided on a steep section within the applied area;
 - Any requirement maybe imposed when necessary during construction stage; and
 - All works for this development shall in accordance with DPWH Standard Specifications.
2. Development Permit (DP) application of **Xavier Estates Phase 5B Ventura Residence II** located at Brgy. Balulang, this City, covering an area of 20,852 square meters more or less, containing 73 lots/units represented by Mr. Allan V. Eguilod of A brown Co., Inc., to include the following findings/remarks from City Engineer's Office shall be considered during Development Stage:
 - Dessilting/Declogging of any siltation and/or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
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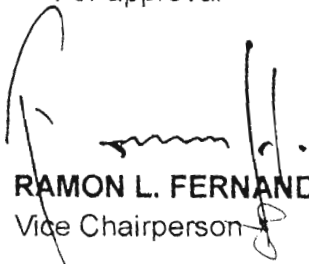


CAGAYAN DE ORO HOUSING BOARD

3. Development Permit (DP) application of **Xavier Estates Phase 6 Ignatius Enclave** located at Brgy. Balulang, this City, covering an area of Residential lot = 6.7598 has.; future development = 1.3699 has.; and commercial area = 0.9276 has., with a total of 9.0573 has., represented by Mr. Allan V. Aguilos Compliance Manager of A brown Co., Inc., to include the following findings/remarks from City Engineer's Office which shall be considered during Development Stage:

- Dessilting/Declogging of any siltation and/or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
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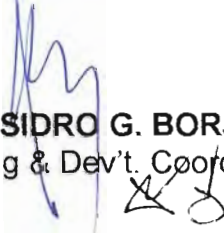
For approval


RAMON L. FERNANDEZ
Vice Chairperson



1st Endorsement
March 19, 2018

Respectfully forwarded to **Cagayan de Oro City Housing Board**, the herein plans and documents relative to the application for Development Permit of **Xavier Estates Phase 5B-Ventura Residences II.** represented by **Mr. Allan V. Eguilos**, **Manager A. Brown Co. Inc.**, located at Barangay Balulang, this City, covering an area of 20, 852 square meters, containing 73 lots/units, recommending for approval.


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





FINAL RECOMMENDATION FOR DEVELOPMENT PERMIT

DP No. : _____
DATE ISSUED: 03-19-2018

☐ BP 220 ☒ PD 957 ☐ SEC. 18 RA 7279

NAME OF APPLICANT: Mr. Allan V. Eguilos Compliance Manager	ADDRESS & TEL. NO.: Xavier Estates, Upper Balulang, Cagayan de Oro City 0917-7261-877
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NAME OF DEVELOPER: A. Brown Company, Inc.	ADDRESS & TEL. NO.: Xavier Estates, Upper Balulang, Cagayan de Oro City 0917-7261-877
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AREA IN HAS.: 2.0852	NO. OF SALEABLE LOTS/UNITS: 73 lots/ units
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NAME OF PROJECT: Xavier Estates Phase 5B- Ventura Residences II	LOCATION: Upper Balulang, Cagayan de Oro City
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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 accessibility ramp for Persons with Disability in compliance to Batasang Pambansa no. 344 also known as Accessibility Law.
11. Provision for detention/retention pond equivalent of 0.01 cu.m./sq.m. of gross applied area;
12. Provision for rainharvesting facility equivalent to 0.02 cu.m./ sq.m. of roof area.
13. All application shall conform with the minimum design standard set forth in the Revised Implementing Rules and Regulations of PD 957 in HLURB 2008;
14. The remarks of the City Engineering Office in transmittal letter dated March 13, 2018 shall be considered during development stage to wit;
 - ✓ Dessilting/declogging of any siltation and/or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
 - ✓ Slope protection structure shall be provided on a steep section within the applied area;
 - ✓ Any requirement maybe imposed when necessary during construction stage;
 - ✓ All works for this development shall in accordance with DPWH Standard Specifications.

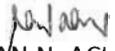
Engr. **ISIDRO G. BORJA**
City Planning & Dev't. Coordinator

PROJECT PROFILE

PROJECT NAME : XAVIER ESTATES PHASE 5B VENTURA RESIDENCES II
APPLICANT : Allan v. Eguilos
DEVELOPER : A. BROWN CO. INC.
LOCATION : BRGY. BALULANG, CDOC
TOTAL AREA : 20,852.00 SQ. M
NO. OF LOTS/UNITS : 73
PROJECT ZONIFICATION : RESIDENTIAL
ZONING/LANDUSE : RESIDENTIAL
CLASSIFICATION : RESIDENTIAL
TYPE OF APPLICATION : Development permit
: PD 957

ALTERATION PERMIT APPLICATION PARTICULARS

PARAMETERS	REQUIRED AREA/LINEAR METER	PROPOSED AREA /LINEAR METER	REMARKS
Parks & Playground	729.82 sq.m	1,459.00 sq.m	Complied/More than the required area.
Communities Facilities	208.50 sq.m	210.00sq.m	Complied/More than the required area.
Road Right of Way (OEPNMARKET/MEDIUM COST)			
Major	15.00	15.00	Proposed ROAD RIGHT OF WAY is in Accordance with road hierarchy of PD 957
Collector			
Minor	10.00	10.00	
Secondary minor	8.00	8.00	
Motor Court			
Alley			
Pathway			
Planting Strips/ Sidewalks			
15m ROW			
12m ROW			
10m ROW			
8m ROW			
6m ROW			
Saleable Lots		73	
RECOMMENDATION : As per evaluation for the application of DP of plan were found in accordance with the PD 957 guidelines and recommending for approval.			

Evaluated By:

ROLAN N. ACLAN

Reviewed By:

Engr. ROLANDO PACURIBOT
City Engineer

Engr. ISIDRO G. BORJA
City Planning & development Coordinator



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



March 13, 2018

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

Subject: Technical Evaluation re: Application for Development Permit (DP) of **A. BROWN CO. INC.**, for the subdivision project, XAVIER ESTAES Phase 5B-Ventura Residences II, covering an area of 20,852 square meters, containing 73 saleable lots, represented by Mr. Allan V. Eguielos, compliance Manager A. Brown Co., Inc.

Location : Upper Balulang, Cagayan de Oro City

Enclosure : Plans & other supporting documents .

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

- Dessilting/declugging of any siltation and or eroded materials that may affect a waterway or any residential area that maybe caused by said development shall be the responsibility of the developer;
- Slope protection structure shall be provided on a steep section;
- Any requirement maybe imposed when necessary during construction stage;
- All works for this development shall be in accordance with DPWH Standard Specifications.


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

File/trans-borja-a.brownphase5b-new (DP)
code#

APPLICATION FOR SUBDIVISION DEVELOPMENT PERMIT

THE CITY COUNCIL
Cagayan de Oro City



MARCH 8, 2018

Date

Sirs;

In accordance with section 18 of RA 7279, Section 14 of B.P 220 and Section 04 of P.D 957 (Subdivision and Condominium Buyer's Protective Decree) and its implementing Standards, Rules and Regulation as amended by Executive Order No. 648 dated 07 February 1981 and R.A 7160 Implementing Rules, I am applying for final approval for development of the following projects;

	MAIN PROJECT	SOCIALIZED HOUSING PROJECT PER SECTION 18, R.A 7279
Name of Project:	XAVIER ESTATES PHASE TWO VENTURA RESIDENCES II	
Total of Project Area:	20,252 sq. m.	
No. of Saleable Lots/Units:	77 UNITS	
Estimated Cost of Project:		
• Raw Land	₱ 77,258,042.25	
• Land Development	₱ 92,566,082.00	
• Housing Units	₱ 1,527,200.00	
Applicable Law (Bp 220/PD 957):	PD 957	
PALC No. / Date Issued:		
Mode of Compliance:	Not Applicable ☐	Project Area ☐
	☐	Project Cost ☐
		☐ New Settlement
		☐ Slum Upgrading
		☐ Com. Mortgage Proj.
		☐ Joint Venture Proj.

The undersigned attests that the plan submitted is in accordance with pertinent laws, decrees, rules and regulations, standards and guidelines and that I assume full responsibility from any non-compliance or violation thereof. It is likewise understood that I shall commence development within three (3) years upon the issuance of development permit.

Attached herewith are documents pertinent to my application.

Very truly yours,

AWAN B. BERNALDO
A. BERNALDO CO., INC.
Applicant
Address: XAVIER ESTATES, BAMLANG, CDO
Cell. No.: 0917-726-1877
T.I.N.: 002-724-446

Republic of the Philippines S.S

SUBSCRIBED AND SWORN to before me this day of 08 MAR 2018, 2018 in the City/Province of CITY OF CAGAYAN DE ORO, affiant exhibited to me his/her Residence Certificate No. _____ issued at _____ on _____

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Series of WH

ATTY. SHER ANTHONY F. VILORO
NOTARY PUBLIC
MY COMMISSION EXPIRES DECEMBER 31, 2018
PTR NO. 8641974/03-06-107/CDO
IBP NO. 00411/09 JAN 2018/ MIS. OR.
ROLL NO 67407/MAY 24, 2017

