



cagayan
deOro
city of golden friendship

19th CITY COUNCIL AGENDA



95TH REGULAR SESSION

Monday / 5 July 2021 / 2:30 PM

Session Hall, City Hall

Cagayan de Oro City


HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

Copy of:

FILE

CAGAYAN DE ORO MARCH

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

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

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

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

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

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



**cagayan
de Oro**
city of golden friendship

Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(088) 857-2258; 857-4029; 857-4032; 857-4035 / www.cdeo-sanggunian.online



2 July 2021

THE HONORABLE MEMBERS

19TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD)

CAGAYAN DE ORO CITY

Gentlemen and Ladies:

Please be informed that the 95th Regular Session of the 19th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro will be on **Monday, 5 July 2021, at 2:30 PM** at the Session Hall, Legislative Bldg., City Hall, this City; or through Zoom (Meeting ID: 9801749646 / Passcode: 121720), pursuant to Resolution No. 13322-2019, otherwise known as the 19th City Council House Rules, as amended by Resolution No. 13574-2020.

Thank you very much.

Very truly yours,

ARTURO S. DE SAN MIGUEL
CITY SECRETARY

THE HONORABLE MEMBERS

19TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD)

CAGAYAN DE ORO CITY

HON. RAINEIR JOAQUIN V. UY

CITY VICE MAYOR

First District

Second District

HON. EDNA M. DAHINO

CITY COUNCILOR

HON. JOYLEEN MERCEDES L. BALABA

CITY COUNCILOR

HON. JAY R. PASCUAL

CITY COUNCILOR

HON. MARIA LOURDES S. GAANE

CITY COUNCILOR

HON. ROGER G. ABADAY

CITY COUNCILOR

HON. IAN MARK Q. NACAYA

CITY COUNCILOR

HON. ZALDY O. OCON

CITY COUNCILOR

HON. SUZETTE G. MAGTAJAS-DABA

CITY COUNCILOR

HON. GEORGE S. GOKING

CITY COUNCILOR

HON. TEODULFO E. LAO, JR.

CITY COUNCILOR

HON. REUBEN R. DABA

CITY COUNCILOR

HON. ENRICO D. SALCEDO

CITY COUNCILOR

HON. LORDAN G. SUAN

CITY COUNCILOR

HON. JOCELYN B. RODRIGUEZ

CITY COUNCILOR

HON. ROMEO V. CALIZO

CITY COUNCILOR

HON. EDGAR S. CABANLAS

CITY COUNCILOR

Ex-Officio Members

HON. YAN LAM S. LIM

CITY COUNCILOR

LIGA NG MGA BARANGAY PRESIDENT

HON. JOHN MICHAEL L. SENO

CITY COUNCILOR

CITY SK FEDERATION PRESIDENT

**AGENDA OF THE 95TH REGULAR SESSION
OF THE 19TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD) OF
CAGAYAN DE ORO, MONDAY, JULY 5, 2021**

Order of Business

- A. CALL TO ORDER BY THE HONORABLE PRESIDING OFFICER,
CITY VICE MAYOR RAINEIR JOAQUIN V. UY**
- B. INVOCATION BY HONORABLE COUNCILOR ENRICO D. SALCEDO**
- C. SINGING OF THE LUPANG HINIRANG**
- D. SINGING OF THE CAGAYAN DE ORO MARCH**
- E. ROLL CALL AND DETERMINATION OF QUORUM BY THE
SANGGUNIANG PANLUNGSOD SECRETARY**
- F. READING, CORRECTIONS, IF ANY; AND APPROVAL OF THE MINUTES
OF THE PREVIOUS REGULAR SESSION ON JUNE 28, 2021
(SEE APPENDIX "A" / Pages 1-19)**
- G. SPECIAL REPORT**
- H. AGENDA PROPER:**
 - 1) PROPOSED RESOLUTION NO. 2021-130** - returning to the Sangguniang Kabataan of Barangay No. 32, this City, (SK), its Resolution No. 2021-01, covering its Annual Budget for CY 2021, with an Estimated Income of ₱415,328.00, with the information that said Ordinance is operative in its entirety.
(SEE APPENDIX "B" / Pages 20-28)

Document/s on file:

- Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated March 18, 2021
- Endorsement of the City Budget Office
- Technical Review Analysis Sheet by the LFC
- Sangguniang Kabataan Expenditure
- Sangguniang Kabataan (SK) Annual Budget Youth Investment Program
- Sangguniang Kabataan Resolution No. 2021-001 of Barangay No. 32
- Resolution No. 006-S-2020 CBYDP
- Sangguniang Kabataan Resolution No. 2021-01
- Barangay Certification

COMMITTEE SPONSOR/S:

- COMMITTEE ON **SPORTS AND YOUTH**
- COMMITTEE ON **LAWS AND RULES**

- COUNCILOR MICHAEL JOHN L. SENO, CHAIRPERSON
- COUNCILOR EDGAR S. CABANLAS, MEMBER
- COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
- COUNCILOR EDGAR S. CABANLAS, MEMBER
- COUNCILOR GEORGE S. GOKING, MEMBER
- COUNCILOR MARIA LOURDES S. GAANE, MEMBER

- 2) **PROPOSED RESOLUTION NO. 2021-131** - returning to the Sangguniang Kabataan of Barangay No. 35, this City, its Resolution No. 03, Series of 2021, covering its Annual Budget for CY 2021, with an Estimated Income of ₱485,241.00, with the information that said Ordinance is operative in its entirety.

(SEE APPENDIX "C" / Pages 29-35)

Document/s on file:

- Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated May 21, 2021
- Endorsement of the City Budget Office
- Technical Review Analysis Sheet by the LFC
- Resolution No. 03 Series of 2021
- Sangguniang Kabataan Resolution No. 003 Series of 2021
- Sangguniang Kabataan (SK) Annual Budget of Barangay No. 35
- CY 2021 Project Procurement Management Plan
- Barangay Certification
- Peace Building and Security, Health, Education, Social Inclusion, Active Citizenship, Environment, Governance and Economic Empowerment

COMMITTEE SPONSOR/S:

- | | | |
|--|---|---|
| ▪ COMMITTEE ON SPORTS AND YOUTH | - | COUNCILOR MICHAEL JOHN L. SENO, CHAIRPERSON |
| | - | COUNCILOR EDGAR S. CABANLAS, MEMBER |
| ▪ COMMITTEE ON LAWS AND RULES | - | COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON |
| | - | COUNCILOR EDGAR S. CABANLAS, MEMBER |
| | - | COUNCILOR GEORGE S. GOKING, MEMBER |
| | - | COUNCILOR MARIA LOURDES S. GAANE, MEMBER |

- 3) **PROPOSED RESOLUTION NO. 2021-132** - accrediting the KM. 8 Indigenous People Developing Livelihood Association, Inc., for purposes of its membership in the local special bodies, pursuant to DILG Memorandum Circular No. 2019-72 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 "D" / Pages 36-44)

Document/s on file:

- | | |
|---|-------------------------------------|
| ▪ Letter of City Planning and Development Office dated June 17, 2021 | ▪ Amendments of By-Laws / Affidavit |
| ▪ Endorsement letter of CPDO dated May 24, 2021 | ▪ Security and exchange Commission |
| ▪ Application Form for Accreditation | ▪ General Information Sheet |
| ▪ Certification of Incorporation issued by Security and Exchange Commission | ▪ List of Officials and Members |
| ▪ Unified Registration Record | ▪ Sworn Statement |
| ▪ Cover Sheet | ▪ Annual Accomplishment Report |
| ▪ Registration Notice | ▪ Pictures |
| ▪ Reservation Payment Confirmation | ▪ Financial Statements |
| ▪ Article of Incorporation | ▪ Treasurer's Certification |
| ▪ Acknowledgement | ▪ Notes to Financial Statements |
| ▪ By-Laws | ▪ Minutes of Meeting |
| | ▪ Personal Data Sheet |

COMMITTEE SPONSOR/S:

- | | | |
|--|---|---|
| ▪ COMMITTEE ON CULTURAL COMMUNITIES | - | COUNCILOR MARIA LOURDES S. GAANE, CHAIRPERSON |
| ▪ COMMITTEE ON LAWS AND RULES | - | COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON |
| | - | COUNCILOR EDGAR S. CABANLAS, MEMBER |
| | - | COUNCILOR GEORGE S. GOKING, MEMBER |
| | - | COUNCILOR MARIA LOURDES S. GAANE, MEMBER |

- 4) **PROPOSED ORDINANCE NO. 2021-112** – authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Lease Contract (Renewal) with Ms. Pilar N. Sia, covering the latter's three (3)- door commercial building occupied by the City Commission on Election (COMELEC) Office, located at Cruz Taal-Burgos Streets, this City, for the period January 1, 2021 to December 31, 2021, under the terms and conditions specified therein.

(SEE APPENDIX "E" / Pages 45-53)

Document/s on file:

- Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated June 3, 2021
- Letter of the City Mayor Oscar S. Moreno dated May 31, 2021
- Letter of Atty. Jose B. Sabanal, City Legal Officer dated May 31, 2021
- Letter of Atty. Ramil P. Acol, REB, REA, City Election Officer IV dated April 5, 2021
- Lease of Contract CY2020

COMMITTEE SPONSOR/S:

- | | | |
|---|---|---|
| ▪ COMMITTEE ON FINANCE, BUDGET AND APPROPRIATION | - | COUNCILOR EDNA M. DAHINO, CHAIRPERSON |
| | - | COUNCILOR EDGAR S. CABANLAS, MEMBER |
| | - | COUNCILOR GEORGE S. GOKING, MEMBER |
| ▪ COMMITTEE ON LAWS AND RULES | - | COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON |
| | - | COUNCILOR EDGAR S. CABANLAS, MEMBER |
| | - | COUNCILOR GEORGE S. GOKING, MEMBER |
| | - | COUNCILOR MARIA LOURDES S. GAANE, MEMBER |

- 5) **PROPOSED ORDINANCE NO. 2021-113** – authorizing the Honorable City Mayor Oscar S. Moreno, representing the City Government of Cagayan de Oro, to enter into and sign the Memorandum of Agreement (MOA) with the Department of Agriculture, Regional Field Office No. 10, represented by Regional Executive Director Lealyn A. Ramos, covering the grant of one (1) unit corn mill, under the terms and conditions stipulated therein.

(SEE APPENDIX "F" / Pages 54-64)

Document/s on file:

- Endorsement of the City Vice Mayor Hon. Rainer Joaquin V. Uy dated June 17, 2021
- Letter of the City Mayor Oscar S. Moreno dated April 23, 2021
- Letter of Atty. Jose B. Sabanal, City Legal Officer dated April 14, 2021
- Endorsement from City Agriculture dated April 23, 2021
- Draft Memorandum of Agreement
- Acknowledgement
- List of Recipients submitted

COMMITTEE SPONSOR/S:

- | | | |
|--------------------------------------|---|--|
| ▪ COMMITTEE ON AGRICULTURE | - | COUNCILOR JAY R. PASCUAL, CHAIRPERSON |
| | - | COUNCILOR IAN MARK Q. NACAYA, VICE CHAIRPERSON |
| | - | COUNCILOR EDNA M. DAHINO, MEMBER |
| ▪ COMMITTEE ON LAWS AND RULES | - | COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON |
| | - | COUNCILOR EDGAR S. CABANLAS, MEMBER |
| | - | COUNCILOR GEORGE S. GOKING, MEMBER |
| | - | COUNCILOR MARIA LOURDES S. GAANE, MEMBER |

- 6) **PROPOSED ORDINANCE NO. 2021-114** – reclassifying the land use, from "**Agriculture**" to "**Special Use/Memorial Park**", of a parcel of land particularly Lot No. 19820, Case 1, Cad-369-D, covering an area of 35,205 square meters, located in Barangay Puerto, this City, as applied for by the Golden Haven

Memorial Park, Inc., represented by its Product Development Supervisor, Engr. Teresita Mae P. Limbaga.

(SEE APPENDIX "G" / Pages 65-100)

Document/s on file:

- Endorsement of the City Vice Mayor Hon. Rainer Joaquin V. Uy dated March 16, 2021
- Letter of Engr. Teresita Mae P. Limbaga
- (3 Folders) Application for Reclassification of Lot 19820-Case 1, Cad-369-D
- Letter of William D. DAR, Dept. of Agriculture
- Google Earth Map
- Original Certificate of Title
- Declaration of Real Property
- Zoning Certification issued by CPDO
- Technical Description of DENR
- Certification issued by Barangay Agrarian Reform Committee
- Barangay Resolution No. 13, Series of 2021 of Barangay Puerto
- Certificate of Non-Irrigation Coverage issued by National Irrigation Administration
- Letter of Lucia Evelyn C. Pimentel, Department of Agrarian Reform
- White Print Map
- Administrative Order No. 01 of DAR
- Certification issued by Department of Agrarian Reform
- Certification issued by Department of Environment & Natural Resources Reg.10
- Notice of Land Use Conversion Application of Department of Agrarian Reform
- Certificate of Non-Coverage issued by Department of Agrarian Reform
- Field Verification Report of National Irrigation Administration

COMMITTEE SPONSOR/S:

- | | | |
|---|---|---|
| ▪ COMMITTEE ON SUBDIVISION AND LANDED ESTATE | - | COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON |
| | - | COUNCILOR ENRICO D. SALCEDO, VICE CHAIRPERSON |
| | - | COUNCILOR EDNA M DAHINO, MEMBER |
| ▪ COMMITTEE ON LAWS AND RULES | - | COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON |
| | - | COUNCILOR EDGAR S. CABANLAS, MEMBER |
| | - | COUNCILOR GEORGE S. GOKING, MEMBER |
| | - | COUNCILOR MARIA LOURDES S. GAANE, MEMBER |

FOR INCLUSION:

7) PROPOSED ORDINANCE NO. 2021-115 – authorizing the Honorable City Mayor Oscar S. Moreno, representing the City Government of Cagayan de Oro, to enter into and sign the Memorandum of Agreement (MOA) with the

- a) Department of Human Settlements and Urban Development (DHSUD), represented by its Secretary Honorable Eduardo Drueco Del Rosario;
- b) Muslim Christian Women Homeowners' Association, represented by its President, Omairah A. Mardan; and
- c) Cebu Landmasters, Inc., represented by its Chief Executive Officer, Jose R. Soberano III,

covering the collaboration of the parties for the development of the Muslim Christian Socialized Housing Project, located in Barangay Lumbia, this City, and its accreditation under the DHSUD's participation for Community Mortgage Program (CMP), under the terms and conditions stipulated therein.

(SEE APPENDIX "H" / Pages 101-115)

Note: Certified urgent by City Mayor Oscar S. Moreno

Document/s on file:

- Letter of City Mayor Oscar S. Moreno dated June 23, 2021 with marginal signature of the City Vice Mayor Rainer Joaquin V. Uy

- Letter-opinion of Atty. Jose B. Sabanal, City Legal Officer dated June 29, 2021
- City Ordinance No. 12877-2014
- Draft Memorandum of Agreement

8) PROPOSED ORDINANCE NO. 2021-116 – authorizing the Honorable City Mayor Oscar S. Moreno, representing the City Government of Cagayan de Oro, to enter into and sign the Memorandum of Agreement (MOA) with the

- a) Department of Human Settlements and Urban Development (DHSUD), represented by Secretary Eduardo Drueco Del Rosario;
- b) Highland Ville Homeowners' Association, Inc., represented by its President, Normah Z. Adecer;
- c) Cebu Landmasters, Inc., represented by its Chief Executive Officer, Jose R. Soberano III; and
- d) Fino Land, Inc., represented by its General Manager, Mr. Voltaire Antonio M. Flores,

covering the collaboration of the parties for the development of the Muslim Christian Socialized Housing Project, located in Barangay Lumbia, this City, and its accreditation under the DHSUD's participation for Community Mortgage Program (CMP), under the terms and conditions stipulated therein.

(SEE APPENDIX "I" / Pages 116-131)

Note: Certified urgent by City Mayor Oscar S. Moreno

Document/s on file:

- Letter of City Mayor Oscar S. Moreno dated June 23, 2021 with marginal signature of the City Vice
- Mayor Raineir Joaquin V. Uy
- Letter-opinion of Atty. Jose B. Sabanal, City Legal Officer dated July 01, 2021
- City Ordinance No. 12778-2014
- Draft Memorandum of Agreement

**MINUTES OF THE 94TH REGULAR SESSION OF THE 19TH CITY COUNCIL
(SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO ON
MONDAY JUNE 28, 2021**

City Vice Mayor **RAINEIR JOAQUIN V. UY**, Presiding Officer, called the session to order at exactly 2:56 P.M.

The members present were the following:

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

First District:

- City Councilor **EDNA M. DAHINO**, PRESIDING OFFICER PROTEMPORE

- City Councilor **ROGER G. ABADAY**

- City Councilor **JAY R. PASCUAL**

- City Councilor **GEORGE S. GOKING**

- City Councilor **ZALDY O. OCON**

- City Councilor **LORDAN G. SUAN**, MINORITY FLOOR LEADER

- City Councilor **REUBEN R. DABA**

- City Councilor **ROMEO V. CALIZO**

Second District:

- City Councilor **JOYLEEN MERCEDES L. BALABA**

- City Councilor **MARIA LOURDES S. GAANE, M.D.**

- City Councilor **IAN MARK Q. NACAYA**, MAJORITY FLOOR LEADER

- City Councilor **SUZETTE G. MAGTAJAS-DABA**

- City Councilor **JOCELYN B. RODRIGUEZ**, ASST. MINORITY FLOOR LEADER

- City Councilor **EDGAR S. CABANLAS**

- City Councilor **ENRICO D. SALCEDO**

Ex-Officio:

- City Councilor **JOHN MICHAEL L. SENO** (*President, City SK Federation*)

On Official Business:

- City Councilor **YAN LAM S. LIM** (*President, Liga ng mga Barangay*)

Absent:

- City Councilor **TEODULFO E. LAO, JR.**, ASST. MAJORITY FLOOR LEADER

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

A. ON MINUTES OF THE 93RD REGULAR SESSION ON JUNE 21, 2021

MOTION NO. 25662-2021

MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE 93RD REGULAR SESSION ON JUNE 21, 2021, AND TO CONSIDER THE FURNISHING OF THE COPY THEREOF TO EACH MEMBER AS THE READING ITSELF

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

MOTION NO. 25663-2021

MOTION TO APPROVE THE MINUTES OF THE 93RD REGULAR SESSION ON JUNE 21, 2021

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

B. ON SPECIAL REPORT

i. Councilor Jocelyn B. Rodriguez proposed for a Barangay-Based Vaccination Roll-out by establishing additional vaccination sites in the barangays or clustered barangays to facilitate the vaccination of senior citizens and persons with disabilities who do not have mobile phones or access to the internet to register in vaccination registration portals. Further, she urges the LGU to provide transportation for senior citizens residing in the hinterland barangays in going to and from vaccination sites.

ii. Councilor Joyleen Mercedes L. Balaba reported that 421 beneficiaries of Pantawid Pamilyang Pilipino Program (4Ps) graduate from the program this June. She congratulated the government for the success of the program and for improving the lives of the 421 4Ps beneficiaries.

iii. Councilor Lordan G. Suan reported the incident in Barangay Camaman-an involving the death of an infant during delivery allegedly due to negligence of the barangay health workers and midwife. He urges the Council to investigate the matter to recommend courses of action to avoid the same incident from happening in the future, citing the lack of BHWs and midwives in Baagay Health Centers.

Action Taken: The report was referred to the Committee on Health and Health Insurance and on Women and Family Relations.

iv. Councilor John Michael L. Seno reported about the alleged illegal billboards in the city and urge the City Council to investigate the matter.

Action Taken: Vice Mayor Raineir Joaquin V. Uy ruled to constitute the City Council as Committee-of-the-Whole to conduct inquiry, in aid of legislation, about the report and designated Councilor Romeo V. Calizo and Councilor Enrico D. Salcedo as Chairperson and Vice Chairperson thereof, respectively.

C. ON MINUTES OF THE 94TH REGULAR SESSION ON JUNE 28, 2021**RESOLUTION NO. 13884-2021**

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BARANGAY BALULANG**, THIS CITY, ITS ORDINANCE NO. 2021-01, SERIES OF 2021, COVERING ITS ANNUAL BUDGET FOR CY 2021, WITH AN ESTIMATED INCOME OF ₱36,392,010.00 WITH THE INFORMATION THAT SAID ORDINANCE IS OPERATIVE IN ITS ENTIRETY

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

RESOLUTION NO. 13885-2021

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF **BARANGAY PAGALUNGAN**, THIS CITY, ITS ORDINANCE NO. 001, SERIES OF 2021, COVERING ITS ANNUAL BUDGET FOR CY 2021, WITH AN ESTIMATED INCOME OF ₱5,777,804.00, WITH THE INFORMATION THAT

SAID ORDINANCE IS OPERATIVE IN ITS ENTIRETY

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

RESOLUTION NO. 13886-2021

RESOLUTION RETURNING TO THE **SANGGUNIANG KABATAAN OF BARANGAY NO. 18**, THIS CITY, ITS RESOLUTION NO. 003, SERIES OF 2021, COVERING ITS ANNUAL BUDGET FOR CY 2021, WITH AN ESTIMATED INCOME OF ₱362,252.00, WITH THE INFORMATION THAT SAID ORDINANCE IS OPERATIVE IN ITS ENTIRETY

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

MOTION NO. 25664-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NOS. 13884-2021, 13885-2021 & 13886-2021**

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

RESOLUTION NO. 13887-2021

RESOLUTION URGING ALL SANGGUNIANG BARANGAYS OF CAGAYAN DE ORO TO CREATE THEIR RESPECTIVE REGULAR STANDING COMMITTEE ON ECONOMIC ENTERPRISES, COMMERCE AND TRADE, INCLUDING THE INSTITUTIONALIZATION OF THE BARANGAY BUSINESS CHAMBER (BBC) AND ITS BOARD OF TRUSTEES (BOT) AS PROPOSED BY THE CIVIL SOCIETY ORGANIZATIONS OF CAGAYAN DE ORO CITY THROUGH ITS POSITION PAPER ATTACHED HERETO, IN ORDER TO FACILITATE AND CRYSTALIZE THE COLLECTIVE VIEWS OF THEIR CONSTITUENTS TO RECOVER FROM THE EFFECTS OF THE PANDEMIC, MITIGATE FURTHER ECONOMIC COSTS AND LOSSES, AND BOLSTER ECONOMIC RESILIENCY AS WELL AS TO ENABLE THE BARANGAYS TO FORMULATE APPROPRIATE AND DOABLE POLICIES AND PLANS FOR PROGRAMS, PROJECTS AND ACTIVITIES THAT WILL BENEFIT ITS ECONOMY AND IMPROVE THE QUALITY OF LIFE OF THEIR RESIDENTS

Proponents: City Vice Mayor Raineir Joaquin V. Uy
Councilor Ian Mark Q. Nacaya
Councilor George S. Goking

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

MOTION NO. 25665-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13887-2021**

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

RESOLUTION NO. 13888-2021

RESOLUTION ACCREDITING THE TAGPUANGI FISHERFOLKS ASSOCIATION (TAGFA) FOR

PURPOSES OF ITS MEMBERSHIP IN THE LOCAL SPECIAL BODIES, PURSUANT TO DILG MEMORANDUM CIRCULAR NO. 2019-72 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 Edna M. Dahino, Roger G. Abaday and George S. Goking, UNANIMOUSLY CARRIED.

MOTION NO. 25666-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13888-2021**

Moved by Councilor Ian Mark Q. Nacaya, duly by Councilors Edna M. Dahino, Roger G. Abaday and George S. Goking, UNANIMOUSLY CARRIED.

RESOLUTION NO. 13889-2021

RESOLUTION EARNESTLY REQUESTING CONCERNED ESTABLISHMENTS AND INSTITUTIONS IN CAGAYAN DE ORO CITY TO GRANT A MORATORIUM ON THE PAYMENT OF BILLS OF UTILITIES, TELECOMMUNICATIONS, RENTALS AND LOAN AMORTIZATIONS, AS THE CASE MAYBE, DUE TO THE ADVERSE EFFECT RESULTING FROM THE IMPOSITION OF MODIFIED ENHANCED COMMUNITY QUARANTINE (MECQ) STATUS IN THE CITY

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

RESOLUTION NO. 13890-2021

RESOLUTION EARNESTLY REQUESTING ALL COMMERCIAL BANKS IN CAGAYAN DE ORO CITY TO CONTINUE WITH THEIR NORMAL BANKING HOURS AND WEEKEND BANKING EVEN THOUGH THE CITY IS UNDER MODIFIED ENHANCED COMMUNITY QUARANTINE (MECQ)

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

RESOLUTION NO. 13891-2021

RESOLUTION EARNESTLY REQUESTING THE DEPARTMENT OF HEALTH (DOH) TO DECLARE AND CATEGORIZE BANK EMPLOYEES AS FRONTLINE ESSENTIAL WORKERS OR TO PRIORITIZE THEM FOR VACCINE DOSES ALONGSIDE WORKERS IN SECTORS CONSIDERED ESSENTIAL, SO AS NOT TO HAMPER FINANCIAL SERVICES IN AREAS PLACED UNDER MODIFIED ENHANCED COMMUNITY QUARANTINE (MECQ)

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

MOTION NO. 25667-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NOS. 13889-2021, 13890-2021 & 13891-2021**

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

RESOLUTION NO. 13892-2021

RESOLUTION EARNESTLY REQUESTING THE CAGAYAN DE ORO FIRE DISTRICT (COFD) TO GRANT A PROVISIONAL FIRE INSPECTION SAFETY CLEARANCE (FISC) TO THE CAGAYAN DE ORO POLYMEDIC GENERAL HOSPITAL LOCATED AT A. VELEZ ST., THIS CITY, TO FACILITATE ITS BUSINESS PERMIT RENEWAL APPLICATION FOR CY 2021, PENDING RESOLUTION OF THE LEGAL ISSUE INVOLVING THE INSTALLATION OF FULLY ENCLOSED RAMPS IN CASES WHERE EMERGENCY ROOMS, OPERATING ROOMS, INTENSIVE CARE UNITS, DELIVERY ROOMS AND SIMILAR SPECIAL FACILITIES ARE LOCATED ABOVE THE FLOOR OF EXIT DISCHARGE

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

MOTION NO. 25668-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13892-2021**

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

ORDINANCE NO. 14112-2021

AN ORDINANCE DELETING THE PARENTHETICAL TITLE "**CITY PERSONNEL OFFICER**" OF THE POSITION "**CITY GOVERNMENT ASSISTANT DEPARTMENT HEAD II** (ITEM NO. 2, SG 24)" IN THE PLANTILLA OF THE HUMAN RESOURCE MANAGEMENT OFFICE, THIS CITY, IN COMPLIANCE WITH THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) LOCAL BUDGET CIRCULAR NO. 2018-4 DATED OCTOBER 16, 2018 AND LOCAL BUDGET CIRCULAR NO. 61, ENTITLED: REVISED INDEX OF OCCUPATIONAL SERVICES, POSITION TITLES AND SALARY GRADES (IOS) IN THE LOCAL GOVERNMENT", DATED MARCH 18, 1996

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

MOTION NO. 25669-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NOS. 14112-2021**

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

ORDINANCE NO. 14113-2021

AN ORDINANCE LEVYING A FIXED ONE-TIME CHARGE FOR THE ACCUMULATED LIABILITY REPRESENTING TOWING AND IMPOUNDING FEES OF UNCLAIMED MOTOR VEHICLES IMPOUNDED IN THE PRIOR YEARS AT THE ROADS AND TRAFFIC ADMINISTRATION (RTA) AT THE RATE OF ₱3,000.00 PER UNIT REGARDLESS OF VEHICLE TYPE AND CATEGORY; PROVIDED, THAT THE SAME WILL BE REDEEMED WITHIN 180 DAYS FROM THE EFFECTIVITY OF THIS ORDINANCE, AND FOR OTHER PURPOSES

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Jay R. Pascual and George S. Goking, UNANIMOUSLY APPROVED.

MOTION NO. 25670-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NOS. 14113-2021**

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

ORDINANCE NO. 14114-2021

AN ORDINANCE APPROVING THE ALTERATION OF PLAN OF A PORTION OF GOLD RESIDENCES SUBDIVISION PROJECT, LOCATED IN BARANGAY LUMBIA, THIS CITY, BY CHANGING THE CLASSIFICATION OF THE HEREIN SPECIFIED 65 LOTS/UNITS FROM BP 220 TO PD 957, AND THE DELINEATION OF BLOCK 12 FROM "SLOPE PROTECTION AREA/RESERVE AREA" TO "OPEN SPACE", AS APPLIED FOR BY THE LIBERTY LAND CORPORATION, REPRESENTED BY MS. ROSABELLE B. VILLANUEVA; SUBJECT TO THE CONDITIONS IMPOSED BY THE CITY ENGINEERING OFFICE AND THE CITY HOUSING AND URBAN DEVELOPMENT DEPARTMENT, CITY HOUSING BOARD; AMENDING FOR THE PURPOSE ORDINANCE NO. 13936-2020

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

MOTION NO. 25671-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 14114-2021**

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

ORDINANCE NO. 14115-2021

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO, REPRESENTING THE CITY GOVERNMENT OF CAGAYAN DE ORO, TO FILE THE APPLICATION FOR THE ISSUANCE OF SPECIAL PATENTS WITH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR)-REGIONAL FIELD OFFICE NO. 10, COVERING THE HEREIN PROPERTIES OF THE CITY GOVERNMENT OF CAGAYAN DE ORO, IDENTIFIED AS D.V. SORIA PARK, TO WIT:

- A) LOT NO. 166, CAD 237 (AMPHITHEATER), WITH AN AREA OF 1,258 SQ.M.
- B) LOT NO. 167 CAD 237 (GOLDEN FRIENDSHIP PARK), WITH AN AREA OF 1,043 SQ.M.
- C) LOT NO. 408 CAD 237 (EL PUEBLO), WITH AN AREA OF 1,588 SQ.M.
- D) LOT NO. 409 CAD 237(KIOSKO KAGAWASAN), WITH AN AREA OF 1,313 SQ.M.LOT NO. 410 CAD 237(DR. J. RIZAL MONUMENT), WITH AN AREA OF 961 SQ

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Jay R. Pascual, and George S. Goking, UNANIMOUSLY APPROVED.

ORDINANCE NO. 14116-2021

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO, REPRESENTING THE CITY GOVERNMENT OF CAGAYAN DE ORO, TO FILE THE APPLICATION

FOR LAND REGISTRATION BEFORE THE REGIONAL TRIAL COURT OF MISAMIS ORIENTAL, 10TH JUDICIAL REGION, CAGAYAN DE ORO CITY, FOR THE ISSUANCE OF THE FOLLOWING SEPARATE ORDERS:

- A) DIRECTING THE REGISTER OF DEEDS OF CAGAYAN DE ORO TO ISSUE THE CORRESPONDING LAND TITLE ON CADASTRAL LOT NO. 7C-1 CAD 237 (MUSEO DE ORO PROPERTY), COVERED BY DECREE NO. 662110 DATED NOVEMBER 26, 1937, WITH AN AREA OF 93 SQ. M.; AND
- B) DIRECTING THE LAND REGISTRATION AUTHORITY (LRA) TO ISSUE THE CORRESPONDING DECREE COVERING CADASTRAL LOT NO. 3 CAD 237 (TENNIS COURT), WITH AN AREA OF 5,000 SQ.M

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Jay R. Pascual, and George S. Goking, UNANIMOUSLY APPROVED.

MOTION NO. 25672-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 14115-2021 & 14116-2021**

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

ORDINANCE NO. 14117-2021

AN ORDINANCE RECLASSIFYING FROM "**AGRICULTURAL**" TO "**RESIDENTIAL**" THE LAND USE OF LOT NO. 37881, CAD 237 IDENTICAL TO (LOT NO. 18504-E, CSD-10-005057-D), COVERED UNDER TITLE NO. OCT P-6345, CONTAINING AN AREA OF 36,123 SQUARE METERS, MORE OR LESS, PREVIOUSLY OWNED BY THE HEIRS OF JOSEFINA L. PUNG, LOCATED IN BARANGAY SAN SIMON, THIS CITY, FOR SOCIALIZED HOUSING PROJECT OF THE CITY

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

MOTION NO. 25673-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 14117-2021**

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

MOTION NO. 25674-2021

MOTION TO INCLUDE IN TODAY'S REGULAR SESSION, AS ITEM:

- 13) PROPOSED RESOLUTION NO. 2021-127** - expressing the 19th City Council's sorrow for the untimely demise of former Punong Barangay Zosimo G. Yañez of Barangay Baikingon, Cagayan de Oro City; and conveying most profound sympathy and condolences to the bereaved family.

Proponents: Councilor Jay R. Pascual and all members

- 14) PROPOSED ORDINANCE NO. 2021-111**– authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement (MOA) on

Technical Support Partnership and Data Sharing Arrangement, with Action for Economic Reforms (AER), to be represented by its Senior Fellow and Chief of Party for the "Coalescing Organizations Towards Locally Led Actions to Boost Development" (COLLABDev) Project, Jenina Joy Chavez, covering the collaboration of the parties in the implementation of the project in the City, under the terms and conditions stipulated the MOA attached hereto.

Note: Certified urgent by City Mayor Oscar S. Moreno

- 15] PROPOSED RESOLUTION NO. 2021-128** – commending Mr. Josery C. Tagud, stall holder of Stall No. 103 of Bulua Market, this City, for his remarkable honesty of returning an envelope containing ₱8,600.00 cash to its rightful owner.

Proponents: All members

- 16] PROPOSED RESOLUTION NO. 2021-129** – expressing the 19th City Council's sorrow for the untimely demise of Mr. Joel Jay Rosalejos Bonjoc, former SK Kagawad and employee of the City Economic Enterprise Department (CEED), this City; and conveying most profound sympathy and condolences to the bereaved family.

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors John Michael L. Seno and Jay R. Pascual, UNANIMOUSLY CARRIED.

RESOLUTION NO. 13893-2021

RESOLUTION EXPRESSING THE 19TH CITY COUNCIL'S SORROW FOR THE UNTIMELY DEMISE OF FORMER PUNONG BARANGAY ZOSIMO G. YAÑEZ OF BARANGAY BAIKINGON, CAGAYAN DE ORO CITY; AND CONVEYING MOST PROFOUND SYMPATHY AND CONDOLENCES TO THE BEREAVED FAMILY

Proponents: Councilor Jay R. Pascual and all members

Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Jay R. Pascual and George S. Goking, UNANIMOUSLY CARRIED.

MOTION NO. 25675-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13893-2021**

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors John Michael L. Seno, Jay R. Pascual and Edna M. Dahino, UNANIMOUSLY CARRIED.

ORDINANCE NO. 14118-2021

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) ON TECHNICAL SUPPORT PARTNERSHIP AND DATA SHARING ARRANGEMENT, WITH ACTION FOR ECONOMIC REFORMS (AER), TO BE REPRESENTED BY ITS SENIOR FELLOW AND CHIEF OF PARTY FOR THE "COALESCING ORGANIZATIONS TOWARDS LOCALLY LED ACTIONS TO BOOST DEVELOPMENT" (COLLABDEV) PROJECT, JENINA JOY CHAVEZ, COVERING THE COLLABORATION OF THE PARTIES IN THE IMPLEMENTATION OF THE PROJECT IN THE CITY, UNDER THE TERMS AND CONDITIONS STIPULATED THE MOA ATTACHED HERETO

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

MOTION NO. 25676-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 14118-2021**

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

RESOLUTION NO. 13894-2021

RESOLUTION COMMENDING MR. JOSERY C. TAGUD, STALL HOLDER OF STALL NO. 103 OF BULUA MARKET, THIS CITY, FOR HIS REMARKABLE HONESTY OF RETURNING A LOST ENVELOPE CONTAINING ₱8,600.00 CASH TO ITS RIGHTFUL OWNER

Proponent: All members

Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Edna M. Dahino and Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 25677-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13894-2021**

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors John Michael L. Seno and Edna M. Dahino, UNANIMOUSLY CARRIED.

RESOLUTION NO. 13895-2021

RESOLUTION EXPRESSING THE 19TH CITY COUNCIL'S SORROW FOR THE UNTIMELY DEMISE OF MR. JOEL JAY ROSALEJOS BONJOC, FORMER SK KAGAWAD AND EMPLOYEE OF THE CITY ECONOMIC ENTERPRISE DEPARTMENT (CEED), THIS CITY; AND CONVEYING MOST PROFOUND SYMPATHY AND CONDOLENCES TO THE BEREAVED FAMILY

Proponent: All members

Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Edna M. Dahino and Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 25678-2021

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13895-2021**

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

MOTION NO. 25679-2021

MOTION TO ADJOURN THE 94TH REGULAR SESSION OF THE 19TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO HELD ON JUNE 28, 2021

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

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The session adjourned at 5:19 PM, June 28, 2021.

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. 14112-2021

AN ORDINANCE DELETING THE PARENTHETICAL TITLE "CITY PERSONNEL OFFICER" OF THE POSITION "CITY GOVERNMENT ASSISTANT DEPARTMENT HEAD II (ITEM NO. 2, SG 24)" IN THE PLANTILLA OF THE HUMAN RESOURCE MANAGEMENT OFFICE, THIS CITY, IN COMPLIANCE WITH THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) LOCAL BUDGET CIRCULAR NO. 2018-4 DATED OCTOBER 16, 2018 AND LOCAL BUDGET CIRCULAR NO. 61, ENTITLED: REVISED INDEX OF OCCUPATIONAL SERVICES, POSITION TITLES AND SALARY GRADES (IOS) IN THE LOCAL GOVERNMENT", DATED MARCH 18, 1996

BE IT ORDAINED by the 19th City Council (*Sangguniang Panlungsod*) in session duly assembled that:

SECTION 1. The the parenthetical title "**City Personnel Officer**" of the position "**City Government Assistant Department Head II** (Item No. 2, SG 24)" in the Plantilla of the Human Resource Management Office, this City, is hereby deleted in compliance with the Department of Budget and Management (DBM) Local Budget Circular No. 2018-4 dated October 16, 2018 and Local Budget Circular No. 61, entitled: *Revised Index of Occupational Services, Position Titles and Salary Grades (IOS) in the Local Government*", dated March 18, 1996.

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

UNANIMOUSLY APPROVED.

<u>Present:</u>	1 st District:	- Councilor Edna M. Dahino	- Councilor Roger G. Abaday
		- Councilor Jay R. Pascual	- Councilor Zaldy O. Ocon
		- Councilor George S. Goking	- Councilor Lordan G. Suan
		- Councilor Reuben R. Daba	- Councilor Romeo V. Calizo
	2 nd District:	- Councilor Joyleen Mercedes L. Balaba	- Councilor Maria Lourdes S. Gaane
		- Councilor Suzette G. Magtajas-Daba	- Councilor Jocelyn B. Rodriguez
		- Councilor Ian Mark Q. Nacaya	- Councilor Enrico D. Salcedo
		- Councilor Edgar S. Cabanlas	
	Ex-Officio:	- Councilor John Michael L. Seno	
	On Official Business:	- Councilor Yan Lam S. Lim	
	Absent:	- Councilor Teodulfo E. Lao, Jr.	

ENACTED this 28th day of June 2021 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. 14113-2021

AN ORDINANCE LEVYING A FIXED ONE-TIME CHARGE FOR THE ACCUMULATED LIABILITY REPRESENTING TOWING AND IMPOUNDING FEES OF UNCLAIMED MOTOR VEHICLES IMPOUNDED IN THE PRIOR YEARS AT THE ROADS AND TRAFFIC ADMINISTRATION (RTA) AT THE RATE OF ₱3,000.00 PER UNIT REGARDLESS OF VEHICLE TYPE AND CATEGORY; PROVIDED, THAT THE SAME WILL BE REDEEMED WITHIN 180 DAYS FROM THE EFFECTIVITY OF THIS ORDINANCE, AND FOR OTHER PURPOSES

Whereas, the impounding area of the Roads and Traffic Administration (RTA) is near full capacity due to the hundreds of unclaimed vehicles impounded thereat;

Whereas, owners of these vehicles do not anymore claim their units due to the accumulated impounding fee that they have to pay to redeem the same;

Whereas, under the Traffic Code, the City charges a minimum of ₱100.00 impounding fee per day for stalled or unattended illegally parked vehicles;

Whereas, while the Traffic Code authorizes the public auctioning of impounded vehicles not claimed within 90 days, the City Government has yet to have guidelines for the purpose;

Whereas, in order to immediately decongest its impounding area, the RTA recommended the imposition of a one-time charge for the accumulated liability representing towing and storage fees of unclaimed motor vehicles impounded in the prior years at ₱3,000.00 per unit regardless of vehicle type and category;

NOW, THEREFORE:

BE IT ORDAINED by the 19th City Council (*Sangguniang Panlungsod*) in session duly assembled that:

SECTION 1. There is hereby levied a fixed one-time charge for the accumulated liability representing towing and impounding fees of unclaimed motor vehicles impounded in the prior years at the Roads and Traffic Administration (RTA) at the rate of ₱3,000.00 per unit regardless of vehicle type and category; *Provided*, That the same will be redeemed within 180 days from the effectivity of this Ordinance.

SECTION 2. The pertinent provisions of Ordinance No. 10551-2007, otherwise known as the Traffic Code of Cagayan de Oro City, shall apply in a suppletory manner hereof.

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

UNANIMOUSLY APPROVED.

<u>Present:</u>	1 st District:	- Councilor Edna M. Dahino	- Councilor Roger G. Abaday
		- Councilor Jay R. Pascual	- Councilor Zaldy O. Ocon
		- Councilor George S. Goking	- Councilor Lordan G. Suan
		- Councilor Reuben R. Daba	- Councilor Romeo V. Calizo
2 nd District:	- Councilor Joyleen Mercedes L. Balaba	- Councilor Maria Lourdes S. Gaane	
	- Councilor Suzette G. Magtajas-Daba	- Councilor Jocelyn B. Rodriguez	
	- Councilor Ian Mark Q. Nacaya	- Councilor Enrico D. Salcedo	
	- Councilor Edgar S. Cabanlas		
Ex-Officio:	- Councilor John Michael L. Seno		
On Official Business:	- Councilor Yan Lam S. Lim		
Absent:	- Councilor Teodulfo E. Lao, Jr.		

ENACTED this 28th day of June 2021 in the City of Cagayan de Oro.



**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. 14113-2021

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



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PAGE 2 OF 2 OF ORDINANCE NO. 14114-2021

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



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ORDINANCE NO. 14115-2021

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO, REPRESENTING THE CITY GOVERNMENT OF CAGAYAN DE ORO, TO FILE THE APPLICATION FOR THE ISSUANCE OF SPECIAL PATENTS WITH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR)-REGIONAL FIELD OFFICE NO. 10, COVERING THE HEREIN SPECIFIED PROPERTIES OF THE CITY GOVERNMENT OF CAGAYAN DE ORO IDENTIFIED AS D.V. SORIA PARK

BE IT ORDAINED by the 19th City Council (*Sangguniang Panlungsod*) in session duly assembled that:

SECTION 1. The Honorable City Mayor Oscar S. Moreno, representing the City Government of Cagayan de Oro, is hereby authorized to file the application for the issuance of Special Patents with the Department of Environment and Natural Resources (DENR)-Regional Field Office No. 10, covering the herein properties of the City Government of Cagayan de Oro, identified as D.V. Soria Park, to wit:

- a) Lot No. 166, Cad 237 (Amphitheater), with an area of 1,258 sq.m.
- b) Lot No. 167 Cad 237 (Golden Friendship Park), with an area of 1,043 sq.m.
- c) Lot No. 408 Cad 237 (El Pueblo), with an area of 1,588 sq.m.
- d) Lot No. 409 CAD 237(Kiosko Kagawasan), with an area of 1,313 sq.m.
- e) Lot No. 410 CAD 237(Dr. J. Rizal Monument), with an area of 961 sq.m.

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

UNANIMOUSLY APPROVED.

<u>Present:</u>	<u>1st District:</u>	- Councilor Edna M. Dahino	- Councilor Roger G. Abaday
		- Councilor Jay R. Pascual	- Councilor Zaldy O. Ocon
		- Councilor George S. Goking	- Councilor Lordan G. Suan
		- Councilor Reuben R. Daba	- Councilor Romeo V. Calizo
	<u>2nd District:</u>	- Councilor Joyleen Mercedes L. Balaba	- Councilor Maria Lourdes S. Gaane
		- Councilor Suzette G. Magtajas-Daba	- Councilor Jocelyn B. Rodriguez
		- Councilor Ian Mark Q. Nacaya	- Councilor Enrico D. Salcedo
		- Councilor Edgar S. Cabanlas	
	<u>Ex-Officio:</u>	- Councilor John Michael L. Seno	
<u>On Official Business:</u>		- Councilor Yan Lam S. Lim	
<u>Absent:</u>		- Councilor Teodulfo E. Lao, Jr.	

ENACTED this 28th day of June 2021 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. 14116-2021

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO, REPRESENTING THE CITY GOVERNMENT OF CAGAYAN DE ORO, TO FILE THE APPLICATION FOR LAND REGISTRATION BEFORE THE REGIONAL TRIAL COURT OF MISAMIS ORIENTAL, 10TH JUDICIAL REGION, CAGAYAN DE ORO CITY, FOR THE ISSUANCE OF THE HEREIN SPECIFIED SEPARATE ORDERS

BE IT ORDAINED by the 19th City Council (*Sangguniang Panlungsod*) in session duly assembled that:

SECTION 1. The Honorable City Mayor Oscar S. Moreno, representing the City Government of Cagayan de Oro, is hereby authorized to file the application for land registration before the Regional Trial Court of Misamis Oriental, 10th Judicial Region, Cagayan de Oro City, for the issuance of the following separate orders:

- a) Directing the Register of Deeds of Cagayan de Oro to issue the corresponding land title on Cadastral Lot No. 7C-1 Cad 237 (Museo de Oro Property), covered by Decree No. 662110 dated November 26, 1937, with an area of 93 sq. m.; and
- b) Directing the Land Registration Authority (LRA) to issue the corresponding decree covering Cadastral Lot No. 3 Cad 237 (Tennis Court), with an area of 5,000 sq.m.

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

UNANIMOUSLY APPROVED.

<u>Present:</u>	1 st District:	- Councilor Edna M. Dahino	- Councilor Roger G. Abaday
		- Councilor Jay R. Pascual	- Councilor Zaldy O. Ocon
		- Councilor George S. Goking	- Councilor Lordan G. Suan
		- Councilor Reuben R. Daba	- Councilor Romeo V. Calizo
		2 nd District:	- Councilor Joyleen Mercedes L. Balaba
- Councilor Suzette G. Magtajas-Daba	- Councilor Jocelyn B. Rodriguez		
- Councilor Ian Mark Q. Nacaya	- Councilor Enrico D. Salcedo		
- Councilor Edgar S. Cabanlas			
- Councilor John Michael L. Seno			
<u>On Official Business:</u>		- Councilor Yan Lam S. Lim	
<u>Absent:</u>		- Councilor Teodulfo E. Lao, Jr.	

ENACTED this 28th day of June 2021 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. 14117-2021

AN ORDINANCE RECLASSIFYING FROM "AGRICULTURAL" TO "RESIDENTIAL" THE LAND USE OF LOT NO. 37881, CAD 237 IDENTICAL TO (LOT NO. 18504-E, CSD-10-005057-D), COVERED UNDER TITLE NO. OCT P-6345, CONTAINING AN AREA OF 36,123 SQUARE METERS, MORE OR LESS, PREVIOUSLY OWNED BY THE HEIRS OF JOSEFINA L. PUNG, LOCATED IN BARANGAY SAN SIMON, THIS CITY, FOR SOCIALIZED HOUSING PROJECT OF THE CITY

BE IT ORDAINED by the 19th City Council (*Sangguniang Panlungsod*) in session duly assembled that:

SECTION 1. The land use of Lot No. 37881, Cad 237 identical to (Lot No. 18504-E, Csd-10-005057-D), covered under Title No. OCT P-6345, containing an area of 36,123 square meters, more or less, previously owned by the Heirs of Josefina L. Pung, located in Barangay San Simon, this City, is hereby reclassified from "**Agricultural**" to "**Residential**", for socialized housing project of the City.

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

UNANIMOUSLY APPROVED.

<u>Present:</u>	1 st District:	- Councilor Edna M. Dahino - Councilor Jay R. Pascual - Councilor George S. Goking - Councilor Reuben R. Daba	- Councilor Roger G. Abaday - Councilor Zaldy O. Ocon - Councilor Lordan G. Suan - Councilor Romeo V. Calizo
	2 nd District:	- Councilor Joyleen Mercedes L. Balaba - Councilor Suzette G. Magtajas-Daba - Councilor Ian Mark Q. Nacaya - Councilor Edgar S. Cabanlas	- Councilor Maria Lourdes S. Gaane - Councilor Jocelyn B. Rodriguez - Councilor Enrico D. Salcedo
	Ex-Officio:	- Councilor John Michael L. Seno	
	<u>On Official Business:</u>	- Councilor Yan Lam S. Lim	
	<u>Absent:</u>	- Councilor Teodulfo E. Lao, Jr.	

ENACTED this 28th day of June 2021 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



**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



ORDINANCE NO. 14118-2021

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) ON TECHNICAL SUPPORT PARTNERSHIP AND DATA SHARING ARRANGEMENT, WITH ACTION FOR ECONOMIC REFORMS (AER), TO BE REPRESENTED BY ITS SENIOR FELLOW AND CHIEF OF PARTY FOR THE "COALESCING ORGANIZATIONS TOWARDS LOCALLY LED ACTIONS TO BOOST DEVELOPMENT" (COLLABDEV) PROJECT, JENINA JOY CHAVEZ, COVERING THE COLLABORATION OF THE PARTIES IN THE IMPLEMENTATION OF THE PROJECT IN THE CITY, UNDER THE TERMS AND CONDITIONS STIPULATED THE MOA ATTACHED HERETO

BE IT ORDAINED by the 19th City Council (*Sangguniang Panlungsod*) 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) on Technical Support Partnership and Data Sharing Arrangement, with Action for Economic Reforms (AER), to be represented by its Senior Fellow and Chief of Party for the "Coalescing Organizations Towards Locally Led Actions to Boost Development" (COLLABDev) Project, Jenina Joy Chavez, covering the collaboration of the parties in the implementation of the project in the City, under the terms and conditions stipulated the MOA attached hereto.

SECTION 2. The aforesated Memorandum of Agreement (MOA) consisting of twelve (12) pages on file with 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>	1 st District:	- Councilor Edna M. Dahino	- Councilor Roger G. Abaday
		- Councilor Jay R. Pascual	- Councilor Zaldy O. Ocon
		- Councilor George S. Goking	- Councilor Lordan G. Suan
		- Councilor Reuben R. Daba	- Councilor Romeo V. Calizo
		2 nd District:	- Councilor Joyleen Mercedes L. Balaba
- Councilor Suzette G. Magtajas-Daba	- Councilor Jocelyn B. Rodriguez		
- Councilor Ian Mark Q. Nacaya	- Councilor Enrico D. Salcedo		
- Councilor Edgar S. Cabanlas			
- Councilor John Michael L. Seno			
<u>On Official Business:</u>		- Councilor Yan Lam S. Lim	
<u>Absent:</u>		- Councilor Teodulfo E. Lao, Jr.	

ENACTED this 28th day of June 2021 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:

From :

Received by:

Date:

SUBJECT MATTER: Proposed Resolution returning to the Sangguniang Kabataan of Barangay No. 32, this City, (SK), its Resolution No. 2021-01, covering its Annual Budget for CY 2021, with an Estimated Income of P 415,328.00, with the information that said Ordinance is operative in its entirety.

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: July

SP

HON. IAN MARK Q. NACAYA, *Chairman*

HON. TEODULFO E. LAO, *Vice Chairman*

HON. EDGAR S. CABANLAS, *Member*

HON. GEORGE S. GOKING, *Member*

HON. MARIA LOURDES S. GAANE, *Member*

DISSENTING

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

Comm. No: 282-2021
From: CBO

Received by: MERCY
Date: MARCH 16, 2021

SUBJECT MATTER: SK ANNUAL BUDGET FOR CY 2021 OF BARANGAY 32, CDO.

Respectfully referred to the **Committee on SPORTS AND YOUTH DEVELOPMENT**
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 Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: *June 23, 2021*

Recommending approval
HON. JOHN MICHAEL L. SENO
Chairman

HON. JAY R. PASCUAL
Member

HON. YAN LAM LIM
Vice Chairman

HON. EDGAR S. CABANLAS
Member

HON. ROGER G. ABADAY
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

HON. LORDAN G. SUAN
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



**cagayan
de Oro**
City of Golden Friendship

2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 1,
Cagayan de Oro City

DATE: 3/16/21-71

FROM: CBO

SUBJECT MATTER: SK ANNUAL BUDGET FOR CY 2021 OF BARANGAY 32,
THIS CITY.

ACTION: REFER TO COMMITTEE ON YOUTH DEVELOPMENT.


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 BUDGET OFFICE

cagayan
de Oro
city of golden friendship

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

Date Received: MAR 16 2021 Time: 9:45

By: [Signature] Comm. No. _____

ACTION TAKEN

[Signature] to Carlo - Youth Dev't

Date _____ **ARTURO S. DE SAN MIGUEL**
City Secretary
Remarks [Signature] ✓

The Honorable Members
Sangguniang Panglungsod
Cagayan de Oro City

Ladies and Gentlemen:

Respectfully forwarding the herein SK Annual Budget CY 2021 of Barangay 32 with an Estimated Income P 415,328.00 as against Expenditures of same amount.

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

Thank you.

Very truly yours,

[Signature]
ATTY. PERCY G. SALAZAR
City Budget Officer
9

TECHNICAL REVIEW ANALYSIS SHEET
Sangguniang Kabataan
LGU: Barangay 32
 CY 2021 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 10% SK Fund Less: Total Appropriations Unappropriated Balance	P 415,328.00 415,328.00 P <u> -</u>	Total appropriations did not exceed total income.	For Approval.
4. Reserved For: A. Sangguniang Kabataan (Sec. 329 LGC) Maint. & Other Oprtg. Expenditures Capital Outlay: Equipment Infrastructure Projects Others Non-Office/Special Project	- 415,328.00 - - - -	Appropriations for the Sangguniang Kabataan shall be subject to availability of funds and all accounting and auditing rules & regulations. Compliance to all existing laws, administrative rules and regulations shall be the responsibility of the Barangay.	For Approval.
General Findings/Observations:			

TECHNICAL REVIEW ANALYSIS SHEET
Sangguniang Kabataan
LGU: Barangay 32
CY 2021 Annual Budget General Fund

The budget has substantially complied with all the budgetary requirements and general limitations as embodied under the Local Government Code and Local Budget Memorandum No. 80 dated May 18, 2020. Recommending favorable action thereon.

for: cyprian
ATTY. PERCY G. SALAZAR
City Budget Officer
mg 9

LOCAL FINANCE COMMITTEE:

J **JASMIN T. MAAGAD**
Acting City Treasurer

61
ATTY. BEDA JOY B. ELOT, CPA
City Accountant

for: cyprian
ATTY. PERCY G. SALAZAR
City Budget Officer
mg 9

ramir
RAMIR M. BALQUIN
Officer - In - Charge
City Planning & Dev't. Coordinator

[Signature]
TEODORO A. SABUGA-A, JR.
Acting City Administrator



OFFICE OF THE SANGGUNIANG KABATAAN

EXCERPTS FROM THE MINUTES OF THE REGULAR MEETING OF THE SANGGUNIANG KABATAAN OF BARANGAY 32, THIS CITY, HELD AT BARANGAY 32 SESSION HALL ON JANUARY 15, 2021.

Present:

SK Chairperson John Michael L. Seno
SK Kagawad Ian Noel E. Salvaña
SK Kagawad Sean Sander B. Kalinawan
SK Kagawad Stephanie Burdas
SK Secretary April Mae Amaba
SK Treasurer Jackelyn Bunsay

Absent: NONE

RESOLUTION NO. 2021-01

Presented for consideration is the SK Annual Budget of Barangay 32 for the period January 1, 2021 to December 31, 2021 in the sum of ₱415,328.00.

NOW THEREFORE, on motion by SK Kagawad Ian Noel E. Salvaña and duly seconded by SK Kagawad Stephanie Burdas, be it;

RESOLVED, as it is hereby resolved, to approve the SK Annual Budget for CY 2021, to wit;

Be it approved by the Sangguniang Kabataan of Barangay 32 the SK Annual Budget covering the period from January 1, 2021 to December 31, 2021 with a total estimated income of ₱415,328.00 as against total appropriation in the amount of ₱415,328.00, summarized as follows:

Available Resources

1.0 Income

10% of the General Fund of the Barangay	<u>₱415,328.00</u>
---	--------------------

2.0 Total Income	<u>₱415,328.00</u>
------------------	--------------------

APPROPRIATIONS:

1.0 CURRENT OPERATING EXPENDITURES

1.1 Maintenance & Other Operating Expenses

Traveling Expenses - Local	P	10,000.00
Training Expenses		10,000.00
Office Supplies Expenses		82,773.00
Other Supplies and Materials Expenses - COVID Response		40,000.00
Donations		3,088.00
Membership Dues and Contributions to Organizations - SK Federation		
Annual Dues		7,002.00
Other Maintenance and Operating Expenses		
Equitable access to quality education		80,000.00
Environmental protection		49,372.00
Youth employment and livelihood - Economic Empowerment		10,000.00
Health and anti-drug abuse - Peace and Security		10,000.00
Gender sensitivity - Social Inclusion and Equity		10,000.00
Sports development - Health		20,000.00
Capability Building - Governance		33,093.00
- Active Citizenship		50,000.00
Total MOOE	P	415,328.00

2.0 CAPITAL OUTLAY

	P	
Total CO	P	

TOTAL BUDGETARY APPROPRIATIONS

P 415,328.00

This Resolution shall take effect on January 1, 2021.

RESOLVED FURTHER, to submit copies of this resolution with approved Budget to the Sangguniang Panlungsod for review.

APPROVED Annual Budget

I hereby certify that the foregoing Resolution No.2021-01, which approved the SK Annual Budget for the period January 1, 2021 to December 31, 2021 of Barangay 32, City of Cagayan de Oro, was duly enacted by the Sangguniang Kabataan in its Regular Meeting held at Barangay 32 Session Hall on January 15, 2021.

Attested:


April Mae Amaba
SK Secretary


John Michael L. Seno
SK Chairperson

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 Sangguniang Kabataan of Barangay No. 35, this City, its Resolution No. 03 Series of 2021 covering its Annual Budget for CY 2021, with an Estimated Income of P485,241.00, with the information that said Ordinance is operative in its entirety.

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: July 1, 2021

For inclusion

HON. IAN MARK Q. NACAYA, Chairman

HON. TEODULFO E. LAO, Vice Chairman

HON. EDGAR S. CABANLAS, Member

HON. GEORGE S. GOKING, Member

HON. MARIA LOURDES S. GAANE, Member

DISSENTING

City of Cagayan de Oro
OFFICE OF THE CITY COUNCIL

Comm. No: 424-2021
From: CBO

Received by: MERCY
Date: MAY 11, 2021

SUBJECT MATTER: ANNUAL BUDGET FOR CY 2021 OF THE SANGGUNIANG KABATAAN OF BARANGAY NO. 35, THIS CITY.

Respectfully referred to the **Committee on SPORTS AND YOUTH DEVELOPMENT** 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 Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: June 23, 2021

HON. JOHN MICHAEL L. SENO
Chairman

HON. JAY R. PASCUAL
Member

HON. YAN LAM LIM
Vice Chairman

HON. EDGAR S. CABANLAS
Member

HON. ROGER G. ABADAY
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

HON. LORDAN G. SUAN
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



cagayan
de Oro

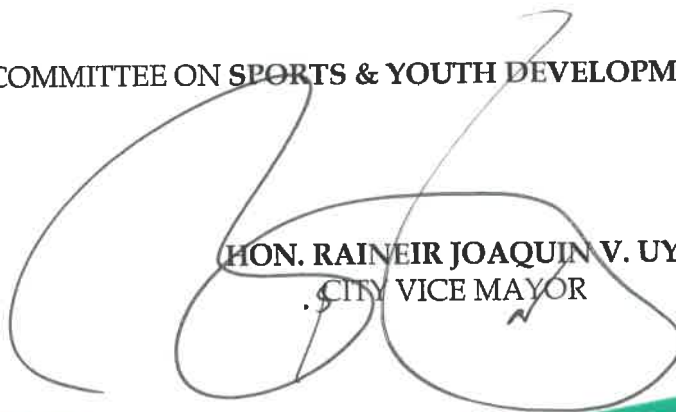
2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 1,
Cagayan de Oro City

DATE: 5 MAY 21 2021

FROM: CBO

SUBJECT MATTER: ANNUAL BUDGET FOR CY 2021 OF THE SANGGUNIANG
KABATAAN OF BARANGAY 35, THIS CITY.

ACTION: REFER TO COMMITTEE ON SPORTS & YOUTH DEVELOPMENT.


HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

TECHNICAL REVIEW ANALYSIS SHEET
Sangguniang Kabataan
LGU: Barangay 35
CY 2021 Annual Budget General Fund

Approp. Items By Object of Expenditures	A m o u n t	City Budget Office Specific Findings	CBO Recommendation
Let available resources for Appropriation 10% SK Fund ess: Total Appropriations Inappropriated Balance	P 485,241.00 485,241.00 P -	Total appropriations did not exceed total income.	For Approval.
Reserved For: u. Sangguniang Kabataan (Sec. 329 LGC) Maint. & Other Oprtg. Expenditures Capital Outlay: Equipment Infrastructure Projects Others Non-Office/Special Project	- 348,241.00 92,000.00 - 45,000.00 -	Appropriations for the Sangguniang Kabataan shall be subject to availability of funds and all accounting and auditing rules & regulations. Compliance to all existing laws, administrative rules and regulations shall be the responsibility of the Barangay.	For Approval.
General Findings/Observations:			

TECHNICAL REVIEW ANALYSIS SHEET
Sangguniang Kabataan
LGU: Barangay 35
CY 2021 Annual Budget General Fund

The budget has substantially complied with all the budgetary requirements and general limitations as embodied under the Local Government Code and Local Budget Memorandum No. 80 dated May 18, 2020. Recommending favorable action thereon.

for: [Signature]
ATTY. PERCY G. SALAZAR
[Signature] City Budget Officer

LOCAL FINANCE COMMITTEE:

[Signature]
JASMIN T. MAAGAD
Acting City Treasurer

[Signature]
ATTY. BEDA JOY B. ELOT, CPA
City Accountant

for: [Signature]
ATTY. PERCY G. SALAZAR
[Signature] City Budget Officer

[Signature]
RAMIR M. BALQUIN
Officer - In - Charge
City Planning & Dev't. Coordinator

[Signature]
TEODORO A. SABUSA-A, JR.
Acting City Administrator

Republic of the Philippines
City of Cagayan de Oro
Barangay 35

OFFICE OF THE SANGGUNIANG KABATAAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG KABATAAN OF BARANGAY 35, THIS CITY, HELD AT MULTI-PURPOSE HALL ON FEBRUARY 14, 2021.

Present:

SK Chairperson	<u>ROEL A. MANGHARAL</u>	SK Kagawad	<u>MELANIE F. JALALON</u>
SK Kagawad	<u>KIMBERLY L. ATIENZA</u>	SK Kagawad	<u>LEAREFAYE A. YAMIT</u>
SK Kagawad	<u>MARK CLAIRE B. LAMOCO</u>	SK Kagawad	<u>APPLEMAE C. QUIJADA</u>
SK Kagawad	<u>CATHY O. JAUDIAN</u>		

Absent: SANTE F. OTERO JR.

**RESOLUTION NO. 03
SERIES OF 2021**

Presented for consideration is the Annual Budget of Barangay 35 Sangguniang Kabataan for the period January 1, 2021 to December 31, 2021 in the sum of **P 485,241.00**.

NOW THEREFORE, on motion by SK Kagawad Kimberly L. Atienza and duly seconded by majority of the body, be it;

RESOLVED, as it is hereby resolved, to approve the following resources and appropriations;

Be it approved by the Sangguniang Kabataan of Barangay 35 the Annual Budget covering the period from January 1, 2021 to December 31, 2021 with a total estimated income of **P 485,241.00** as against total appropriation in the amount of **P 485,241.00**, summarized as follows:

Available Resources

1.0 Income

10% of the General Fund of the Barangay P 485,241.00

2.0 Total Income P **485,241.00**



REVIEWED

PURSUANT TO THE PROVISIONS OF REPUBLIC ACT NO. 7160
BY AUTHORITY OF THE SANGGUNIANG KABATAAN

APPROPRIATIONS:

1.0 CURRENT OPERATING EXPENDITURES

1.1 Maintenance and Other Operating Expenses

Traveling Expenses - Local	P 20,000.00
Training Expenses	20,000.00
Office Supplies Expenses	30,000.00
Other Supplies Expenses-Uniform	15,000.00
Repairs and Maintenance - Office Equipment	20,000.00
Insurance-Re-insurance Premium	7,000.00
Electricity Expenses	27,000.00
Water Expenses	15,000.00
Internet Expenses	30,000.00
Fidelity Bond Premiums	7,300.00
Membership Dues and Contributions to Organizations - SK Federation	
Annual Dues	9,741.00
Other Maintenance and Operating Expenses	
Peace Building & Security	20,000.00
Equitable access to quality education	20,000.00
Environmental protection	30,000.00
Health and anti-drug abuse	20,000.00
Sports development	57,200.00
Total MOOE	P 348,241.00

2.0 CAPITAL OUTLAY

Purchase of Furniture & Fixtures	P 45,000.00
Purchase of 1 Unit Desktop Computer	33,000.00
Purchase of 1 Unit Printer	13,000.00
Purchase of 1 Unit Air Conditioner	46,000.00
Total CO	P 137,000.00

TOTAL BUDGETARY APPROPRIATIONS

P 485,241.00

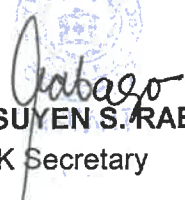
This Resolution shall take effect on January 1, 2021.

RESOLVED FURTHER, to submit copies of this resolution with approved Budget to the Sangguniang Panlungsod for review.

APPROVED FEBRUARY 14, 2021.

I hereby certify that the foregoing Resolution No. 03 series of 2021, which approved the SK Annual Budget for the period January 1, 2021 to December 31, 2021 of Barangay 35, City of Cagayan de Oro, was duly enacted by the Sangguniang Kabataan in its Regular Session held at Multi-Purpose Hall on February 14, 2021.

Attested:


HURRET SUYEN S. RABAGO
SK Secretary


ROEL A. MANGHARAL
SK Chairperson

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 accrediting the KM. 8 Indigenous People Developing Livelihood Association, Inc., for purposes of its membership in the local special bodies, pursuant to DILG Memorandum Circular No. 2019-72 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: July 1, 2021

> *for inclusion*

HON. IAN MARK Q. NACAYA, *Chairman*

HON. TEODULFO E. LAO, *Vice Chairman*

HON. EDGAR S. CABANLAS, *Member*

HON. GEORGE S. GOKING, *Member*

HON. MARIA LOURDES S. GAANE, *Member*

DISSENTING

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

Comm. No: 448-2021
From: CPDO

Received by: MERCY
DATE: MAY 26, 2021

SUBJECT MATTER: APPLICATION FOR ACCREDITATION OF KM. 8 INDIGENOUS PEOPLE DEVELOPING LIVELIHOOD ASSOCIATION, INC.

Respectfully referred to the Committee on CULTURAL COMMUNITIES 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 Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: June 23, 2021 (perusal)

Recommending approval.
HON. MARIA LOURDES GAANE
Chairman

HON. SUZETTE G. MAGTAJAS-DABA
Vice Chairman

HON. JOCELYN B. RODRIGUEZ
Member

HON. IAN MARK Q. NACAYA
Member

HON. REUBEN R. DABA
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

HON. LORDAN G. SUAN
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



cagayan
de oro

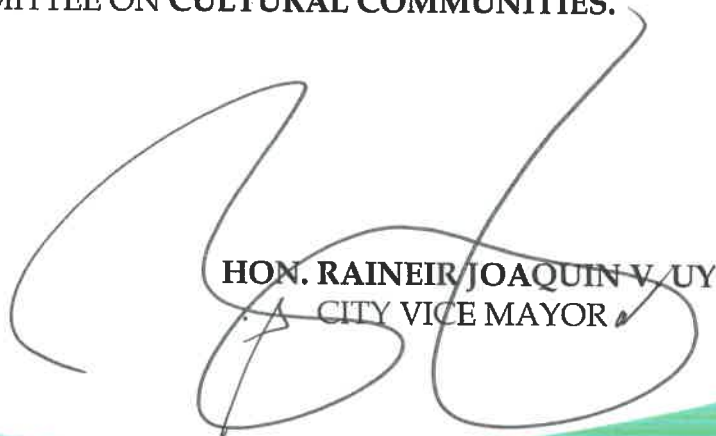
2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 1,
Cagayan de Oro City

DATE: MAY 20, 2021

FROM: CPDO

SUBJECT MATTER: APPLICATION FOR ACCREDITATION OF KM. 8
INDIGENOUS PEOPLE DEVELOPING LIVELIHOOD ASSOCIATION, INC.

ACTION: REFER TO COMMITTEE ON CULTURAL COMMUNITIES.


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 & DEVELOPMENT OFFICE

**cagayan
de Oro**
city of golden friendship

May 24, 2021


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

Dear Mr. San Miguel:

We are forwarding the attached application of **KM. 8 INDIGENOUS PEOPLE DEVELOPING LIVELIHOOD ASSOCIATION, INC.** for accreditation by the City Council. The said applicant has complied with the administrative requirements that would qualify the civil society organization for endorsement to the City Council.

Thank you.

Very truly yours,


RAMIR M. BALQUIN, EnP
Officer-in-charge
City Planning and Development Office

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY COUNCIL
Date Received: 5/26/21 Time: 9:30 AM
By: [Signature] Comm. No. _____
ACTION TAKEN
Refer To City of
Cultural Communities
Date ARTURO S. DE SAN MIGUEL
City Secretary
[Signature]

3rd Floor, South Wing, Administrative and Legislative Building
City Hall Compound, Capistrano-Hayes Street
Cagayan de Oro City, Philippines
www.cagayandeoro.gov.ph
Telephone Number: 857-2264, Email: cpdo.cdeo@gmail.com

MAY 20, 2021

Date

Vice Mayor KIKANG UY
Presiding Officer
Cagayan de Oro City

Dear Vice Mayor KIKANG UY:

In response to your Notice of Call for Accreditation, kindly be informed that KM-8 INDIGENOUS PEOPLE DEVELOPING LIVELIHOOD ASSOCIATION INC., with office address at KM-8 AIRPORT ROAD LIMBIA, CAL. DE ORO CITY, would like to seek for accreditation by this City.

In support of this application are the following administrative requirements:

1. Duly accomplished Application Form for Accreditation;
2. Board Resolution;
3. Certificate of Registration issued by SECURITY EXCHANGE COMMISSION
4. List of Current Officers and Members;
5. Original Sworn Statement stating that the CSO is an independent, non-partisan organization and that it will retain its autonomy while pursuing the advancement of the peoples' interest through its membership in a local special body, after satisfying all the requirements and set criteria, as stated in DILG Memorandum Circular No. 2019-72 dated May 22, 2019, and after securing a Certificate of Accreditation from the concerned Cities;
6. CY 2020 Annual Accomplishment Report;
7. CY 2020 Financial Statement;
8. Profile indicating the purposes and objectives of our organization;
9. Copy of the Minutes of the CY 2018-2021 Meeting of the organization;
10. For CSOs applying to be members of the Local School or Health Board: Photocopy of profiles of at least three (3) individuals in the organization that will verify their involvement in the health or education sector;
11. Duly accomplished nomination form; and
12. Endorsement from the Barangay Captain.

Very truly yours,


ROSEMARIE B. BUHANGIN
(Head of the Organization)

APPLICATION FORM FOR ACCREDITATION

Name of Organization : KM-B INDIGENOUS PEOPLE DEVELOPING LIVELIHOOD ASSN.-INC
 Registered Address : KM-B AIRPORT ROAD LUMBIA, CAGAYAN DE ORO CITY
 Contact Numbers : 09350912487
 Date Organized : SEPTEMBER 9, 2012
 Date Registered : SEPTEMBER 2, 2016

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
- ☐ Department of Education
- ☐ Department of the Interior and Local Government
- ☐ 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 appropriate box)

- ☒ Barangay-based
- ☐ Chapter
- ☐ Affiliate of a larger organization (Please identify larger organization) _____
- ☐ Others: (Please specify) _____

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

THE PURPOSES OF OUR ORGANIZATION IS TO EMPOWER ALL MEMBERS TO ENGAGE IN ANY LIVELIHOOD PROGRAMS THAT WOULD LITTLE BY LITTLE HELP EACH OTHER IN SUPPORTING THE FAMILY NEEDS THAT NO ONE WILL BE EVER DEPENDING ONLY THE HUSBAND SALARY BUT TO EARN INDEPENDENTLY FOR THE FAMILY. OUR OBJECTIVE IS TO SEEK HELP FROM THE LOCAL GOVERNMENT OR ANY AGENCY THAT WOULD LEND AN HAND FOR US TO FIND RESOLUTION ON HOW WE COULD LIVE LEGALLY IN OUR PRESENT ADDRESS SINCE WE'RE NOT HAVING ANY LEGAL DOCUMENTS THAT WOULD MAKE US STAY LEGALLY IN THIS AREA. WE ARE HOPEFULLY PRAYING THAT THE CITY COUNCIL COULD HELP US NEGOTIATE THE LAND OWNER TO LET US RAY ONLY THE AREA WHERE OUR HOUSE ONE BUILD SINCE MOST OF OUR RESIDENTS AS A LOW EARNER WORKER. WE ARE HOPING THAT AN ON SITE RELOCATION MIGHT BE THE BEST WAY FOR US AND IS THE ONLY COST WE COULD AFFORD. MAY GOD GRANT US THESE WISH.

GOD BLESS YOU AND THE COUNCIL!

CY	Projects	Costs	Beneficiaries	Status

Project Financing (Sources or Schemes)

Services the Organization provides or can participate in

FEEDING PROGRAM
COMMUNAL GARDENING
MONTHLY PAKINA EVERY 2ND & LAST SUNDAY OF THE MONTH AND ALL
BARANGAY ACTIVITIES.

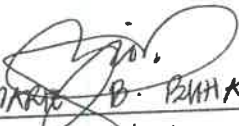
Depending on your organization's technical area of expertise and scope of activity, which local special body are you most capable to be a member of?


- ☐ Local Development Council
- ☐ Local School Board
- ☐ Local Health Board
- ☐ Local Peace and Order Council

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.


ROSEMARIE B. BUHANAGIN
President


Cherry A. Cabasa
Secretary



REPUBLIC OF THE PHILIPPINES
SECURITIES AND EXCHANGE COMMISSION
SEC Building, EDSA, Greenhills
City of Mandaluyong, Metro Manila
CAGAYAN DE ORO EXTENSION OFFICE

COMPANY REG. NO. CN201620158
COMPANY TIN 009-397-400

CERTIFICATE OF INCORPORATION

KNOW ALL PERSONS BY THESE PRESENTS:

This is to certify that the Articles of Incorporation and By-Laws of

**KM. 8 INDIGENOUS PEOPLE DEVELOPING
LIVELIHOOD ASSOCIATION, INC.**

were duly approved by the Commission on this date upon the issuance of this Certificate of Incorporation in accordance with the Corporation Code of the Philippines (Batas Pambansa Blg.68), and copies of said Articles and By-Laws are hereto attached.

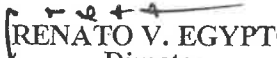
This Certificate grants juridical personality to the corporation but does not authorize it to undertake business activities requiring a Secondary License from this Commission such as, but not limited to acting as: broker or dealer in securities, government securities eligible dealer (GSED), investment adviser of an investment company, close-end or open-end investment company, investment house, transfer agent, commodity/financial futures exchange/broker/merchant, financing company, pre-need plan issuer, general agent in pre-need plans and time shares/club shares/membership certificates issuers or selling agents thereof. Neither does this Certificate constitute as permit to undertake activities for which other government agencies require a license or permit.

As a registered corporation, it shall submit annually to this Commission the reports indicated at the back of this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of this Commission to be affixed at Cagayan de Oro City, Misamis Oriental, Philippines, this 2nd day of September, Twenty Sixteen.



By the Authority of the Commission:


RENATO V. EGYPTO
Director



UNIFIED REGISTRATION RECORD (URR)

COMPANY NAME

KM. 8 INDIGENOUS PEOPLE DEVELOPING
LIVELIHOOD ASSOCIATION, INC.

SEC REGISTRATION NUMBER

CN201620158

BUSINESS/TRADE NAMES

TAX IDENTIFICATION NUMBER (TIN)

009-397-400-000

PRINCIPAL ADDRESS

- KM 8 AIRPORT ROAD LUMBIA CAGAYAN DE
ORO CITY, MISAMIS ORIENTAL

PAG-IBIG EMPLOYER NUMBER (Eyer ID)

206605780009

PHILHEALTH EMPLOYER NUMBER (PEN)

015000011018

SSS EMPLOYER NUMBER (ER No.)

0809768048

PHONE NO. 09059224799

FAX NO. -

MOBILE NO.

E-MAIL ADDRESS 9000

AUTHORIZED REPRESENTATIVE (to be filled up by company - for presentation to social agencies)

09-02-2016 05:05:02 PM

CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(SANGGUNIANG PANLUNGSOD)
1ST CITY COUNCIL
(088) 857-4026; 857-4032; 857-4035; 857-2258

Communication Number:

From :

Received by:

Date:

SUBJECT MATTER: Proposed Ordinance authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Lease Contract (Renewal) with Ms. Pilar N. Sia, covering the latter's three (3)- door commercial building occupied by the City Commission on Election (COMELEC) Office, located at Cruz Taal-Burgos Streets, this city, for the period January 1, 2021 to December 31, 2021, under the terms and conditions specified therein.

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


FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 1, 2021

> *for inclusion*


HON. IAN MARK Q. NACAYA, Chairman

HON. TEODULFO E. LAO, Vice Chairman


HON. EDGAR S. CABANLAS, Member


HON. GEORGE S. GOKING, Member


HON. MARIA LOURDES S. GAANE, Member

DISSENTING

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

Comm. No: 468-2021
From: CMO

Received by: JESSAMINE
DATE: MAY 31, 2021

SUBJECT MATTER: REQUEST FOR THE GRANTING OF AUTHORITY TO THE CITY MAYOR OSCAR S. MORENO, TO REPRESENT THE CITY GOVERNMENT OF CAGAYAN DE ORO, AS THE LOCAL CHIEF EXECUTIVE AND TO ENTER INTO AND SIGN THE RENEWAL OF THE CONTRACT OF LEASE OF THE PREMISES OCCUPIED BY THE OFFICE OF THE CITY COMMISSION OF ELECTION (COMELEC) OF CAGAYAN DE ORO CITY LOCATED AT GOMEZ CORNER BURGOS STREET, THIS CITY.

Respectfully referred to the Committee on FINANCE, BUDGET AND APPROPRIATE 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 Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: JUNE 24, 2021

RECOMMENDED APPROVAL

HON. EDNA M. DAHINO
Chairman

HON. EDGAR S. CABANLAS
Member

HON. TEODULFO E. LAO, JR.
Vice Chairman

HON. GEORGES S. GOKING
Member

HON. ENRICO D. SALCEDO
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

HON. LORDAN G. SUAN
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



cagayan
de Oro

2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 1,
Cagayan de Oro City

DATE: 6-11-JUN - 3 2024

FROM: CMO

SUBJECT MATTER: REQUEST FOR THE GRANTING OF AUTHORITY TO THE CITY MAYOR OSCAR S. MORENO, TO REPRESENT THE CITY GOVERNMENT OF CAGAYAN DE ORO, AS THE LOCAL CHIEF EXECUTIVE AND TO ENTER INTO AND SIGN THE RENEWAL OF THE CONTRACT OF LEASE OF THE PREMISES OCCUPIED BY THE OFFICE OF THE CITY COMMISSION OF ELECTION (COMELEC) OF CAGAYAN DE ORO CITY LOCATED AT GOMEZ CORNER BURGOS STREET, THIS CITY.

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

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



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

cagayan
de Oro
city of golden friendship

May 31, 2021

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

SUBJECT: REQUEST FOR THE GRANTING OF AUTHORITY TO THE UNDERSIGNED TO REPRESENT THE CITY GOVERNMENT OF CAGAYAN DE ORO, AS THE LOCAL CHIEF EXECUTIVE, AND TO ENTER INTO AND SIGN THE RENEWAL OF THE CONTRACT OF LEASE OF THE PREMISES OCCUPIED BY THE OFFICE OF THE CITY COMMISSION ON ELECTIONS (COMELEC) OF CAGAYAN DE ORO, LOCATED AT GOMEZ CORNER BURGOS STREET, THIS CITY

LADIES AND GENTLEMEN:

This refers to the need for the granting of authority to the undersigned, as the local chief executive (LCE) for him to represent the city government and enter into and sign the renewal of the Contract of Lease, with Ms. Pilar N. Sia, as the owner and administrator of the office premises occupied by the Office of the City COMELEC of Cagayan de Oro, located at Gomez corner Burgos Streets, covering a one (1) year rental period, from January 1, 2021 to December 31, 2021. The monthly rental for the use of the Two Hundred Twenty-Five (225) Square Meter building is Thirty-three Thousand Pesos (Php33,000.00).

The city government has been providing this office space for the use of the City COMELEC Office at its expense. The local government is cognizant of COMELEC's need to have a place where it can efficiently serve the city's constituents, as well as to conduct of its election-related activities.

In this regard, we respectfully request the honorable body for its appropriate action on this request. A copy of the Lease Contract is attached herewith for your easy reference.

Hoping for your favorable and prompt response on this request.

Thank you.

Truly yours,


OSCAR S. MORENO
Mayor

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

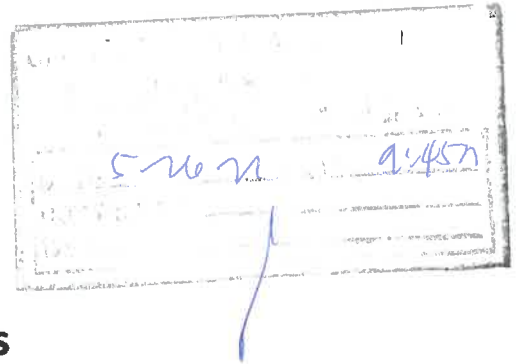
Date Received: May 31, 2021 File No. 428
By: [Signature] ACTION TAKEN

[Signature] to Com - Frane

ARTURO S. DE SAN MIGUEL
City Council Secretary



Republic of the Philippines
Commission on Elections
Office of the City Election Officer
Cagayan de Oro City



April 5, 2021

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

*65m
25 May 21*

*Petty Sabayan,
pls handle.*


SIR:

*65m
25 May 21*

In lieu of the expiration of the lease contract covering the three (3) door commercial building along Cruz Taal-Burgos Streets, leased by the City Government in favor of the Office of the City Election Officer, we would like to request for the renewal of such contract covering the same.

Anticipating your favorable action in this regard.

Thank you.


ATTY. RAMIL P. ACOL, REB. REA
City Election Officer IV



May 31, 2021

Hon. RAINEIR JOAQUIN V. UY

Vice Mayor and the Presiding Officer of
City Council
City Government of Cagayan de Oro
1st Flr., Legislative Bldg.
City Hall Compound

Thru: Hon. Edna M. Dahino
Chair, Committee on Finance, Budget
and Appropriations

Dear Hon. Vice Mayor "Kikang" Uy,

This refers to the renewal of the Contract of Lease covering the building space occupied by the City COMELEC Office of Cagayan de Oro, located at Burgos cor. Gomez Sts. The said agreement will be executed and signed by and between the City Government of Cagayan de Oro for COMELEC, to be represented by Hon. Mayor, Oscar S. Moreno, as the local chief executive, with Ms. Pilar N. Sia, the owner of the premises.

This contract to cover the period from January 2021 to December 2021 is crucial to allow the Office of the City COMELEC of Cagayan de Oro, to perform its mandate to provide services to the electorate of the local government unit, as well as in the conduct of the regular and/or special elections. This is another example where the local government and the national government have joined hands in providing the needed services the people of the city.

After a careful review of the draft of the Contract of Lease, I find the additional provisions of thereof enhances government transparency and accountability in the disbursement of public funds and not contrary to laws, public moral, good customs, public order, or public policy.

Thank you for your kind attention.

Truly yours,


Atty. JOSE B. SABANAL
City Legal Officer

LEASE CONTRACT

KNOW ALL MEN BY THESE PRESENTS

This agreement made this ____th day of _____ by and between:

PILAR N. SIA, of legal age, Filipino and a resident of Cagayan de Oro City, hereinafter called the LESSOR.

- and -

CITY COMELEC of Cagayan de Oro City represented by Hon. Mayor Oscar S. Moreno, hereinafter called the LESSEE

WITNESSETH

Pilar N. Sia

1. That the LESSOR is the absolute owner and administrator of the lot and house situated at Burgos St., corner Cruz Tasi St., Cagayan de Oro City.
 2. That the LESSOR hereby leases unto the LESSEE three store space totaling approximately two hundred twenty five (225) square meters of the said building for commercial purposes subject to the following terms and condition:
 1. That the term of the lease shall be for the period one (1) years starting January 1, 2020 ending December 31, 2020
 2. That the monthly rental of the said premises within said leased period shall be THIRTY THREE THOUSAND PESOS (PHP 33,000.00)The LESSEE shall pay said monthly rentals to the LESSOR at the latter's office within the first five days of the month, to which the payment is to be applied.
 3. The LESSEE shall peacefully vacate and surrender said premises not later than January 1, 2021 unless a new lease contract for the said premises is concluded and signed thirty days before the expiration of this lease contract.
 4. Failure on the part of the LESSEE to vacate and turnover the leased premises on January 1, 2021 without a new lease contract on said leased premises shall subject the LESSEE to pay FIVE HUNDRED PESOS (PHP 500.00) per day, in addition to whatever rental which may accrue and remain unpaid until the day LESSEE finally vacates and turns over the premises to the LESSOR, without prejudice to any other rights and remedies the LESSOR may have under this Contract and existing laws.
- All collectible amount on rentals and damages in the case a suit arises, shall earn a 13 percent per annum to the reckoned from the date of original default plus 25% Attorney's fees thereof in case a suit arises.
5. That the LESSEE may introduce permanent improvements on the leased property upon written notice to the LESSOR whose approval shall be implied if no written objections is interpose five days after receipt of the notice. Provided, however, that all improvements so introduced shall become property of the LESSOR upon termination of this lease contract.
 6. That the LESSEE shall take care of the Leased Premises as a good father of the family and shall keep the Leased Premises in good order and condition always by making such necessary minor repairs as LESSEE deems proper as situation may require LESSEE to do so. However, LESSEE may not make any major alterations and improvements in the Leased Premises unless with the consent in writing first obtained from the LESSOR. In the event that such improvements are made without the written consent of the LESSOR, the LESSEE shall be treated as a builder in bad faith.
- Should damage be inflicted on the Leased Premises as result of any unauthorized improvements/alterations, the LESSEE shall pay damages to the LESSOR in the amount equivalent to the market price of any defective, damaged or lost materials or articles such as ceilings, floorings, doors, electrical and plumbing fixtures in the Leased Premises upon the turn-over of the same.
7. That the LESSEE, without the prior written consent of the LESSOR in hereby prohibited to directly or indirectly SUB-LEASED, ASSIGN, TRANSFER, CONVEY, MORTGAGE or in any manner encumber the LESSEE's rights to LEASE over the premises or any portion thereof under any circumstances whatsoever unless with written approval by the LESSOR;
 8. That the expenses for electricity and water used in the leased premises shall be for the account of the LESSEE;
 9. In the event the LESSOR decides to SELL, CONVEY, ASSIGN OR OTHERWISE TRANSFER ownership of the leased premises to a person of his choice, then this Agreement shall bind the new owner who shall respect the terms and conditions herein.
 10. The LESSOR or his authorized representatives shall have the right at all reasonable hours during the term of this lease;

- Page 1 -



15. The LESSEE is hereby authorized to enter leased premises upon execution hereof to introduce and make internal renovation and improvements therein.

HON. MAYOR OSCAR S. MORENO
for CITY COMELEC OF CAGAYAN DE ORO
LESSEE

KIRSTEN KATE F. CALVO
NOTARY PUBLIC FOR CDOC/IBP MIS. OR.
CITY LEGAL OFFICE CITY HALL, CDOC
NO-607 7/27/2021
ATTORNEY GENERAL 194/05/26/17
PETRO.P. NO. 485449-MAJ. ET AL FOR 2020 CDOC
- Page 2 IBP LIFETIME NO. 017057 MIS. 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
www.cdeo-sanggunian.online



ORDINANCE NO. 13839-2020

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE LEASE CONTRACT (RENEWAL) WITH MS. PILAR N. SIA, COVERING THE LATTER'S THREE (3)- DOOR COMMERCIAL BUILDING OCCUPIED BY THE CITY COMMISSION ON ELECTION (COMELEC) OFFICE, LOCATED AT CRUZ TAAL-BURGOS STREETS, THIS CITY, FOR THE PERIOD JANUARY 1, 2020 TO DECEMBER 31, 2020, UNDER THE TERMS AND CONDITIONS SPECIFIED THEREIN

BE IT ORDAINED by the 19th City Council (Sangguniang Panlungsod) in session assembled that:

SECTION 1. The Honorable City Mayor Oscar S. Moreno is hereby authorized to enter into and sign the Lease Contract (Renewal) with Ms. Pilar N. Sia, covering the latter's three (3)- door Commercial Building occupied by the City Commission on Election (COMELEC) Office, located at Cruz Taal-Burgos Streets, this City, for the period January 1, 2020 to December 31, 2020, under the terms and conditions stipulated therein.

SECTION 2. The aforestated Lease Contract (Renewal) consisting of two (2) pages on file with the Records Section of the Office of the Sangguniang Panlungsod-Secretary (OSPS) shall form part and parcel of this Ordinance.

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

UNANIMOUSLY APPROVED.

Present:

1 st District:	- Councilor Edna M. Dahino - Councilor Jay R. Pascual - Councilor Reuben R. Daba - Councilor Roger G. Abaday	- Councilor Lordan G. Suan - Councilor Zaldy O. Ocon - Councilor Romeo V. Calizo
2 nd District:	- Councilor Joyleen Mercedes L. Balaba - Councilor Ian Mark Q. Nacaya - Councilor Edgar S. Cabanias - Councilor Jocelyn B. Rodriguez	- Councilor Maria Lourdes S. Gaane - Councilor Suzette G. Magtajas-Daba - Councilor Teodulfo E. Lao, Jr. - Councilor Enrico D. Salcedo
Ex-Officio:	- Councilor Yan Lam S. Lim	- Councilor John Michael L. Seno
On Official Business:	- Councilor George S. Goking	

ENACTED this 16th day of March 2020 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

Attested as duly enacted:

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

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

CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL

(SANGGUNIANG PANLUNGSOD)

1ST CITY COUNCIL

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

Communication Number:

From :

Received by:

Date:

SUBJECT MATTER: Proposed Ordinance authorizing the Honorable City Mayor Oscar S. Moreno, representing the City Government of Cagayan de Oro to enter into and sign the Memorandum of Agreement with the Department of Agriculture, Regional Office Field No. 10, represented by Regional Executive Director Lealyn A. Ramos, covering the grant of one (1) unit corn mill, under the terms and conditions stipulated in the said 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: July 1, 2021

> *for inclusion*

HON. IAN MARK Q. NACAYA, Chairman

HON. TEODULFO E. LAO, Vice Chairman

HON. EDGAR S. CABANLAS, Member

HON. GEORGES S. GOKING, Member

HON. MARIA LOURDES S. GAANE, Member

DISSENTING

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

Comm. No: 427-2021
From: CMO

Received by: MERCY
Date: MAY 12, 2021

SUBJECT MATTER: REQUESTING FOR A PASSAGE OF AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR, TO ENTER INTO AND SIGN A MEMORANDUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF AGRICULTURE-REGIONAL FIELD OFFICE 10, COVERING FOR THE GRANT OF ONE (1) UNIT CORN MILL.

Respectfully referred to the **Committee on AGRICULTURE** 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 Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 6/25/2021

recommending approval


HON. JAY R. PASCUAL
Chairman


HON. IAN MARK Q. NACAYA
Vice Chairman

HON. SUZETTE G. MAGTAJAS - DABA
Member

HON. EDNA M. DAHINO
Member

HON. ROGER D. ABADAY
Member

DISSENTING

Member

Member



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



cagayan
de Oro
City of Golden Friendship

2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 1,
Cagayan de Oro City

DATE: May 17 2021

FROM: CMO

SUBJECT MATTER: REQUESTING FOR A PASSAGE OF AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR, TO ENTER INTO AND SIGN A MEMORANDUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF AGRICULTURE-REGIONAL FIELD OFFICE 10, COVERING FOR THE GRANT OF ONE (1) UNIT CORN MILL.

ACTION: REFER TO COMMITTEE ON AGRICULTURE.

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 AGRICULTURIST

**cagayan
de Oro**
city of golden friendship

April 23, 2021

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

Sir/Ma'am:

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

We would like to request the City Council for an ordinance authorizing the undersigned to sign the MOA.

Thank you.

Very truly yours,


OSCAR S. MORENO
City Mayor

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY COUNCIL
Date Received: 18/5/21 Time: 2:20pm
By: [Signature] Comm. No. 127
ACTION TAKEN
Attach to Ord
Refer to Agr. Code
Date _____
ARTURO DE SAN MIGUEL
Secretary
KE _____

Address: City Engineering Compound, Kauswagan
Cagayan de Oro City, Philippines
Website: www.cagayandeoro.gov.ph
Telephone No. 858-2908 Email Add: orcaggies@yahoo.com



14 April 2021

PAUL DOUGLAS S. CALINGIN

Acting City Agriculturist
City Agriculture Office

Dear Sir,

Greetings!

This is in response to your endorsement dated 8 April 2021 seeking for comment and review the herein attached Memorandum of Agreement between the City Government of Cagayan de Oro and the Department of Agriculture- Regional Field Office 10 relative to the turn-over of one (1) unit of Corn Mill from the latter to the former.

In this connection, kindly be informed that this Office has thoroughly reviewed the above-mentioned set of documents and finds the same to be in legal order and thus pose no legal objection to the same.


Thus, should your good office find the terms and conditions in the *Memorandum of Agreement* amenable and for the best interests of the City Government, and assuming that the City can fully comply with it, then this Office recommends that said *Memorandum of Agreement* be duly forwarded to the Honorable Members of the City Council for their favorable consideration, with a request for an Ordinance authorizing the City Mayor to enter into and sign the same, pursuant to Sec. 455 (1) (vi)¹ of the Local Government Code.

For your guidance and information.

Prepared by:


ATTY. RACHEENE C. AGUHOB
Attorney IV

Reviewed by:


ATTY. JOSE B. SABANAL
City Legal Officer

¹ Sec. 455. Chief Executive: Powers, Duties and Compensation -

(vi) Represent the city in all its business transactions and sign in its behalf all bonds, contracts, and obligations, and such other documents upon authority of the sangguniang panglungsod or pursuant to law or ordinance;


PAUL DOUGLAS S. CALINGIN
Acting City Agriculturist

OSCAR S. MORENO
City Mayor

SHEM C. SALON
OIC-Regional Accountant

CARLENE C. COLLADO, CPA
Regional Executive Director

CARLOTA S. MADRIAGA
RTD for Operations

MEMORANDUM OF AGREEMENT
(2020 DA RFO-10 Project)

KNOW ALL MEN BY THESE PRESENTS:

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

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

-and-

The **LOCAL GOVERNMENT UNIT OF CAGAYAN DE ORO CITY** with office address at Cagayan de Oro City represented herein by the *City Mayor*, **OSCAR S. MORENO**, herein referred to as the “**LGU**”;

-WITNESSETH-

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

WHEREAS, **DA RFO 10** shall implement priority programs, projects and activities to enhance and increase the productivity and profitability of the farmers thru the various banner programs of the agency;

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

WHEREAS, the **LGU** is among the stakeholders of the agriculture industry and is most in need of the **PROJECT**;

Name of Project	Qty	Unit	Funding Source	Object Code
Corn Mill	1	Unit	Corn	CO

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

Section 1. The DA RFO 10 shall:

1. Evaluate & validate the proposed **PROJECT** of the **LGU**;
2. Procure the goods intended for the **PROJECT** in accordance with **RA 9184** (*Government Procurement Law*);
3. Turn-over the goods to the **LGU** as grant scheme upon compliance of all the required documents;
4. Monitor the activities of the beneficiary as stipulated in Annex A of this document, including the operation and maintenance of the **PROJECT**;

ATTY. BEDA JOY B. ELOT, CPA
City Accountant


PAUL DOUGLAS S. CALINGGIN
Acting City Agriculturist

OSCAR S. MORENO
City Mayor

SHEM C. SALON
OIC-Regional Accountant

CARLENE C. COLLADO, CPA
Regional Executive Director

CARLOTA S. MADRIAGA
RTD for Operations

5. Issue Journal Entry Voucher or Property Transfer Report, whichever is applicable for the transfer of the equipment as prescribed under existing laws;
6. Provide guidelines in the implementation of the different interventions as Annex B for Livestock Program & Annex C for Rice, Corn, HVCC, & OA Programs;
7. Assist the LGU to institute corrective measures when needed.

Section 2. The LGU shall:

1. Submit to **DA RFO 10** the Letter of Intent (LOI);
2. Submit to **DA RFO 10** the list of recipients of the said **PROJECT** duly notarized and concurred by the Local Chief Executive (LCE) as Annex A (List of Recipients);
3. Secure all legal documents as needed by the **PROJECT** and shall have full accountability to any problem or issue arising to it;
4. Acknowledge the receipt of the **PROJECT** and Act as overseer of the **PROJECT** then turn-over to the intended recipients (FA's, IA's, CIA's and cooperatives engaged in farming) in their respective programs: Rice, Corn, High Value Commercial Crops, Livestock, and Organic Agriculture as grant scheme, See Annex A (List of Recipients);
5. Orient the recipient in the operations, maintenance, and implementing guidelines of the **PROJECT**;
6. Supervise the **PROJECT** in accordance with its intended use and shall not in any way sell or mortgage the same;
7. Ensure the sustainability and must ensure optimum utilization of the **PROJECT**;
8. Be responsible and accountable for the security of the **PROJECT** while in their custody;
9. Ensure that policies and guidelines is duly complied and all in consonance with the DA guidelines, operating scheme, cost and strategies that is appropriate in the service area;
10. Voluntary surrender the **PROJECT** to **DA RFO 10** when:
 - a. Not properly maintained and utilized for one (1) year;
 - b. Not settling any problem/s arising in the use of equipment for a period of one (1) year;
 - c. There is a written complaint, coming from the residents nearby and government unit/s and any sanction arise from continued usage; and
 - d. Not complying with the Memorandum of Agreement.
11. Submit required reports of the program/project implemented; and
12. Strictly abide and follow the provisions, terms and conditions as stipulated in this MOA.

GENERAL PROVISIONS

1. DA-RFO 10 shall transfer the assets at cost to LGU implementing units after final acceptance of the project and all required documents are submitted. Accordingly, such assets shall be taken up in the books of the recipient-LGU if Capital Outlay;
2. The parties hereto guarantee to carry out the project using generally accepted professional and technical standards, and in accordance with the attached schedules and appropriate Procurement Procedures of R.A. 9184-Government Procurement Reform Act;
3. Any dispute/cause of action arising out of the implementation of this Memorandum of Agreement shall be settled and filed in the Regular Courts of Cagayan de Oro City;
4. Penalties and Sanctions. In case of project suspension, cancellation or termination, the existing government accounting and auditing rules prevail.

This agreement shall take effect on the date of the signing hereof of the parties concerned and shall terminate upon the satisfactory fulfillment of the terms and conditions

ATTY. BEDA JOY B. ELOT, CPA
City Accountant

and upon issuance of Journal Entry Voucher to the LGU. Any modification or amendments shall be mutually agreed in writing by the parties concerned.

IN WITNESS HEREOF, the parties hereby affixed their signatures this day of _____, 202__ in _____, Philippines.

**DEPARTMENT OF AGRICULTURE
REGIONAL FIELD OFFICE 10**

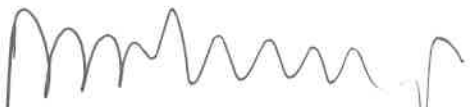
**LOCAL GOVERNMENT UNIT
OF CAGAYAN DE ORO CITY**

CARLENE C. COLLADO, CPA
Regional Executive Director

OSCAR S. MORENO
City Mayor

Signed in the presence of:

CARLOTA S. MADRIAGA
Regional Technical Director


PAUL DOUGLAS S. CALINGIN
Acting City Agriculturist

SHEM C. SALON
OIC-Regional Accountant

ATTY. BEDA JOY B. ELOT, CPA
City Accountant

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES) S. S.
BEFORE ME, a notary public, personally appeared the following;

NAME	RESIDENCE CERTIFICATE NO.	ISSUED AT	ISSUED ON
<u>OSCAR S. MORENO</u> <i>City Mayor</i>			

Known to me to be the same persons who executed the foregoing documents and acknowledged that the same is their voluntary act and deed as the agencies they represent.

This instrument, consisting of 6 pages, including the page on which the Acknowledgement is written and Annex A-C, has been signed on left hand margin of each and every page thereof by parties/witnesses, and sealed with my notarial seal.

WITNESS MY HAND AND SEAL, this _____ day of _____, 202__.

NOTARY PUBLIC

Doc. No. _____
Page No. _____
Book No. _____
Series of 20 _____

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES) S. S.
BEFORE ME, a notary public, personally appeared the following;

NAME	RESIDENCE CERTIFICATE NO.	ISSUED AT	ISSUED ON
<u>CARLENE C. COLLADO, CPA</u> <i>Regional Executive Director</i>			

Known to me to be the same persons who executed the foregoing documents and acknowledged that the same is their voluntary act and deed as the agencies they represent.

This instrument, consisting of 6 pages, including the page on which the Acknowledgement is written and Annex A-C, has been signed on left hand margin of each and every page thereof by parties/witnesses, and sealed with my notarial seal.

WITNESS MY HAND AND SEAL, this _____ day of _____, 202__.

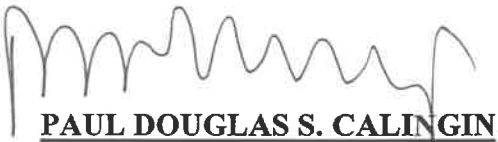
NOTARY PUBLIC

Doc. No. _____
Page No. _____
Book No. _____
Series of 20 _____

LIST OF RECIPIENTS

Funding Source	Project Name	Qty	Name of Recipient	Address of Recipient
CORN	Corn Mill	1	Tignapoloan, Salimbal, San Isidro Community Farmers Association	Cagayan de Oro City

OSCAR S. MORENO
City Mayor


PAUL DOUGLAS S. CALINGIN
City Agriculturist

~~ATTY.~~ BIDA JOY B. ELOT, CPA
City Accountant

CARLOTA S. MADRIAGA
RTD for Operations

CARLENE C. COLLADO, CPA
Regional Executive Director

SHEM C. SALON
OIC-Regional Accountant

CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(SANGGUNIANG PANLUNGSOD)
18th CITY COUNCIL
(088) 857-4026; 857-4032; 857-4033; 857-2258

Communication Number:

From :

Received by:

Date:

SUBJECT MATTER: Proposed Ordinance reclassifying a parcel of land particularly Lot No. 19820, Case 1, Cad-369-D, covering an area of 35,205 square meters, located in Barangay Puerto, this City, as applied for by the Golden Haven Memorial Park, Inc., represented by its Product Development Supervisor, Engr. Teresita Mae P. Limbaga. from "Agriculture" to "Special Use/Memorial Park".

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: July 1, 2021

for inclusion

HON. IAN MARK Q. NACAYA, *Chairman*

HON. TEODULFO E. LAO, *Vice Chairman*

HON. EDGAR S. CABANLAS, *Member*

HON. GEORGE S. BOKING, *Member*

HON. MARIA LOURDES S. GAANE, *Member*

DISSENTING

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

Comm. No: _____

Received by: _____

From: _____

Date: _____

SUBJECT MATTER: OPINION, COMMENT AND RECOMMENDATION OF THE CITY LEGAL OFFICE, RELATIVE TO THE REQUEST OF ENGR. TERESITA MAE P. LIMBAGA, PRODUCT DEVELOPMENT SUPERVISOR, GOLDEN HAVEN MEMORIAL PARK-PUERTO CDO, FOR RE-CLASSIFICATION OF LOT NO. 19820, CASE-1, CAD-369-D, COVERING AN AREA OF 35,205 SQUARE METERS, FROM AGRICULTURE TO SPECIAL USE/MEMORIAL PARK, LOCATED AT BARANGAY PUERTO, THIS CITY.

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

For the City Vice Mayor and Presiding Officer
City Council

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: June 17, 2021

recommending approval

HON. EDGAR S. CABANLAS
Chairman

HON. ENRICO D. SALCEDO
Vice Chairman

HON. JOYLEEN MERCEDES L. BALABA
Member

HON. GEORGE S. GOKING
Member

HON. ZALDY O. OCON
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: 3-16-21
3-12-21

FROM: ENGR. TERESITA MAE P. LIMBAGA
PRODUCT DEVELOPMENT SUPERVISOR, GOLDEN HAVEN

SUBJECT MATTER: REQUEST FOR RECLASSIFICATION OF LOT NO. 19820,
CASE-1 CAD 369-D FROM AGRICULTURE TO SPECIAL USE/MEMORIAL
PARK AT PUERTO, THIS CITY.

ACTION: REFER TO COMMITTEE ON SUBDIVISION & LANDED ESTATE.

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



2nd Endorsement
May 4, 2021

Respectfully responding to the Committee on Subdivision and Landed Estate Chaired by **Hon. Edgar S. Cabanlas**, City Council, this City, the herein endorsement received from your Office dated April 27, 2021 relative to the letter of **Engr. Teresita Mae P. Limbaga** Product Development Supervisor, Golden Haven Memorial Park this City, requesting for Reclassification of parcel of land particularly lot 19820, Case 1, Cad 369-D from **agricultural Zone (as reflected in Official Zoning Map of City Ordinance No. 10384-2006)** to **Memorial Park** covered by Original Certificate of Title no. P-1154 located at Barangay Puerto , this city, with an area of Thirty Five Thousand Two Hundred Five (35,205) square meters.


Please be informed of the herein legal opinion from City Legal Office relative to Revocation of Administrative Order No. 18-20, which mentioned that the DA has revoked only the guidelines for the issuance of certificate of eligibility for conversion and that the DAR did not mention any amendments of the said guidelines for the issuance for Certificate of Eligibility for Reclassification. The said administrative Order still deemed valid and operative.

Relative thereto, we would like to recommend the applicant to coordinate with the Department of Agriculture to secure certification of said reclassification.


RAMIR M. BALQUIN, MEnv, EnP
Officer-in-charge

City Planning and Development Office

Recd by:


MELANIE SALAZAR
5-5-21

3rd Floor, South Wing, Administrative Building
City Hall Compound, Capistrano-Hayes Street
Cagayan de Oro City, Philippines
www.cagayandeo.gov.ph

Telephone Number: 857-3148, 857-2264, Email: cpdo.cdeo@gmail.com

June 14, 2021

City Councilor Edgar S. Cabanlas
Chairman, Committee on Subdivision and Landed Estate
Cagayan de Oro City
Province of Misamis Oriental

R. Sumay
Edo A. Pasunod
6/14/21
1:55 pm

Thru: Ms. Maria Carla Larrazabal- Licayan
Local Legislative Staff Officer V
Chief, Legislative Committees Division

Re: Documents/Certifications pertaining to the Applied Reclassification

Dear Hon. City Councilor Cabanlas:

Good day!

We are writing in behalf of Golden Haven Memorial Park, Inc., owner and developer of the proposed Golden Haven Memorial Park- Puerto CDO located at Brgy. Upper Puerto, Cagayan de Oro City.

On this regard, we would like to submit at your good office the attached documents pertaining to the applied reclassification for Golden Haven Puerto CDO of a parcel of land known as Lot 19820, Case-1, Cad-369-D with an aggregate area of THIRTY FIVE THOUSAND TWO HUNDRED FIVE (35,205) SQUARE METERS, and presently covered by Original Certificate of Title (OCT) No. P-1154

For your reference, enclosed herewith are:

- DAR MARO LUC no. 3
- DAR MARO LUC no. 4
- Clearance from National Water Resources Board (NWRB)
- Certification from City Health Office
- Social Acceptability from City Mayor's Office
- DENR LUC no. 6

We look forward for your favorable action on our request. Thank you.

Respectfully yours,


ENGR. TERESITA MAE P. LIMBAGA
Product Development Supervisor
09177076871/ 0919-0843-220

 (02) 873-2922 to 23 • 875 -2543

 customerservice@goldenhaven.com.ph

 www.goldenhaven.com.ph

 Golden Haven



Republic of the Philippines
City of Cagayan de Oro
BARANGAY PUERTO

OFFICE OF THE SANGGUNIANG BARANGAY

BARANGAY RESOLUTION NO. 13 SERIES OF 2021

RESOLUTION INTERPOSING NO OBJECTION ON THE PROPOSED PROJECT OF GOLDEN HAVEN, "A MEMORIAL PARK" REPRESENTED BY ENGR. MICHELLE VALLEDOR LOCATED AT P- 7, PUERTO, CAGAYAN DE ORO CITY.

WHEREAS, "GOLDEN HAVEN" responding to the call of the City Government for the investment in locality presented its proposal to operate/ construct/ establish a "Memorial Park" in Barangay Puerto this city.

WHEREAS, new investment in our locality can create job opportunities and additional increase and livelihood to the local population.

WHEREAS, during the conducted survey of Golden Haven conducted last first week of February 2021, the constituents living nearby has no objection on the proposed project.

WHEREAS, Puerto Barangay Council interposes no objection to the proposed project provided however that the owner of the said project will comply the necessary requirements needed for legality.

NOW THEREFORE BE IT RESOLVED, as the Puerto Barangay Council do hereby resolved, a resolution interposing no objection to the proposed project of Golden Haven a Memorial Park located at P-7, Puerto, Cagayan de Oro City.

RESOLVED FURTHER, to furnish copies of this resolution to the concerned agencies.

UNANIMOUSLY APPROVED.

Enacted by the Sangguniang Barangay this 19th day of February 2021 at Barangay Puerto, City of Cagayan de Oro, Philippines.

.

NOT VALID WITHOUT OFFICIAL SEAL.


I HEREBY CERTIFY to the correctness of the foregoing resolution.


MERCY L. DEJARO
Barangay Secretary

ATTESTED:

BARANGAY KAGAWADS:


JOSEPHINE E. DUA
Barangay Kagawad


KAG. URBANO C. CIPADA
Barangay Kagawad

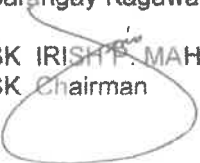

KAG. NONETH P. CABAÑERO
Barangay Kagawad


KAG. MARIGOLD P. DUMAQUIT
Barangay Kagawad

KAG. ROBETH C. SALVAÑA
Barangay Kagawad


KAG. LOLITA L. WAHING
Barangay Kagawad


KAG. RICHARD A. MAHUMOT SR
Barangay Kagawad


SK IRISH P. MAHUMOT
SK Chairman

ATTESTED BY:


CHRISTIAN RUSTICO M. AGHAS
Punong Barahgay



REPUBLIC OF THE PHILIPPINES
NATIONAL IRRIGATION ADMINISTRATION
REGION 10

Appendix "B"

CERTIFICATE OF NON-IRRIGATION COVERAGE

THIS IS TO CERTIFY that the lands/properties described hereunder are "eligible" for
(☒) Land Use Conversion (LUC), (☐) Land Use Reclassification, or (☐) Land Use
Exemption (LUE), to wit:

Item No.	Registered Owner	Cadastral Lot No.	TCT/OCT No.	Land Area (ha)	Applied Area (ha)
1	EDUARDO CALDERON	19820	P-1154	3.5205	3.5205
Total				3.5205	3.5205

From the attached Field Inspection Report (FIR), the lands/properties herein applied are found to be:

- (☒) Outside (☒) irrigation service area/s (☒) irrigable land/s
(☐) Outside area/s earmarked for (☐) Agricultural Protection or (☐) Agricultural Production under the CLUP of the pertinent LGU
(☐) Outside service area of proposed irrigation projects (☐) undergoing implementation or (☐) awaiting implementation

This certification is issued upon the request of Basilisa A. Calderon this 21st Day of January, 2021, as a reference document in the processing of LUC applications.

Recommending Approval:


CONSTANCIO G. BANA-AY, JR.
Regional Irrigation Manager

Approved/Disapproved:


GEN. RICARDO R. VISAYA (Ret)
Administrator

Amount paid: 500.00
OR No. 2818/15

Villarín St., Carmen, Cagayan de Oro City, Philippines
Telephone Nos.: (088)-2530 / (088) 858-3256 • Telefax No.: (088) 858-3256
Website: www.nia.gov.ph • Email: nia@nia.gov.ph
TIN: 0009164150014



Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
MUNICIPAL AGRARIAN REFORM OFFICE
CAGAYAN DE ORO CITY

**CERTIFICATION
FOR
LAND USE CONVERSION APPLICATION**

I. BRIEFER

Name of Landowner/s: EDUARDO CALDERON

Representative: TERESITA MAE P. LIMBAGA

Address: LGF, BLDG. B EVIA LIFESTYLE CENTER,
VISTA CITY DAANG HARI, ALMANZA II, LAS PIÑAS CITY

Telephone: 0917-707-6871

Location of Property:

Street (s)/Sitio/Purok: _____

Barangay: UPPER PUERTO

Municipality/City: CAGAYAN DE ORO CITY

Province: MISAMIS ORIENTAL

Total Area Applied for Conversion (in Hectares): 3.5205

Number of Parcels: ONE (1)

Proposed Use: MEMORIAL PARK

**II. DESCRIPTION OF THE PROPERTY (USE SEPARATE SHEET IF NECESSARY
AND ATTACH AS ANNEX TO THIS LUC FORM)**

Registered Owner	OCT/TCT/ID Number	Lot Survey Number (Bk/Lot)	Area Hectares Per Title (In Hectares)	Area Applied for Conversion (In Hectares)	Location/ Barangay
Eduardo Calderon	P-1154	Lot 19820, Case-1	3.5205	3.5205	Brgy. Upper Fuerio, Cagayan de Oro City, Misamis Oriental
TOTAL			3.5205	3.5205	

A. STATUS OF AREA APPLIED FOR CONVERSION

[illegible]

(Attached complete report on the status of each parcel of land applied for Conversion under CAPR/PD27, if necessary)

NOG	Notice of Coverage
MOV	Memorandum of Valuation by LBP to DAR
NLVA	Notice of Land Valuation and Acquisition issued by DAR to landowner
VLT/DPS	Voluntary Land Transfer/Direct Payment Scheme
OLT	Operation Land Transfer
LE	Landed Estate
RA	Retained Area
NA	Notes of the Address

B. STATUS OF SURROUNDING AREAS
(Attach status report of areas surrounding the land applied for conversion in terms of CARP coverage)

C. INDIVIDUAL IN THE AREA APPLIED FOR CONVERSION
(Use separate sheet if necessary and attach as annex to this LUC Form)

NAME (tenant/farmworkers/ occupants)	AREA CULTIVATED/OCCUPIED (In Hectares)	CROPS PLANTED
N/A	N/A	N/A

IV. POSTING OF BILLBOARD

A. A billboard(s) has been posted in a strategic and conspicuous place(s) along the boundary of the property(ies) applied for conversion with the following specifications:

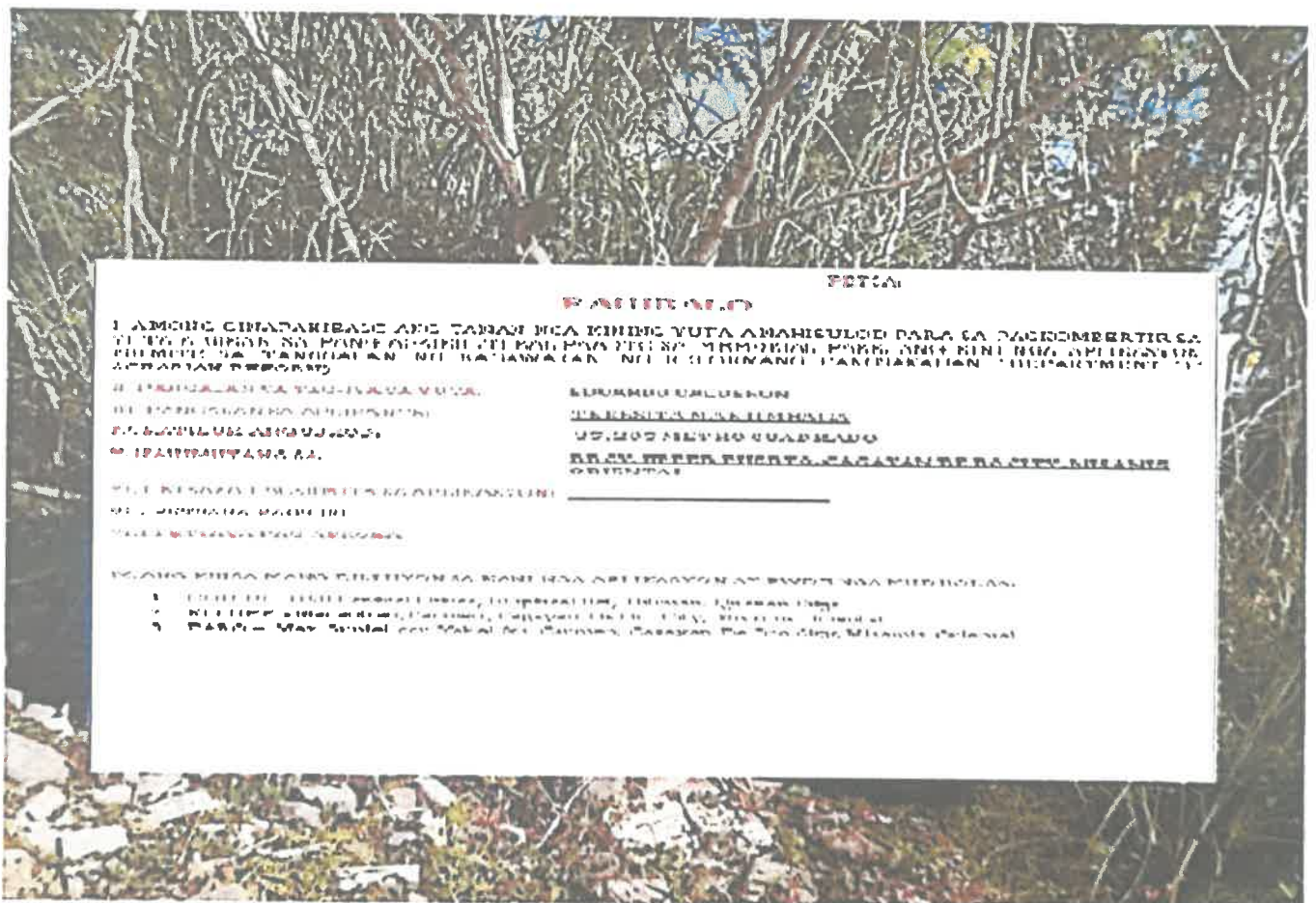
1. Material/s used TARPAULIN
2. Billboard length (in meters) 8 feet
3. Billboard width (in meters) 4 feet
4. Number of Billboards erected 1
5. Exact Location of Billboard(s) _____

Billboard 1 ON THE SUBJECT PROPERTY

Billboard 2 _____

Billboard 3 _____

B. COLOR PHOTOGRAPH OF BILLBOARD (size 5 inches)
(All the contents of the entire Billboard must be legible in the Photograph)



V. POSTING OF NOTICE OF LAND USE CONVERSION APPLICATION

Notice of Application for Exemption Clearance of the property has been posted in a conspicuous place at the :

Barangay Hall of Barangay : UPPER PUERTO, CAGAYAN DE ORO CITY
DATE : MAY 31, 2021
UNTIL : JUNE 4, 2021

Municipality /City Hall of : CAGAYAN DE ORO CITY
DATE : MAY 31, 2021
UNTIL : JUNE 4, 2021

I, LUCIA EVELYN C. PIMENTEL, MPSM, THE MUNICIPAL AGRARIAN REFORM PROGRAM OFFICER OF CAGAYAN DE ORO CITY hereby attest that the foregoing information written or appearing in this CERTIFICATION of Six (6) pages including this page and the attachment (s) is true and accurate to the best of my own personal knowledge.



LUCIA EVELYN C. PIMENTEL, MPSM
MUNICIPAL AGRARIAN REFORM PROGRAM OFFICER

Date of Receipt of request for this Certification :

Barangay Hall : -Free of Charge
City Hall : -Free of Charge

Date of Issuance of this Certification :

Barangay Hall : June 4, 2021
City Hall : June 4, 2021

Scanned with CamScanner

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
MUNICIPAL AGRARIAN REFORM OFFICE
Municipality of : Cagayan de Oro City

CITY INFORMATION OFFICE
RECEIVED
DATE: May 20, 2021
TIME: 11:48
SIGNATURE: [Signature]

NOTICE OF LAND USE CONVERSION APPLICATION

NOTICE is hereby given that **EDUARDO CALDERON** has filed with DAR an application for Land Use Conversion over One (1) parcel of land situated in Barangay Upper Puerto, Cagayan de Oro City covering an area of 3.5205 Hectares, specifically identified as follows :

Registered Owner	Lot No.	OCT/TCT/TD No.	Area Per Title (Has.)	Area Applied for Conversion (Has.)
EDUARDO CALDERON	19820, Cad 369	OCT-P-1154	3.5205	3.5205

The above parcel is sought to be converted from agricultural to **MEMORIAL PARK**.

Any person with valid objection to the said application for land use conversion may file his/her objection/protest thereto, in writing addressed to the PARO and/or Executive Director CLUPPI or RCLUPPI Chairperson not later than thirty (30) days from posting of the billboards or not later than fifteen (15) days from conduct of ocular inspection, whichever is later.

Prepared and Posted by : LUCIA EVELYN C. PIMENTEL, MPSM
MARPO

Date Prepared : MAY 31, 2021 Date Posted : MAY 31, 2021

NOTE: Accomplished copy of this Notice is o issued to the applicant together with the LUC Form No. 3, while duplicated copies shall be posted in the conspicuous place at the Barangay Hall and Municipal Hall of the locality where the land sought to be converted is located.

Received: J-31-21
[Signature]



Republic of the Philippines
Department of Environment and Natural Resources
NATIONAL WATER RESOURCES BOARD
8th Floor NIA Bldg., EDSA, Diliman, Quezon City, Philippines 1100

May 25, 2021

Golden Haven Memorial Park, Inc.
c/o Engr. Teresita Mae P. Limbaga
21F Grace's Bldg., A. Luna Street,
Brgy. 27, Cagayan de Oro,
Misamis Oriental

Dear Madam:

This is with reference to your request for a certification of groundwater table depth in the area of **Barangay Puerto, Cagayan de Oro City, Misamis Oriental** where the proposed 35,205 square meters **Golden Haven Memorial Park Puerto CDO** will be located.

In this connection, please be informed that based on the inspection/investigation conducted by the DPWH-Cagayan de Oro 2nd District Engineering Office, Brgy. Puntod, Cagayan de Oro City, Misamis Oriental, the water table depth in the concerned area conforms to the minimum allowable 4.50 meters below ground surface (mbgs).

This certification is being issued without prejudice to the applicable provisions of the National Building Code, the Sanitation Code, the Water Code of the Philippines and other pertinent laws, rules and regulations.

Very truly yours,

Dr. SEVILLO D. DAVID, Jr., CESO III
Executive Director

Telephone no. (63.2)8 9202793, (63.2)8 9202603, (63.2)8 9202641
TeleFax no. (63.2)8 9202834
www.nwr.gov.ph



Management
System
ISO 9001:2015
ID No. 9108653150

"Yamang fubl'g P +g ! göort. ooro nn kinabukasan"



Environmental and Occupational Health Division

CERTIFICATE

This is to certify that the proposed **GOLDEN HAVEN MEMORIAL PARK – PUERTO CDO**, located at Puerto, Cagayan de Oro City with registered operator/owner Golden Haven Memorial Park, Inc. represented by Ms. Michelle Valledor with business address at 2nd Floor Grace Bldg., Gen. Luna St., Barangay 27, this city. Has complied with all the requirements set forth by this office for the development of memorial park.

Further, this office also certifies that the proposed memorial park has complied with the provision to the effect that all the criterion under the sanitary survey had been meet with. To include, the proposed area has a water table not higher than 4.50 meters below natural ground level, not subject to flooding and run-off, no dwelling houses within 25 meters and no source of potable water within 50 meters of the propose burial grounds.

This office hereby certifies that the area is suitable for the proposed project, subject to the condition in the existing rules and regulation of the Department of Health and in accordance with the provision of Sanitation Code of the Philippines “PD 856”.

Issued upon the request Ms. Michelle Valledor as part of the requirement of Initial Permit of the Department of Health Regional Office 10. Given this 26th day of April 2021 at City Health Office, Cagayan de Oro City, Philippines.

- CHO SEAL -

EOHD Cer't. No. 2021-0067
OR # 5007790


Lorraine G. Jungco-Mery, RN, MD, MHA
Acting City Health Officer
City Health Officer

Hayes Street
Cagayan de Oro City, Philippines
www.cagayandeoro.gov.ph
Telephone Number: (088) 859-1461/859-1852, Email: www.cityhealthoffice@gmail.com



Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU 10
DENR Compound, Macabalan, Cagayan de Oro City
Website: <http://www.r10.emb.gov.ph>
Telephone: (088) 856 – 9362

LUC FORM NO. 6
Series of 2002
(To be filled-up by the EMB)

EMB Certification No. **2021-009**

CERTIFICATION

THIS IS TO CERTIFY that the **One (1) parcel** of land situated in **Barangay Puerto, Cagayan de Oro City** covering an area of **3.5205 hectares**, specifically identified as follows:

REGISTERED OWNER	LOT. NO.	OCT NO.	AREA PER TITLE (HA.)	AREA APPLIED FOR CONVERSION (HA.)
CALDERON, EDUARDO	Lot 19820, Case-1	P-1154	3.5205	3.5205

Is/are classified as: (Please check)

- ☐ Within protected areas under the National Integrated Protected Area System (NIPAS)
- ☐ Within Environmentally Critical Area (ECA);
Specify:
- ☐ Within mossy and virgin forests
- ☐ Within riverbanks
- ☐ Within swamp forests and marshlands
- ☐ None of the above

Further, the proposed **Memorial Park Project** to be undertaken in the area applied for conversion is:

- ☐ Environmentally Critical Project (ECP): specify: _____
- ☐ Not environmentally critical project (ECP)

(Note)

- a. If the subject property falls within ECA or the proposed project is an ECP an ECC shall be secured and attached to this certification as additional documentary requirement.
- b. ECC is not required if Certification is used only for change of land status.

This Certification is issued upon the request of TERESITA MAE P. LIMBAGA, Authorized Representative of the Lot Owner, relative to their application for land use conversion.

Given this 21st day of May 2021.


REYNALDO S. DIGAMO
Regional Director

Noted:

1. *This Certification shall not be considered as development permit.*
2. *This Certification shall not be construed as an Environmental Compliance Certificate (ECC).*


OR No.
Amount PhP870.00
Date

(Note)

- a. If the subject property falls within ECA or the proposed project is an ECP an ECC shall be secured and attached to this certification as additional documentary requirement.
- b. ECC is not required if Certification is used only for change of land status.

This Certification is issued upon the request of TERESITA MAE P. LIMBAGA, Authorized Representative of the Lot Owner, relative to their application for land use conversion.

Given this 31st day of May 2021.


REYNALDO S. DIGAMO
Regional Director

Noted:

1. *This Certification shall not be considered as development permit.*
2. *This Certification shall not be construed as an Environmental Compliance Certificate (ECC).*

OR No.
Amount PhP870.00
Date

BRGY. UPPER PUERTO, CAGAYAN DE ORO CITY

Owner : Eduardo Calderon
Lot No.19820 Case-1 Cad-369-D
Gross Area = 35,205 sqm

GAISANO PUERTO 2.3km

CDO-BUKIDNON NATIONAL ROAD

TO BUKIDNON

TO CAGOLDAN

TABLON PUBLIC CEMETERY

NESTLE

GAMA FOODS

TO LISAN

PROXIMITY :

- 120M FROM CDO-BUKIDNON NATIONAL ROAD
- 2.3KM FROM GAISANO PUERTO
- 16.4KM FROM CDO CITY HALL
- 21.0KM FROM GOLDEN HAVEN MEMORIAL PARK



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Regional Field Office 10
Antonio Luna St., Cagayan de Oro City
Telephone No. (088) 8562753-55
Email Address: agri10cdo@gmail.com

May 7, 2021

ENGR. TERESITA MAE P. LIMBAGA

Product Development Engineer
Golden Haven Memorial Park
Puerto, Cagayan de Oro City

Dear **Engr. Limbaga**,

Warm greetings!

This pertains to your letter dated May 05, 2021, requesting for a Certification or DA Clearance in relation to land use reclassification and conversion.

Please be informed that the Department of Agriculture Administrative Order No. 18, Series of 2020 otherwise known as *Guidelines on the Issuance of a Certificate of Eligibility for Conversion of Agricultural Lands*, has been revoked last October 07, 2020 by issuance of DA Administrative Order No. 30 Series of 2020.

Furthermore, the National Technical Evaluation Committee on Land Use Matters (NTECLUM), and the Regional Technical Evaluation Committee on Land Use Matters (RTECLUM) were also abolished as explicitly stated under this Administrative Order.

Hence, we regret to inform you that this office no longer accepts applications, process and issue certification regarding the above-mentioned matter. However, this office recommends for you to transact directly with the Department of Agrarian Reform (DAR) Regional Office.

A copy of the Administrative Order No. 30 is hereto attached for your proper reference.

For more information and inquiries, please contact Mr. Luisito S. Ofngol or Mr. Novie T. Suello at 09158124865 and 09059492262, respectively.

For your information and guidance.

Respectfully yours,


CARLENE C. COLLADO, CPA
Regional Executive Director

*A food-secure Philippines
with prosperous farmers and fisherfolk*



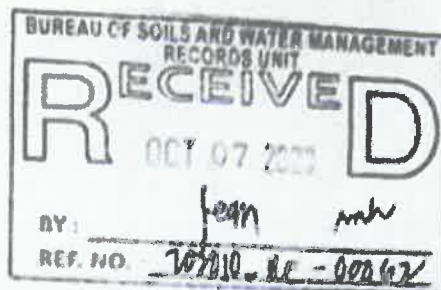


Republic of the Philippines
OFFICE OF THE SECRETARY
Agriculture Road, Taguig
1100 Quezon City

06 October 2020

ADMINISTRATIVE ORDER

No. 30
Series of 2020



**SUBJECT : REVOCATION OF ADMINISTRATIVE ORDER NO. 18
SERIES OF 2020**

In the interest of the service and pursuant to the provisions of the Anti-Red Tape Act of 2007 (Republic Act 9485) and the Ease of Doing Business Act of 2018 (RA 11032), Administrative Order No. 18 providing for the Guidelines on the Issuance of Certificate for Conversion of Agricultural Lands dated 18 May 2020 is hereby revoked.

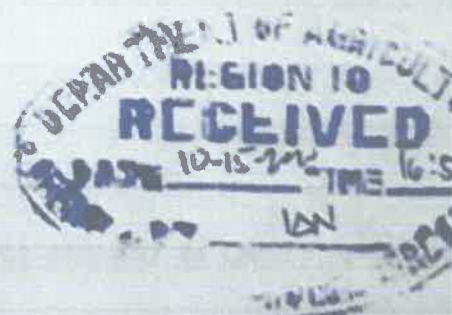
The National Technical Evaluation Committee on Land Use Matters (NTECLUM) and the Regional Technical Evaluation Committee on Land Use Matters (RTECLUM) are hereby abolished. All pending applications and fees received for the issuance of Certificate of Eligibility for Conversion of Agricultural Lands shall be returned to the applicants, with a note expressing that, for purposes of the Department's compliance with pertinent provisions of RA 11032, the Certificate of Eligibility shall no longer be required in the land conversion process.

This Order shall take effect immediately. All other department orders, circulars and issuances inconsistent herewith are also hereby revoked.

Done this 7th day of October 2020.

WILLIAM D. DAR, Ph.D
Secretary

DEPARTMENT OF AGRICULTURE
In replying pls cite this code
For Signature: S-10-20-0100
Received 10/07/2020 09:01 AM



BUREAU OF SOILS &
WATER MANAGEMENT
RECEIVED
By _____
Date 10-07-2020
DIRECTOR

A food-secure and resilient Philippines

Mangroves AKA

FIELD VERIFICATION REPORT

Name of Applicant : EDUARDO CALDERON
Petitioner No. : 2020-12-9-10
Date : December 9, 2020
Land Use :
Location :
Barangay : Puerto
City/Municipality : Cagayan De Oro City
Province : Misamis Oriental
Area Covered (has.) :

REGISTERED OWNER	LOT NUMBER	TCT/OCT NO.	AREA PER TITLE (Has.)	AREA APPLIED (Has.)
EDUARDO CALDERON	19820	P-1154	3.5205	3.5205
TOTAL			3.5205	3.5205

Pursuant to MC No. 35, Series of 1996 and upon the conduct of actual field evaluation and verification on December 2, 2020 the subject land has found to be:


- 1. Outside irrigated land and water is not available to support rice and other crop production.
- 2. Not irrigable land and not covered by irrigation with firm funding commitment.
- 3. Attached geo-tagged for your reference.

This certification is issued upon the request of EDUARDO CALDERON for.

☒ - LAND CONVERSION

Issued this 9th day of December, 2020 at Barra, Opol, Misamis Oriental.

Prepared by / Verified by:


LUTCHIE M. TORREFIEL
Survey Aide A


Submitted by:


JOSELYN S. VIVARES
Head Operation & Eng. Section

Approved by: 6.5


ELPIDIO O. LUCERNAS JR.
Acting Division Manager A

Noted by:


CONSTANCIO G. BANA-AY JR.
Regional Irrigation Manager

Barra, Opol, Misamis Oriental, Philippines
Telefax No.: (088) 882 0255; Email: ria10@nirra.gov.ph
<http://region10.nirra.gov.ph>; Facebook: www.facebook.com/nirra10
1117



March 9, 2021

HON. OSCAR S. MORENO

City Mayor

Cagayan de Oro City

Province of Misamis Oriental

Thru: City Councilor Edgar S. Cabanlas

Chairman

Committee on Subdivision and Landed Estate

Cagayan de Oro City

Province of Misamis Oriental

Date Received: 3/11/21 Time: 4:45 PM
 By: _____ Comm. No. _____
ACTION TAKEN
 By: [Signature]
 Date: _____
 ARTURO B. DE SAN VICENTE
 City Secretary
 Remarks: _____

Re: Request for Reclassification of Lot No. 19820, Case-1, Cad-369-D from Agriculture to Special Use/ Memorial Park

Dear Hon. Mayor Moreno:

Good day!

We are writing in behalf of Golden Haven Memorial Park, Inc., a flagship company of the M.B. Villar Group of Companies in the Memorial Park Industry. We are present in over 30 cities & municipalities nationwide and in line with the Company's vision in aspiring to be the leader in professional Death care development and services with the most beautiful and expansive parks, columbaries in the Philippines- the choice of every Filipino. Our Company's mission is to dedicate in building a garden that brings healing and hope to the living through natural beauty, peace and solitude, also guaranteeing its perpetual care far into the future with reverence, dignity and honor to the departed.

We are humbly requesting your good office of a Reclassification for a parcel of land known as Lot 19820, Case-1, Cad-369-D from ***Agriculture to Special Use/ Memorial Park***. Presently covered by Original Certificate of Title (OCT) No. P-1154 and situated in the Barrio of Puerto, City of Cagayan de Oro, Misamis Oriental, with an aggregate area of THIRTY-FIVE THOUSAND TWO HUNDRED FIVE (35,205) SQUARE METERS. The said property will be used as a proposed memorial park project named as ***Golden Haven Memorial Park- Puerto CDO***.

Submitting herewith are the following documents:

- ❖ Vicinity Map
- ❖ Original Certificate of Title
- ❖ Lot Tax Declaration
- ❖ Zoning Certificate
- ❖ Technical Description
- ❖ BARC Certification
- ❖ Brgy. Resolution interposing no objection of the proposed project
- ❖ Certificate of Non-Irrigation Coverage
- ❖ DAR Certification of Non-Coverage
- ❖ Survey lot plan
- ❖ Topographic Map

☎ (02) 873-2922 to 23 • 875 -2543

✉ customerservice@goldenhaven.com.ph


🌐 www.goldenhaven.com.ph

📱 [f](#) [i](#) [t](#) [v](#) [y](#) Golden Haven

We look forward for your favorable action on our request.

Thank you.

Respectfully yours,


ENGR. TERESITA MAE P. LIMBAGA
Product Development Supervisor
0917-707-6871/ 0919-0843-220

 (02) 873-2922 to 23 • 875 -2543

 customerservice@goldenhaven.com.ph

 www.goldenhaven.com.ph

    Golden Haven



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF AGRARIAN REFORM
Tunay na Pagbabago sa Repormang Agraryo

CERTIFICATE OF NON-COVERAGE

TO WHOM THIS MAY CONCERN:

This is to CERTIFY that based on the records of OPTOOL and/or NOC databases of this office and the Investigation Report of the Municipal Agrarian Reform Program Officer of this Cluster, the following Landholding described below was NOT covered CARP or Republic Act 6657, NO Notice of Coverage (NOC) issued, NOT Voluntarily Offered to government; and NO CLOA was issued by DAR. The said landholding is located within Barangay Upper Puerto, Cagayan de Oro City, Misamis Oriental. The landholding is described as follows:

Description	Area	Remarks
Title No. OCT No. P-1154 TD No. G-023233 Lot No. 19820, CAD-369-D	34,705 sq. meters	Claimant – EDUARDO CALDERON

This CERTIFICATION is issued to the above-named person for whatever purpose this may serve. However, this CERTIFICATION may NOT be used in the following instances, if the land use is AGRICULTURAL:

1. In lieu of a DAR Clearance
2. As a substitute for Application for Conversion in DAR
3. As a supporting document for Cancellation of EP/CLOA/Title through Sale/Transfer
4. As a supporting document for Issuance of a new Title by the ROD; and/or
5. As a supporting document for Issuance of a new Tax Declaration by the Municipal Assessor.

Issued this 4th January, 2021, at Cagayan de Oro City.

EDDIE C AGAC-AC, CESO IV

ARD / concurrent PARPO II

Verified by:

NOEL P SUPREMO

CARP for Operations

pmeu ref:

dar-cert-noncoverage-322

NOTE: This certification is not valid if it has mark of erasure or alteration

MISAMIS ORIENTAL PROVINCIAL OFFICE
Go Bldg., M Suniel-Yakal Sts., Carmen
Cagayan de Oro City

Tel : (088) 850-1068
www.dar.gov.ph



Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU 10
DENR Compound, Macabalan, Cagayan de Oro City
Website: <http://www.r10.emb.gov.ph>
Telephone: (088) 856 – 9362

LUC FORM NO. 6
Series of 2002
(To be filled-up by the EMB)

EMB Certification No. **2021-009**

CERTIFICATION

THIS IS TO CERTIFY that the **One (1) parcel** of land situated in **Barangay Puerto, Cagayan de Oro City** covering an area of **3.5205 hectares**, specifically identified as follows:

REGISTERED OWNER	LOT. NO.	OCT NO.	AREA PER TITLE (HA.)	AREA APPLIED FOR CONVERSION (HA.)
CALDERON, EDUARDO	Lot 19820, Case-1	P-1154	3.5205	3.5205

Is/are classified as: (Please check)

- ☐ Within protected areas under the National Integrated Protected Area System (NIPAS)
- ☐ Within Environmentally Critical Area (ECA);
Specify:
- ☐ Within mossy and virgin forests
- ☐ Within riverbanks
- ☐ Within swamp forests and marshlands
- ☐ None of the above

Further, the proposed **Memorial Park Project** to be undertaken in the area applied for conversion is:

- ☐ Environmentally Critical Project (ECP); specify: _____
- ☐ Not environmentally critical project (ECP)

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
MUNICIPAL AGRARIAN REFORM OFFICE
Municipality of : Cagayan de Oro City

CITY INFORMATION OFFICE
RECEIVED
DATE: May 31, 2021
TIME: 11:48
SIGNATURE: [Signature]

NOTICE OF LAND USE CONVERSION APPLICATION

NOTICE is hereby given that **EDUARDO CALDERON** has filed with DAR an application for Land Use Conversion over One (1) parcel of land situated in Barangay Upper Puerto, Cagayan de Oro City covering an area of 3.5205 Hectares, specifically identified as follows :

Registered Owner	Lot No.	OCT/TCT/TD No.	Area Per Title (Has.)	Area Applied for Conversion (Has.)
EDUARDO CALDERON	19820, Cad 369	OCT-P-1154	3.5205	3.5205

The above parcel is sought to be converted from agricultural to **MEMORIAL PARK**.

Any person with valid objection to the said application for land use conversion may file his/her objection/protest thereto, in writing addressed to the PARO and/or Executive Director CLUPPI or RCLUPPI Chairperson not later than thirty (30) days from posting of the billboards or not later than fifteen (15) days from conduct of ocular inspection, whichever is later.

Prepared and Posted by : LUCIA EVELYN C. PIMENTEL, MPSM
MARPO

Date Prepared : MAY 31, 2021 Date Posted : MAY 31, 2021

NOTE: Accomplished copy of this Notice is o issued to the applicant together with the LUC Form No. 3, while duplicated copies shall be posted in the conspicuous place at the Barangay Hall and Municipal Hall of the locality where the land sought to be converted is located.

Received: J - - 31 - 21
[Signature]



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 COUNSEL
Date Received: 4/15/21
By: [Signature]
#269-21
[Signature]
[Signature]
Date: [Blank]
[Signature]
[Signature]

cagayan de oro

14 April 2021

HON. EDGAR S. CABANLAS

Chairperson

Committee on Subdivision and Landed Estate

Cagayan de Oro City Council

THRU: MARIA CARLA LARRAZABAL-LICAYAN

Local Legislative Staff Officer V

Chief, Legislative Committees Division

Cagayan de Oro City

Dear Sir,

Greetings!

This is in response to your indorsement dated 26 March 2021 seeking for review and opinion and recommendation on the letter-request of Engr. Teresita Mae P. Limbaga, Product Development Supervisor, Golden Haven Memorial Park, this city, for the reclassification of a parcel of land known as Lot 19820, Case-1, Cad-369-D from Agricultural to Special Use/Memorial Park.

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

1. A perusal of the letter-request and its attachments would show that aside from certifications from various national agencies, a copy of Department of Agriculture ("DA") Administrative Order No. 30 series of 2020 (DA AO No. 30-20) with the subject "*Revocation of Administrative Order No. 18 series of 2020*" was appended thereto.

In this connection, DA Administrative Order No. 18 series of 2020 (DA AO No. 18-20) revoked by the said order provides the "*Guidelines on the Issuance of Certificate of Eligibility for Conversion of Agricultural Lands*". As such, the said issuance involves land use conversion. However, the herein letter by Golden Haven Memorial Park involves a request for reclassification of land.

Accordingly, a distinction must be made between land use conversion and land use reclassification. The Supreme Court discusses such in *Chamber of Real Estate and Builders Associations, Inc. (CREBA) vs. The Secretary of Agrarian Reform*¹:

"Conversion and reclassification differ from each other. Conversion is the act of changing the current use of a piece of agricultural land into some other use as approved by the DAR while **reclassification is the act of specifying how agricultural lands shall be utilized for non-agricultural uses** such as residential, industrial, and commercial, **as embodied in the land use plan, subject to the requirements and procedures for land use conversion.** In view thereof, a mere reclassification of an agricultural land does not automatically allow a landowner to change its use. He has to undergo the process of conversion before he is permitted to use the agricultural land for other purposes." (Emphasis and underscoring supplied)

The power to effect land use conversion is vested with the Department of Agrarian Reform ("DAR") pursuant to Section 65 of Republic Act No. 6657 otherwise known as "*The Comprehensive Agrarian Reform Law*" stating, to wit:

"SECTION 65. Conversion of Lands. – After the lapse of five (5) years from its award, when the land ceases to be economically feasible and sound for agricultural purposes, or the locality has become urbanized and the land will have a greater economic value for residential, commercial or industrial purposes, the DAR, upon application of the beneficiary or the landowner, with due notice to the affected parties, and subject to existing laws, may authorize the reclassification or conversion of the land and its disposition: Provided, That the beneficiary shall have fully paid his obligation."

Nevertheless, while DAR is also authorized to reclassify land, such authority is bestowed by Republic Act No. 7160 or the Local Government Code ("LGC") to cities and municipalities. It provides, to wit:

"Section 20. Reclassification of Lands. –

(a) A **city or municipality may, through an ordinance passed by the sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition** in the following cases:

- (1) when the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture or
- (2) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as

¹ G.R. No. 183409, 18 June 2010.

determined by the sanggunian concerned: Provided, That such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinance:

- (1) For highly urbanized and independent component cities, fifteen percent (15%);
 - (2) For component cities and first to the third class municipalities, ten percent (10%); and
 - (3) For fourth to sixth class municipalities, five percent (5%): Provided, further, That agricultural lands distributed to agrarian reform beneficiaries pursuant to Republic Act Numbered Sixty-six hundred fifty-seven (R.A. No. 6657), otherwise known as "The Comprehensive Agrarian Reform Law", shall not be affected by the said reclassification and the conversion of such lands into other purposes shall be governed by Section 65 of said Act.
- (b) The President may, when public interest so requires and upon recommendation of the National Economic and Development Authority, authorize a city or municipality to reclassify lands in excess of the limits set in the next preceding paragraph.
- (c) The local government units shall, in conformity with existing laws, continue to prepare their respective comprehensive land use plans enacted through zoning ordinances which shall be the primary and dominant bases for the future use of land resources: Provided, That the requirements for food production, human settlements, and industrial expansion shall be taken into consideration in the preparation of such plans.
- (d) Where approval by a national agency is required for reclassification, such approval shall not be unreasonably withheld. Failure to act on a proper and complete application for reclassification within three (3) months from receipt of the same shall be deemed as approval thereof.
- (e) **Nothing in this Section shall be construed as repealing, amending, or modifying in any manner the provisions of R.A. No. 6657.**" (Emphasis supplied)

In this regard, it must be noted that jurisprudence² has also declared that the authority of local government units to approve reclassification of lands must still be consistent and compliant with the provisions of RA 6657. It provided, to wit:

² *Id.*

"The aforequoted provisions of law show that the power of the LGUs to reclassify agricultural lands is not absolute. The authority of the DAR to approve conversion of agricultural lands covered by Republic Act No. 6657 to non-agricultural uses has been validly recognized by said Section 20 of Republic Act No. 7160 by explicitly providing therein that, 'nothing in this section shall be construed as repealing or modifying in any manner the provisions of Republic Act No. 6657.'"

2. In line thereto, in order to harmonize the provisions of RA 6657, the various DAR issuances on the rules and regulations governing the conversion or reclassification of agricultural lands into non-agricultural, and the aforementioned Section 20 of the LGC, the Office of the President ("OP") issued Memorandum Circular No. 54 series of 1993³ (MC No. 54-93) entitled *"Prescribing the Guidelines Governing Section 20 of RA 7160 otherwise known as the Local Government Code of 1991 Authorizing Cities and Municipalities to Reclassify Agricultural Lands into Non-Agricultural Uses"*.

So also, DAR issued Administrative Order No. 01 series of 2002⁴ (DAR AO No. 01-02) otherwise known as the *"2002 Comprehensive Rules on Land Use Conversion"* pursuant to its mandate under RA 6657. More recently, however, DAR issued Administrative Order No. 01 series of 2019⁵ (DAR AO No. 01-19) with the subject *"Streamlining the Processing of Applications for Land Use Conversion Under DAR Administrative Order No. 1 series of 2002"*.

Section 7 thereof provides:

"Section 7. Local Government Unit (LGU) Reclassification.

Reclassification is different from Conversion.

Reclassification is the act of specifying how agricultural land shall be utilized for non-agricultural uses as embodied in the land use plan of the LGU based on Section 20 of RA 7160. Conversion is the act of changing the actual use of agricultural land into other uses as approved by the DAR in accordance with Section 65 of RA 6657, as amended.

Agricultural lands that are reclassified to non-agricultural uses do not *ipso facto* allow the landowner thereof to use the same for such purpose.

The submission of the Certificate of Reclassification by the Housing and Land Use Regulatory Board (HLURB) in applications for conversion shall only be required if the landholding is situated in Highly-Urbanized or Independent

³ OP MC No. 54-93 attached as Annex "A"✓

⁴ DAR AO No. 01-02 attached as Annex "B"✓

⁵ DAR AO No. 01-19 attached as Annex "C"✓

Component Cities and the conversion is from an agricultural use to a non-agricultural use.

In lieu of HLURB certification, the Sangguniang Bayan/Panlungsod Zoning Ordinance and the Sangguniang Panlalawigan Resolution approving said Zoning Ordinance shall be submitted in applications for conversion in case of landholding situated in Component Cities and Municipalities and the conversion is from an agricultural use to a non-agricultural use.

In both instances, **the concerned local government unit must have the proper Certificate of Eligibility for Reclassification of agricultural lands issues by the Department of Agriculture (DA) in accordance with D.A. A.O. No. 1 series of 2017. The DA Certificate must be attached to the HLURB Certificate of the LGU Resolution, as the case may be to prove that there is a valid reclassification.**" (Emphasis and underscoring supplied)

As such, it is the DAR which requires that a local government unit must ensure that an ordinance reclassifying land must be accompanied with a Certificate of Eligibility for Reclassification from the DA before the same is deemed valid.

In connection thereto, DA Administrative Order No. 1 series of 2017⁶ (DA AO No. 01-17), as above cited by DAR, provides for the "*Guidelines on the Issuance of Certificate for Land Use Reclassification.*" The said administrative order, therefore, particularly stipulates the requirements for land use reclassification. The same does not provide for the guidelines on land use conversion.

On the other hand, the DA administrative order mandating the guidelines for land use conversion is covered by DA AO No. 18-20⁷ aptly titled "*Guidelines on the Issuance of Certificate of Eligibility for Conversion of Agricultural Lands.*" A perusal of its provisions indeed indicate that the requirements provided thereon are for land use conversion only. It made no mention of the requirements for land use reclassification nor did it expressly state that it amended or repealed DA AO No. 01-17, the guidelines governing the issuance of the Certificate of Eligibility for Reclassification.

In this light, it must be underscored that DA AO No. 30-20⁸, as appended to the letter-request, only revoked DA AO No. 18-20. The DA has thus revoked only the guidelines for the issuance of Certificate of Eligibility for Conversion and has effectively declared that it will no longer issue any such certification. It did not, however, revoke DA AO No. 01-17 nor did it state that it will also no longer issue any Certificate of Eligibility for Reclassification. Indeed, a perusal of the issuances of the DA subsequent to the promulgation of DA AO No. 01-17 make no mention of

⁶ DA AO No. 01-17 attached as Annex "D"

⁷ DA AO No. 18-20 attached as Annex "E"/

⁸ DA AO No. 30-20 attached as Annex "F"/

any amendment or abrogation of the said guidelines relative to the issuance for the Certificate of Eligibility for Reclassification. Accordingly, the said administrative order is still deemed valid and operative.

It must be emphasized that since the request is for land reclassification, the relevant DA administrative order for this letter-request is DA AO No. 01-17 which is, as above mentioned, still valid and subsisting; and not DA AO No. 18-20 which covers issuances for the certificate of eligibility for land use conversion only and which was revoked by DA AO No. 30-20.

Considering that the DAR has also not made any amendments to DAR AO No. 01-19 which required the compliance of DA AO No. 01-17 for a valid land reclassification, the same is still in effect. As such, the requirement to secure a Certificate of Eligibility for Reclassification from the Department of Agriculture for a valid land reclassification remains. Thus, all parties requesting land reclassification must be able to secure such certification from the DA as well as all other documents required by pertinent offices and agencies in order to ensure the validity of such reclassification.

3. As provided by MC No. 54-93 which serves as the guidelines for Section 20 of the LGC, a local government unit may reclassify land only through an ordinance and only after conducting public hearings for such purpose.

Section 2 (d) of MC No. 54-93 provides, to wit:

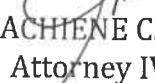
"Reclassification of agricultural lands may be authorized through an ordinance enacted by the sangguniang panlungsod or sangguniang bayan, as the case may be, after conducting public hearings for the purpose. Such ordinance shall be enacted and approved in accordance with Articles 107 and 108 of the IRR of the LGC."

It is also strongly recommended that the provisions of the said circular be followed in all land reclassification ordinances to be passed by the City Council.

4. Copies of all the issuances mentioned and referred to herein are herewith attached for your reference and perusal.

For your guidance and information.

Prepared by:


ATTY. RACHEENE C. AGUHOB
Attorney IV

Reviewed by:


ATTY. JOSE B. SABANAL
City Legal Officer

Page 6 of 6



23 June 2021

**THE HONORABLE PRESIDING OFFICER, and
THE HONORABLE MEMBERS OF THE SANGGUNIAN PANGLUNGSOD, this City**

SUBJECT: REQUEST FOR THE GRANTING OF AUTHORITY TO CITY MAYOR OSCAR S. MORENO, LOCAL CHIEF EXECUTIVE (LCE) TO REPRESENT THE CITY GOVERNMENT OF CAGAYAN DE ORO, TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT (DHSUD), TO BE REPRESENTED BY ITS SECRETARY HON. EDUARDO DRUECO DEL ROSARIO, MUSLIM CHRISTIAN WOMEN HOMEOWNERS' ASSOCIATION, INC., TO BE REPRESENTED BY ITS PRESIDENT OMAIRAH A. MARDAN, AND CEBU LANDMASTERS INC., TO BE REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER JOSE R. SOBERANO III, COVERING THE COLLABORATION OF THE PARTIES FOR THE DEVELOPMENT OF THE MUSLIM CHRISTIAN SOCIALIZED HOUSING PROJECT, LOCATED AT BARANGAY LUMBIA, THIS CITY, AND ITS ACCREDITATION UNDER THE DHSUD'S PARTICIPATION FOR COMMUNITY MORTGAGE PROGRAM (CMP), UNDER THE TERMS AND CONDITIONS STIPULATED IN THE MOA HERETO ATTACHED, WHICH I HEREBY CERTIFY AS URGENT LEGISLATIVE MEASURE

LADIES AND GENTLEMEN:

This refers to the need for an authorization from the Honorable Body to allow the undersigned to represent the City Government of Cagayan de Oro, to enter into and sign the Memorandum of Agreement (MOA) by and among the Department of Human Settlements And Urban Development (DHSUD), to be represented by its Secretary Hon. Eduardo Drueco Del Rosario, Muslim Christian Women Homeowners' Association, Inc., to be represented by its President Omairah A. Mardan and Cebu Landmasters Inc., to be represented by its Chief Executive Officer Jose R. Soberano III, covering the Parties' collaboration for the development of the Muslim Christian Women Socialized Housing Project, located at Barangay Lumbia, this City, and its accreditation under the DHSUD'S participation for availment of Community Mortgage Program (CMP), under the terms and conditions stipulated in the moa hereto attached.

In this regard, considering the above-mentioned housing project, we request the appropriate action of the August Body on this concern. Respective copies of the MOA and development plans with its approved City Ordinances on its Development Permit, a copy of which are attached herewith for your perusal.

Hoping for your favorable response on this request.

Thank you.

Truly yours,

OSCAR S. MORENO
Mayor

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This **Memorandum of Agreement (MoA)** is made, entered into and executed this _____, by and among:

DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT, a government agency with office address at DHSUD Building, Kalayaan Avenue corner Mayaman Street, Diliman, Quezon City represented herein by its Secretary, **HON. EDUARDO D. DEL ROSARIO**, hereinafter referred to as "DHSUD";

The **CITY GOVERNMENT OF CAGAYAN DE ORO**, a local government unit of the Republic of the Philippines, with official address at City Hall, Cagayan de Oro City, herein represented by its Mayor, **HON. OSCAR S. MORENO**, and hereinafter referred to as the "City";

The **MUSLIM CHRISTIAN WOMEN HOMEOWNERS ASSOCIATION, INC.**, an organized homeowners' association existing under Philippine Laws, with office address at Lower Palalan, Barangay Lumbia, Cagayan de Oro City represented herein by its President, **MS. OMAIRAH A. MARDAN**, and hereinafter referred to as the "HOA";

-and-

CEBU LANDMASTERS, INC., a corporation duly organized and existing under the laws of the Republic of the Philippines with office address at 10/F, Park Centrale Tower, J.M. del Mar Street, Apas, Cebu City, represented herein by its Chairman, President and Chief Executive Officer, **MR. JOSE R. SOBERANO III**, and hereinafter referred to as the "Developer".

The DHSUD, City, HOA, and Developer may be individually referred to as a "Party", and collectively as "Parties".

WHEREAS, in the creation of the DHSUD under Republic Act No. 11201, otherwise known as the "Department of Human Settlements and Urban Development Act", through the consolidation of the Housing and Urban Development Coordinating Council (HUDCC) and the Housing and Land Use Regulatory Board (HLURB), the regulatory powers of HLURB were transferred to the DHSUD, including therewith the implementation of the Balanced Housing Development Program (or Balanced Housing) under Section 18 of Republic Act No. 7279, known as the "Urban Development and Housing Act of 1992 (UDHA)," as amended by Republic Act No. 10884 known as the "Balanced Housing Development Program Amendments";

WHEREAS, under HLURB Board Resolution No. 965, Series of 2017 or the "Revised Implementing Rules and Regulations to Govern Sections 3, 18 and 20 of Republic Act 7279," as amended, in particular Section 11 thereof (Incentivized Compliance), as implemented by Memorandum Circular No. 06, Series of 2020, or the "Supplemental Guidelines for Sections 4.1 and 4.2 (Percentage of

Investment Compliance) and Section 11 (Incentivized Compliance) of the Revised Implementing Rules and Regulations to Govern Sections 3, 18 and 20 of Republic Act No. 7279, as Amended by Republic Act No. 10884", the requirements under the Balanced Housing may be complied with by developers of subdivision and condominium projects by way of participation in the rehabilitation of calamity-stricken communities, through participation in the provision of adequate and potable water supply and distribution and adequate power or electrical distribution system, implementation of land development plans which shall include the construction of roads and drainage, construction of basic and community facilities, and provision of other amenities as may be allowed in open spaces, and construction of housing projects on land owned by or donated to the government, such as housing for military personnel, public housing, and housing for street children, indigent elderly and people with disability;

WHEREAS, the DHSUD is the sole agency tasked to ensure the strict compliance with the aforementioned laws;

WHEREAS, the HOA is the owner of a parcel of land with an area of twenty four thousand five hundred thirty-five (24,535) square meters, being a portion of the land covered by TCT No. 137-2014003522 and 137-2014003505 (**Annex A**) and registered in the name of Muslim Christian Women Homeowners Association, Inc., located in Lower Palalan, Barangay Lumbia, Cagayan de Oro City, under a Deed of Sale (**Annex B**) executed by its former landowners in favor of the HOA, with the condition under a Memorandum of Agreement (**Annex C**) that the City shall develop the parcel of land for socialized housing;

WHEREAS, the City will undertake the development of the Muslim Christian Women (or the "Project") with the City's constituents as the primary beneficiaries thereof, not only to fulfill the City's mandate under the Urban Development and Housing Act of 1992 of providing affordable and livable shelter, but more importantly to likewise address the constant threat of calamities and natural disasters;

WHEREAS, the development of the Project, in consideration of its objectives and intended beneficiaries, not only aligns with the DHSUD's **Participation in the Community Mortgage Program (CMP)** but is also entitled to be the beneficiary of Developers' Incentivized Compliance to the Balanced Housing through financing and subsidy of the land development cost of the Project in order to further make socialized housing not only more affordable but also livable for the beneficiaries; and

WHEREAS, the Developer has expressed its intent and willingness to participate in the development of the Project, through the allocation of its Incentivized Compliance in accordance with the above-mentioned laws and regulations by financing and subsidizing the land development cost of the Project.

NOW THEREFORE, in consideration of the foregoing premises, the Parties do hereby enter into this MoA and agree and covenant on the following:

I. REPRESENTATIONS, RIGHTS AND RESPONSIBILITIES OF THE CITY OF CAGAYAN DE ORO

1.1 Representations and Warranties. The City warrants the validity and enforceability of all documents submitted and to be eventually submitted and be deemed as annexes and/or as integral parts hereof, in all respect they purport to be.

1.2 The "Muslim Christian Women" Project. The City shall develop and complete the Project in accordance with the approved and submitted Site Development Plan and/or Building Plans, signed and sealed by licensed engineer or architect as may be authorized under existing laws and regulations, and which shall be deemed as integral parts hereof as **Annex B.** The entire Project shall consist of the development of the CITY's socialized housing project, the "Muslim Christian Women" with generated 223 total house and lot units within the twenty four thousand five hundred thirty five (24,535) square meters of donated land covered under TCT-137-2014003522 and TCT-137-2014003505 as project site located in Lower Palalan, Barangay Lumbia, Cagayan de Oro City.

1.3 Transfer of Ownership and Title to the Land. The City shall cause the partitioning and segregation of the parcel of land donated in its favor and the transfer of title and ownership in its name, free from all liens, claims, occupants or encumbrances, and the same shall constitute as one of the conditions for the releases of the developer's compliance in accordance with Section 5.1 hereof.

The DHSUD and BALAI logos shall be incorporated or added in the design of the Project and shall be prominently displayed in any conspicuous area of the Project. No alteration of the Site Development Plan and/or Building Plan/s shall be undertaken by the City without the prior knowledge and consent of all Parties hereto.

1.4 Engagement of a Contractor. The City shall engage the services of a third party contractor (or the "Contractor") under a duly executed Service Contract to be approved by the DHSUD, and shall cause the said contractor to agree to answer to all defects in the Project in accordance with the Service Contract, and that the Project shall be developed and completed in accordance with the development plans approved as by the regulatory bodies and the concerned parties. The Service Contract, shall provide, among others, for the duty of the Contractor to regularly submit progress reports and billings based on the approved work program.

1.5 Construction and Financing of the Housing Components. The City shall cause the development and construction of the 223 housing units as well as other building structures as may be provided in the approved plans at the earliest possible time after the commencement of the land development of the Project. The construction and completion thereof may be financed through any of the housing loan assistance programs of the Social Housing Finance Corporation (SHFC) in accordance with its existing rules and regulations.

1.6 License, Permits and Clearances. The City shall ensure and facilitate that all of the required and necessary permits and clearances for the land

development, construction and completion of the Project are secured, including the Project's Certificate of Registration and License to Sell from the DHSUD's Northern Mindanao Regional Office (Region X), and it shall develop the same in accordance with existing rules and regulations, including the technical design and standards under Batas Pambansa Blg. 220;

1.7 Identification of Beneficiaries. The City shall identify the beneficiaries based on the criteria and qualifications as it may require and likewise in accordance with the eligibility requirements of the SHFC housing loan program, provided that thirty percent (30%) thereof shall be allotted to beneficiaries coming from the LGU of the main project of the Developer if such LGU opt to avail of the benefit. The City shall submit the list thereof to the DHSUD in accordance with Section 5.2.2 hereof.

Pursuant hereto, the City shall assist the beneficiaries in their application for their SHFC Housing Loans, individually or collectively, including therewith their orientation on the guidelines and loan requirements prescribed by SHFC.

1.8 Grant of Authority to Enter Project Site and Monitor Project Development. The City hereby expressly permits and allows the authorized representative/s of the DHSUD and the Developer, upon prior notice, to enter the project site and regularly monitor and inspect the completion of the Project as basis for the release of the Developer's compliance as herein provided. Authority is likewise granted by the City in favor of the selected contractor and/or its employees, agents, sub-contractors, and representatives to mobilize and access the property and the Project for the purpose of conducting the necessary technical studies and surveys, as well as all works and construction in furtherance of its obligations hereunder.

1.9 Miscellaneous Undertakings of the City. Further hereto, the City shall provide and secure the final alignment and demarcations of the main roads, streets, and alleys, including right of way agreements with private landowners, as may be necessary, to enable the Contractor to lay down the necessary transmission lines and tapping points needed for the Project.

The City shall likewise provide adequate security measures for the project development and construction personnel of Contractors during the development of land until full turnover thereof to the City.

II.

REPRESENTATIONS, WARRANTIES AND RESPONSIBILITIES OF THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT

2.1 Project's Community Mortgage Program Accreditation. In consideration of the Project's intended beneficiaries, its design and compliance with the standards set by the DHSUD for socialized housing projects under Batas Pambansa Blg. 220, the DHSUD hereby certifies the Project as under the Community Mortgage Program, qualifying the same to be the recipient of the incentivized compliance of developers to the Balanced Housing;

2.2 Allocation of Developers' Compliance. The DHSUD, in accordance with existing rules and regulations to implement the Balanced Housing, shall

grant, allocate and authorize the release in favor of the City the commensurate Developer's incentivized compliance through direct participation in the amount of **EIGHTEEN MILLION THREE HUNDRED SIXTEEN THOUSAND THREE HUNDRED EIGHTEEN PESOS & 21/100 (P18,316,318.21)** to finance and subsidize the land development component of the Project, including but not limited to the following:

- 2.2.1** Subdivision Survey Works
- 2.2.2** Earthworks / Site Preparation
 - 2.2.2.1** Clearing and grubbing
 - 2.2.2.2** Cut, Fill and Waste Disposal
- 2.2.3** Drainage Works
- 2.2.4** Water Distribution Line
- 2.2.5** Sidewalk
- 2.2.6** Guardhouse
- 2.2.7** Parks and Playgrounds
- 2.2.8** Waste Water Treatment Facility
- 2.2.9** Electrical Distribution Line

2.3 Monitoring and Release of Payments. The DHSUD shall authorize the payment by the Developer in favor of the selected Contractor the amount of **P18,316,318.21** through progress billing, in accordance with the Project's approved Work Program and Schedule, subject to monitoring, inspection and verification of status of land development completion to be conducted by the DHSUD's Region X (NORTHERN MINDANAO) Office.

2.4 Allowance of Developer's Compliance and Application. The DHSUD shall allow the immediate application by the Developer of its incentivized compliance of P18,316,318.21 upon execution of this Agreement and submission of written request for the application of the same. The DHSUD shall issue, through its Regional Offices, the Final Certificates of Compliance with the Balanced Housing requirement in favor of the Developer's main project/s, upon utilization of its incentivized compliance, in accordance with existing rules and regulations.

III.

REPRESENTATIONS AND WARRANTIES, AND RIGHTS AND RESPONSIBILITIES OF THE DEVELOPER

3.1. Representations and Warranties. The Developer hereby represents and warrants that:

3.1.1 It is duly organized, validly existing, and in good standing under the laws of the Republic of the Philippines;

3.1.2 It has the full power, authority, and legal right to execute this Agreement, to exercise its rights and perform its obligations hereunder, and to consummate the transactions contemplated herein; and

3.1.3 The execution, delivery and performance by it of this Agreement does not and will not violate any provision of applicable law or constitute a breach of any contract to which Developer is a party or by which it may be bound;

3.1.4 All consents necessary for the due execution, delivery, and performance of this Agreement have been obtained;

3.1.5 It shall hold the DHSUD and its officials and personnel free and harmless from any and all claims, actions, liabilities, loses and suits which may be brought or instituted by any party whatsoever by reason of the fault, failure, negligence, delay, or any conduct on its part, its respective officers, employees, and agents in the performance of their corresponding obligations under this agreement, without prejudice to its claim against the proper erring party;

3.1.6 It shall contribute proportionate amounts, specified in the schedule below, for the design, engineering and construction of the Project:

DEVELOPER	CONTRIBUTION in PHP
CEBU LANDMASTERS, INC	18,316,318.21
LOCAL GOVERNMENT OF CDO	11,636,570.00
TOTAL	Php 29, 952, 888.21

3.1.7 It shall directly pay or remit the corresponding portion of its aforementioned funds to the Contractor in accordance with the approved progress billings and upon written clearance to release payment from the DHSUD, and shall be liable for any damages arising from its unjustified refusal to pay the billings of the Contractor despite written clearance or instruction from the DHSUD; and

3.1.8 The obligations expressed to be assumed by it under this Agreement are, under the laws of the Republic of the Philippines, legal, valid, and binding obligations, enforceable against it in accordance with the terms and conditions hereof, and that all acts, conditions, and things required by its Articles of Incorporation to be done, fulfilled or performed in order to enable it to enter into, execute, deliver, exercise its rights, and perform its obligations under this Agreement, to constitute this Agreement legal, valid, binding and enforceable in accordance with its terms, and to make this Agreement admissible in evidence, have been done, fulfilled and performed by it.

3.2 Participation of the Developer as Incentivized Compliance.

The Developer shall finance the land development of the Project in the total amount of **EIGHTEEN. MILLION THREE HUNDRED SIXTEEN THOUSAND THREE HUNDRED EIGHTEEN PESOS & 21/100 (P18,316,318.21)**. It shall be utilized for the design, engineering, subdivision survey and construction of the land development for the Project, which shall include the construction of roads, drainage, and open space facilities, as well as payment for fees for the development permit, license to sell, environmental clearances as may be assessed on the project.

The Developer may also assign the obligation to remit a portion of the project cost to any of its Affiliates, in which case the credit values pertaining to such project cost shall also be deemed assigned to such remitting Affiliate. For this purpose, Affiliate means any corporation, partnership or other form of association, Controlling or Controlled by or under Common Control with the Developer. In relation to the foregoing, "Control" (including with correlative meanings, the terms "Controlling", "Controlled by" and under "Common Control") means the power to direct or cause the direction of the management and policies

of any corporation, partnership or other form of association, whether through substantial ownership or voting stock, by contract or otherwise.

The Developer agrees that it shall have no right to reimbursement of the amounts disbursed, as the same is its compliance to the Balanced Housing. In case however the implementation of this MoA is terminated prior to the completion of the land development of the Project without fault on the part of any of the Developer, any amount paid it has paid shall be credited for its future utilization or for its Affiliates', in accordance with Paragraph ___ of this Section for a period of ten (10) years from date of payment thereof or termination of this Agreement, whichever is deemed favorable to the Developer or its Affiliates.

3.3. Free and Harmless Clause. The Developer or its Affiliates, including its Affiliates, and its directors, officers, employees, agents, and representatives, subcontractors, heirs, executors, successors, assigns and all persons and entities acting in privity with them, shall be free and harmless from and against any and all claims, demands, actions, suits, damages payable to third parties by reason of any delays in the enforcement of the Project or failure of the City to fully support the Project, unless such is caused by the fault, negligence, or willful misconduct of the Developer or its representatives in the fulfillment of its obligations as specified under this MoA and the Service Agreement with the contractor to be executed in accordance with this Agreement.

IV. PROGRESS BILLING, SCHEDULE OF RELEASE AND OTHER CONDITIONS

4.1. Progress Billing and Requests for Payment. The City shall cause the Contractor to regularly submit progress report on the land development and shall accordingly submit a Request for Release of Payment consistent with Section 1.4 hereof and shall allow authorized representatives of the DHSUD and the Developer to regularly monitor, inspect and validate the level of completion of the Project as basis for the release of the funds herein provided.

4.2. Schedule of Releases and Additional Conditions. Notwithstanding the schedule of billing and payment as may be provided in the Service Contract, the releases of payment to the Contractor shall in all cases be subject to the following:

4.2.1 Ten Percent (10%) Downpayment - Upon submission by the City of the following:

4.2.1.1 Complete and approved subdivision plan, program and costing signed by a licensed engineer or architect;

4.2.1.2 Notarized Deed of Donation in favor of the City;

4.2.1.3 Submission by the Contractor of the Signed Service Contract and Performance Bond equivalent to the 10% downpayment; and

4.2.1.4 Mobilization at the site, with at least 75% completed temporary facilities.

4.2.2 Second Release - Upon submission by the City of the Project's Development Permit and/or Sanggunian Panglungsod's Approval and List of Beneficiaries; and

4.2.3 Third Release - Upon submission by the City of the segregated title, Certificate of Registration and License to Sell issued by DHSUD's Region X (NORTHERN MINDANAO Office), and the project's housing component construction design and plan and application for availment of SHFC Housing Loan Program.

All subsequent releases shall be in accordance with the provisions of the Service Contract, provided that in all cases, progress billing shall be evaluated and processed based on reconciled percentage accomplishment. Provided that, the 10% retention shall only be released upon certification of the DHSUD that the land development is complete according to plans.

V. MISCELLANEOUS PROVISIONS

5.1 Complete Agreement. This Memorandum of Agreement contains the full and complete agreement among the Parties on the subject matter, and the same shall supersede any or all representations, understanding or agreement, verbal or written, implied or express, previously made or entered into by them and thus, this Agreement may only be amended upon the written mutual agreement of the Parties;

It is understood that all terms and conditions herein provided are subject to and subordinate to the existing rules, regulations and circulars of the DHSUD pertinent to the establishment and utilization of the Developer's Incentivized Compliance.

In case of conflict, the pertinent provisions of such rules, regulations and circulars shall prevail.

5.2 Counterparts. This Agreement may be executed simultaneously in one or more counterparts, each one of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

5.3 Good Faith. In complying and implementing the terms of this Memorandum of Understanding, the Parties shall exercise good faith and cooperation to ensure the fulfillment of their common objective of providing adequate, livable, affordable, and inclusive housing and communities to the Filipinos.

5.4 Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon the Parties hereto and their respective successors-in-interest and permitted assigns.

5.5 Non-Waiver. The rights of a Party will not be prejudiced or restricted by any indulgence or forbearance extended by it to the other Party, and no waiver by a Party in respect of any breach of this Agreement will operate as a waiver in respect to any current or subsequent breach thereof;

5.6 Force Majeure. No Party shall be liable for any failure or delay in the performance of its respective obligations as herein provided if any force majeure event shall be the proximate cause of the same; For purposes of this Agreement,

a "Force Majeure Event" shall include, but not be limited to: (i) declared or undeclared war, armed hostilities, revolution, rebellion, insurrection, riot, public disorder, and the like; (ii) unforeseen rock formations in the geodetic layers of the identified deep well sites; and (iii) extreme and unforeseen weather conditions, fire, unusual flood, earthquake, and similar calamities or acts of God, and Government's, local or national, declaration of community quarantines and other restrictions;

The Party invoking the existence of a Force Majeure Event shall immediately notify the other Party, specifying the nature and details of the Force Majeure Event, how it affects the Party's ability to comply with its obligations hereunder, and a proposed mitigating action to address the same. Upon the cessation of such Force Majeure Event, the Parties shall immediately resume the performance of their obligations. However, if the Force Majeure Event extends for a period in excess of 180 continuous days, the Parties hereto shall meet to discuss the basis and terms upon which this Agreement be continued or mutually terminated.

5.7 Dispute Resolution. Any conflict or dispute that may arise out of this Agreement on the interpretation or implementation of any provision hereof shall be settled amicably within thirty (30) days, through the authorized representatives of the Parties. Either Party may initiate amicable discussions by sending written notice to the other Party, specifying the alleged dispute and proposing schedule for the amicable settlement thereof;

5.8 Venue. Should the parties fail to settle the dispute amicably, the regular court or competent quasi-judicial bodies of Cagayan de Oro City shall have the sole and exclusive jurisdiction over any disputes or claims that may arise out of, on in connection with this MOA.

5.9 Separability. If any term, provision, or constitution provided in this Agreement is subsequently declared void, contrary to law, or unenforceable by a court of competent jurisdiction, the validity of the other terms, provisions or conditions not affected by such declaration shall remain valid and binding. The Parties shall however endeavor and exert best efforts to agree on the substitution of the void, illegal or unenforceable provision/s with legally acceptable clauses approximating as closely as possible the sense, intent and purpose of the affected provisions and of this Agreement as a whole; and

5.10 Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the Republic of the Philippines.

IN WITNESS WHEREOF, the Parties hereto have signed and executed this Memorandum of Agreement this ____th day of _____, 2021 in _____.

**DEPARTMENT OF HUMAN
SETTLEMENTS AND URBAN
DEVELOPMENT**
By:

HON. EDUARDO D. DEL ROSARIO
Secretary

**CITY GOVERNMENT
OF CAGAYAN DE ORO**
By:

HON. OSCAR S. MORENO
City Mayor

**MUSLIM CHRISTIAN WOMEN
HOMEOWNERS ASSOCIATION, INC.**
By:

MS. OMAIRAH A. MARDAN
HOA President

CEBU LANDMASTERS, INC.
By:

MR. JOSE R. SOBERANO III
*Chairman, President and Chief
Executive Officer*

Witnesses:

ACKNOWLEDGMENT

Before me, Notary Public, for and in _____, this ____ say of _____, 2021, personally appeared:

<u>Name</u>	<u>Competent Evidence of Identity</u>	<u>Date/ Place Issued</u>
DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT <i>Represented by:</i>	Phil. Passport No. P009194A	08/30/2016; DFA Manila
Eduardo D. Del Rosario Secretary		
CITY GOVERNMENT OF CAGAYAN DE ORO <i>Represented by:</i>		
OSCAR S. MORENO City Mayor		
CHRISTIAN WOMEN HOMEOWNERS ASSOCIATION, INC. <i>Represented by:</i>		
OMAIRAH A. MARDAN HOA President		
CEBU LANDMASTERS, INC. <i>Represented by:</i>		
MR. JOSE R. SOBERANO III <i>Chairman, President and Chief Executive Officer</i>		

Known to me to be the same persons who executed the foregoing instrument and acknowledged to me that they acted in a representative capacity, that they are duly authorized to represent as such, that the same is their own free and voluntary act and deed as well as of the agency, local government unit, and corporation they represent.

This instrument, consisting of twelve (12) pages including this page where this acknowledgment is written, has been signed on each and every page thereof by the parties and their witnesses.
This Memorandum of Agreement consists of twelve (12) pages, including the page whereon this acknowledgment is written, signed by the Parties and their witnesses.

WITNESS MY HAND AND NOTARIAL SEAL, this _____ day of _____
in _____, Philippines.

NOTARY PUBLIC
Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2021.



OFFICE OF THE CITY COUNCIL

(08822) 724854; (088) 857-4029; 857-4035; 857-2048

ORDINANCE NO. 12877-2014

AN ORDINANCE APPROVING THE APPLICATION OF MUSLIM CHRISTIAN HOMEOWNERS ASSOCIATION, INC., REPRESENTED BY ITS PRESIDENT, MS. OMAIRAH A. MARDAN, FOR DEVELOPMENT PERMIT (DP) OF ITS RESIDENTIAL SUBDIVISION PROJECT LOCATED AT BARANGAY LUMBIA, THIS CITY, WITH AN AREA OF 24,535 SQUARE METERS, MORE OR LESS, CONTAINING 223 LOTS/UNITS

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

SECTION 1. - The application of Muslim Christian Homeowners Association, Inc., represented by its President, Ms. Omairah A. Mardan, for Development Permit (DP) of its residential subdivision project located at Barangay Lumbia, this City, with an area of 24,535 square meters, more or less, containing 223 lots/units, is hereby approved.

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

UNANIMOUSLY APPROVED.

Present:

1st District:

- | | |
|--|-----------------------------|
| - Councilor Lourdes Candy R. Darimbang | - Councilor Annie Y. Daba |
| - Councilor Edna M. Dahino | - Councilor Roger G. Abaday |
| - Councilor Dante B. Pajo | - Councilor Alden D. Bacal |
| - Councilor Adrian L. Barba | |

2nd District:

- | | |
|-------------------------------------|---------------------------------|
| - Councilor Ramon G. Tabor | - Councilor Nadya Emano- Elipe |
| - Councilor Teodulfo E. Lao, Jr. | - Councilor Leon D. M. Gan, Jr. |
| - Councilor Dometilo C. Acenas, Jr. | - Councilor Enrico D. Salcedo |
| - Councilor Alexander S. Dacer | - Councilor President D. Elipe |

Ex-Officio Member: - Councilor Yan Lam Lim, *Liga Ng Mga Barangay President*

Out of the Session Hall: - Councilor Zaldy O. Ocon

ENACTED this 24TH day of November 2014 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:

CAESAR IAN E. ACENAS
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

ATTY. ROY HILARIO P. RAAGAS
CITY ADMINISTRATOR



June 29, 2021

Hon. EDGAR S. CABANLAS

Chairman, Committee on Subdivision
and Landed Estate, and Committee
on Urban and Rural Poor

Dear Hon. Councilor Cabanlas,

Greetings!


This refers to the draft of the Memorandum of Agreement (MOA) to be entered into by and among the City Government, to be represented by Hon. Oscar S. Moreno, as the local chief executive, the Department of Human Settlements and Urban Development (DHSUD), to be represented by its Secretary, Hon. Eduardo Drueco del Rosario, the Muslim Christian Women Homeowners Association, to be represented by its President Omairah A. Mardan and Cebu Landmasters Inc., to be represented by its Chief Operating Officer Jose R. Soberano III, covering the collaboration of the Parties in the establishment of the Muslim Christian Socialized Housing Project at Brgy. Lumbia, this city. This project will under the Community Mortgage Program (CMP).

This linkage by the local government unit (LGU) with the national government and the stakeholders in the establishment of a resettlement site for the less-privilege sector of our community will further enhance the socialized housing program of the City. This is expected to address the housing needs in the LGU with the City acting as the mobilizer.

After a careful review of the draft of the said Contract of Loan I find the terms and conditions therein to be in order and not contrary to law, morals, good customs, public order, or public policy, and is favorable to the City.

Thank you for your kind attention.

Truly yours,


Atty. JOSE B. SABANAL
City Legal Officer



23 June 2021

**THE HONORABLE PRESIDING OFFICER, and
THE HONORABLE MEMBERS OF THE SANGGUNIANG PANGLUNGSOD, this City**

SUBJECT: REQUEST FOR THE GRANTING OF AUTHORITY TO CITY MAYOR OSCAR S. MORENO, AS THE LOCAL CHIEF EXECUTIVE TO REPRESENT THE CITY GOVERNMENT OF CAGAYAN DE ORO, TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT (DHSUD), TO BE REPRESENTED BY ITS SECRETARY, HON. EDUARDO DRUECO DEL ROSARIO, HIGHLAND VILLE HOMEOWNERS' ASSOCIATION, INC., TO BE REPRESENTED BY ITS PRESIDENT NORMA Z. DACER, CEBU LANDMASTERS INC., TO BE REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER JOSE R. SOBERANO III AND FINO LAND INC., TO BE REPRESENTED BY ITS GENERAL MANAGER VOLTAIRE ANTONIO M. FLORES, COVERING THE COLLABORATION OF THE PARTIES FOR THE DEVELOPMENT OF THE HIGHLAND VILLE SOCIALIZED HOUSING PROJECT, LOCATED AT BARANGAY LUMBIA, THIS CITY, AND ITS ACCREDITATION UNDER THE DHSUD'S PARTICIPATION FOR COMMUNITY MORTGAGE PROGRAM (CMP), UNDER THE TERMS AND CONDITIONS STIPULATED IN THE MOA HERETO ATTACHED, WHICH I HEREBY CERTIFY AS AN URGENT LEGISLATIVE MEASURE

LADIES AND GENTLEMEN:

This refers to the need for an authorization from the Honorable Body to allow the undersigned to represent the City Government of Cagayan de Oro, to enter into and sign the Memorandum of Agreement (MOA) by and among the Department of Human Settlements And Urban Development (DHSUD), to be represented by its Secretary Hon. Eduardo Drueco Del Rosario, Highland Ville Homeowners' Association, Inc., to be represented by its President Norma Z. Dacer, Cebu Landmasters Inc., to be represented by its Chief Executive Officer Jose R. Soberano III and Fino Land Inc., to be represented by its General Manager Voltaire Antonio M. Flores, covering the Parties' collaboration for the development of the Highland Ville Socialized Housing Project, located at Barangay Lumbia, this City, and its accreditation under the DHSUD'S participation for availment of Community Mortgage Program (CMP), under the terms and conditions stipulated in the moa hereto attached.

In this regard, considering the above-mentioned housing project, we request the appropriate action of the August Body on this concern. Respective copies of the MOA and development plans with its approved City Ordinances on its Development Permit, a copy of which are attached herewith for your perusal.

Hoping for your favorable response on this request.

Thank you.

Truly yours,

OSCAR S. MORENO
Mayor

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This **Memorandum of Agreement (MoA)** is made, entered into and executed this _____, by and among:

DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT, a government agency with office address at DHSUD Building, Kalayaan Avenue corner Mayaman Street, Diliman, Quezon City represented herein by its Secretary, **HON. EDUARDO D. DEL ROSARIO**, hereinafter referred to as "DHSUD";

The **CITY GOVERNMENT OF CAGAYAN DE ORO**, a local government unit of the Republic of the Philippines, with official address at City Hall, Cagayan de Oro City, herein represented by its Mayor, **HON. OSCAR S. MORENO**, and hereinafter referred to as the "City";

The **HIGHLAND VILLE HOMEOWNERS ASSOCIATION, INC.**, organized homeowners' association existing under Philippine Laws, with office address at Lower Palalan, Barangay Lumbia, Cagayan de Oro City represented herein by its President, **MS. NORMA Z. ADECER**, and hereinafter referred to as the "HOA";

-and-

CEBU LANDMASTERS, INC., a corporation duly organized and existing under the laws of the Republic of the Philippines with office address at 10/F, Park Centrale Tower, J.M. del Mar Street, Apas, Cebu City, represented herein by its Chairman, President and Chief Executive Officer, **MR. JOSE R. SOBERANO III**;

FINO LAND, INC., a corporation duly organized and existing under the laws of the Republic of the Philippines with office address at 2/F, Rio Verde Building, Pontefino Estates Fr. Masterson Avenue, Upper Carmen, Cagayan de Oro City represented herein by its General Manager, **MR. VOLTAIRE ANTONIO M. FLORES**;

CEBU LANDMASTERS and FINO LAND shall be referred to collectively as the "Developers".

The DHSUD, City, HOA and Developers may be individually referred to as a "Party", and collectively as "Parties".

WHEREAS, in the creation of the DHSUD under Republic Act No. 11201, otherwise known as the "Department of Human Settlements and Urban Development Act", through the consolidation of the Housing and Urban Development Coordinating Council (HUDCC) and the Housing and Land Use Regulatory Board (HLURB), the regulatory powers of HLURB were transferred to the DHSUD, including therewith the implementation of the Balanced Housing Development Program (or Balanced Housing) under Section 18 of Republic Act No. 7279, known as the "Urban Development and Housing Act of 1992 (UDHA),"

as amended by Republic Act No. 10884 known as the “Balanced Housing Development Program Amendments”;

WHEREAS, under HLURB Board Resolution No. 965, Series of 2017 or the “Revised Implementing Rules and Regulations to Govern Sections 3, 18 and 20 of Republic Act 7279,” as amended, in particular Section 11 thereof (Incentivized Compliance), as implemented by Memorandum Circular No. 06, Series of 2020, or the “Supplemental Guidelines for Sections 4.1 and 4.2 (Percentage of Investment Compliance) and Section 11 (Incentivized Compliance) of the Revised Implementing Rules and Regulations to Govern Sections 3, 18 and 20 of Republic Act No. 7279, as Amended by Republic Act No. 10884”, the requirements under the Balanced Housing may be complied with by developers of subdivision and condominium projects by way of participation in the rehabilitation of calamity-stricken communities, through participation in the provision of adequate and potable water supply and distribution and adequate power or electrical distribution system, implementation of land development plans which shall include the construction of roads and drainage, construction of basic and community facilities, and provision of other amenities as may be allowed in open spaces, and construction of housing projects on land owned by or donated to the government, such as housing for military personnel, public housing, and housing for street children, indigent elderly and people with disability;

WHEREAS, the DHSUD is the sole agency tasked to ensure the strict compliance with the aforementioned laws;

WHEREAS, the HOA is the owner of a parcel of land with an aggregate area under a Deed of Sale (**Annex B**) executed by the former landowners in favor of the HOA, with the condition under a Memorandum of Agreement (**Annex C**) that the City shall develop the parcel of land for socialized housing as shown below:

HOMEOWNERS' ASSOCIATION	AREA (SQ.M.)	TCT NO.	LOCATION
Highland Ville Homeowners Association, Inc.	40,934	137-2014003503 137-2014003506 137-2014003521 137-2014003610	Barangay Lumbia

WHEREAS, the City will undertake the development of the Highland Ville (or the “Project”) with the City’s constituents as the primary beneficiaries thereof, not only to fulfill the City’s mandate under the Urban Development and Housing Act of 1992 of providing affordable and livable shelter, but more importantly to likewise address the constant threat of calamities and natural disasters;

WHEREAS, the development of the Project, in consideration of its objectives and intended beneficiaries, not only aligns with the DHSUD’s **Participation in the Community Mortgage Program (CMP)** but is also entitled to be the beneficiary of Developers’ Incentivized Compliance to the Balanced Housing through financing and subsidy of the land development cost of the Project in order to further make socialized housing not only more affordable but also livable for the beneficiaries; and

WHEREAS, the Developers have expressed its intent and willingness to participate in the development of the Project, through the allocation of its Incentivized Compliance in accordance with the above-mentioned laws and regulations by financing and subsidizing the land development cost of the Project.

NOW THEREFORE, in consideration of the foregoing premises, the Parties do hereby enter into this MoA and agree and covenant on the following:

**I.
REPRESENTATIONS, RIGHTS AND RESPONSIBILITIES
OF THE CITY OF CAGAYAN DE ORO**

1.1 Representations and Warranties. The City warrants the validity and enforceability of all documents submitted and to be eventually submitted and be deemed as annexes and/or as integral parts hereof, in all respect they purport to be.

1.2 The "Highland Ville" Project. The City shall develop and complete the Project in accordance with the approved and submitted Site Development Plan and/or Building Plans, signed and sealed by licensed engineer or architect as may be authorized under existing laws and regulations, and which shall be deemed as integral parts hereof as **Annex B**. The entire Project shall consist of the development of the CITY's socialized housing project, the "Highland Ville" with generated 264 total house and lot units within the forty thousand nine hundred thirty-four (40,934) square meters of donated land covered under TCT No.: 137-2014003503, T137-2014003506, 137-2014003521, and 137-2014003610 as project site located in Lower Palalan, Barangay Lumbia, Cagayan de Oro City.

1.3 Transfer of Ownership and Title to the Land. The City shall cause the partitioning and segregation of the parcel of land donated in its favor and the transfer of title and ownership in its name, free from all liens, claims, occupants or encumbrances, and the same shall constitute as one of the conditions for the releases of the developers' compliance in accordance with Section 5.1 hereof.

The DHSUD and BALAI logos shall be incorporated or added in the design of the Project and shall be prominently displayed in any conspicuous area of the Project. No alteration of the Site Development Plan and/or Building Plan/s shall be undertaken by the City without the prior knowledge and consent of all Parties hereto.

1.4 Engagement of a Contractor. The City shall engage the services of a third party contractor (or the "Contractor") under a duly executed Service Contract to be approved by the DHSUD, and shall cause the said contractor to agree to answer to all defects in the Project in accordance with the Service Contract, and that the Project shall be developed and completed in accordance with the development plans approved as by the regulatory bodies and the concerned parties. The Service Contract, shall provide, among others, for the duty of the Contractor to regularly submit progress reports and billings based on the approved work program.

1.5 Construction and Financing of the Housing Components. The City shall cause the development and construction of the 264 housing units

as well as other building structures as may be provided in the approved plans at the earliest possible time after the commencement of the land development of the Project. The construction and completion thereof may be financed through any of the housing loan assistance programs of the Social Housing Finance Corporation (SHFC) in accordance with its existing rules and regulations.

1.6 License, Permits and Clearances. The City shall ensure and facilitate that all of the required and necessary permits and clearances for the land development, construction and completion of the Project are secured, including the Project's Certificate of Registration and License to Sell from the DHSUD's Northern Mindanao Regional Office (Region X), and it shall develop the same in accordance with existing rules and regulations, including the technical design and standards under Batas Pambansa Blg. 220;

1.7 Identification of Beneficiaries. The City shall identify the beneficiaries based on the criteria and qualifications as it may require and likewise in accordance with the eligibility requirements of the SHFC housing loan program, provided that thirty percent (30%) thereof shall be allotted to beneficiaries coming from the LGU of the main project of the Developers if such LGU opt to avail of the benefit. The City shall submit the list thereof to the DHSUD in accordance with Section 5.2.2 hereof.

Pursuant hereto, the City shall assist the beneficiaries in their application for their SHFC Housing Loans, individually or collectively, including therewith their orientation on the guidelines and loan requirements prescribed by SHFC.

1.8 Grant of Authority to Enter Project Site and Monitor Project Development. The City hereby expressly permits and allows the authorized representative/s of the DHSUD and the Developers, upon prior notice, to enter the project site and regularly monitor and inspect the completion of the Project as basis for the release of the Developers' compliance as herein provided. Authority is likewise granted by the City in favor of the selected contractor and/or its employees, agents, sub-contractors, and representatives to mobilize and access the property and the Project for the purpose of conducting the necessary technical studies and surveys, as well as all works and construction in furtherance of its obligations hereunder.

1.9 Miscellaneous Undertakings of the City. Further hereto, the City shall provide and secure the final alignment and demarcations of the main roads, streets, and alleys, including right of way agreements with private landowners, as may be necessary, to enable the Contractor to lay down the necessary transmission lines and tapping points needed for the Project.

The City shall likewise provide adequate security measures for the project development and construction personnel of Contractors during the development of land until full turnover thereof to the City.

**II.
REPRESENTATIONS, WARRANTIES AND
RESPONSIBILITIES OF THE DEPARTMENT OF
HUMAN SETTLEMENTS AND URBAN DEVELOPMENT**

2.1 Project's Community Mortgage Program Accreditation. In consideration of the Project's intended beneficiaries, its design and compliance with the standards set by the DHSUD for socialized housing projects under Batas Pambansa Blg. 220, the DHSUD hereby certifies the Project as under the Community Mortgage Program, qualifying the same to be the recipient of the incentivized compliance of developers to the Balanced Housing;

2.2 Allocation of Developers' Compliance. The DHSUD, in accordance with existing rules and regulations to implement the Balanced Housing, shall grant, allocate and authorize the release in favor of the City the commensurate Developers' incentivized compliance through direct participation in the amount of **NINETEEN MILLION THREE HUNDRED TEN THOUSAND TWO HUNDRED FIFTY-ONE & 68/100 (P19,310,251.68)** to finance and subsidize the land development component of the Project, including but not limited to the following:

- 2.2.1** Subdivision Survey Works
- 2.2.2** Earthworks / Site Preparation
 - 2.2.2.1** Clearing and grubbing
 - 2.2.2.2** Cut, Fill and Waste Disposal
- 2.2.3** Drainage Works
- 2.2.4** Water Distribution Line
- 2.2.5** Sidewalk
- 2.2.6** Guardhouse
- 2.2.7** Parks and Playgrounds
- 2.2.8** Waste Water Treatment Facility
- 2.2.9** Electrical Distribution Line

2.3 Monitoring and Release of Payments. The DHSUD shall authorize the payment by the Developers in favor of the selected Contractor the amount of **P19,310,251.68** through progress billing, in accordance with the Project's approved Work Program and Schedule, subject to monitoring, inspection and verification of status of land development completion to be conducted by the DHSUD's Region X (NORTHERN MINDANAO) Office.

2.4 Allowance of Developers' Compliance and Application. The DHSUD shall allow the immediate application by the Developers of its incentivized compliance of P19,310,251.68 upon execution of this Agreement and submission of written request for the application of the same. The DHSUD shall issue, through its Regional Offices, the Final Certificates of Compliance with the Balanced Housing requirement in favor of the Developers' main project/s, upon utilization of its incentivized compliance, in accordance with existing rules and regulations.

III.
REPRESENTATIONS AND WARRANTIES, AND RIGHTS
AND RESPONSIBILITIES OF THE DEVELOPERS

3.1. Representations and Warranties. The Developers hereby represents and warrants that:

3.1.1 It is duly organized, validly existing, and in good standing under the laws of the Republic of the Philippines;

3.1.2 It has the full power, authority, and legal right to execute this Agreement, to exercise its rights and perform its obligations hereunder, and to consummate the transactions contemplated herein; and

3.1.3 The execution, delivery and performance by it of this Agreement does not and will not violate any provision of applicable law or constitute a breach of any contract to which Developer is a party or by which it may be bound;

3.1.4 All consents necessary for the due execution, delivery, and performance of this Agreement have been obtained;

3.1.5 It shall hold the DHSUD and its officials and personnel free and harmless from any and all claims, actions, liabilities, losses and suits which may be brought or instituted by any party whatsoever by reason of the fault, failure, negligence, delay, or any conduct on its part, its respective officers, employees, and agents in the performance of their corresponding obligations under this agreement, without prejudice to its claim against the proper erring party;

3.1.6 It shall contribute proportionate amounts, specified in the schedule below, for the design, engineering and construction of the Project:

DEVELOPER	CONTRIBUTION in PHP
CEBU LANDMASTERS, INC	13, 603, 172.09
FINO LAND	5, 707, 079.59
TOTAL	Php 19, 310, 251.68

3.1.6 It shall directly pay or remit the corresponding portion of its aforementioned funds to the Contractor in accordance with the approved progress billings and upon written clearance to release payment from the DHSUD, and shall be liable for any damages arising from its unjustified refusal to pay the billings of the Contractor despite written clearance or instruction from the DHSUD; and

3.1.7 The obligations expressed to be assumed by it under this Agreement are, under the laws of the Republic of the Philippines, legal, valid, and binding obligations, enforceable against it in accordance with the terms and conditions hereof, and that all acts, conditions, and things required by its Articles of Incorporation to be done, fulfilled or performed in order to enable it to enter into, execute, deliver, exercise its rights, and perform its obligations under this Agreement, to constitute this Agreement legal, valid, binding and enforceable in accordance with its terms, and to make this Agreement admissible in evidence, have been done, fulfilled and performed by it.

3.2 Participation of the Developer as Incentivized Compliance.
The Developer shall finance the land development of the Project in the total amount of **NINETEEN MILLION THREE HUNDRED TEN THOUSAND TWO HUNDRED FIFTY ONE & 68/100 (P19,310,251.68).**

The Developers shall contribute proportionate amounts, specified in the schedule below, for the design, engineering, and construction of the Project:

DEVELOPER	CONTRIBUTION in PHP
CEBU LANDMASTERS, INC	13, 603, 172.09
FINO LAND	5, 707, 079.59
TOTAL	Php 19, 310, 251.68

It shall be utilized for the design, engineering, subdivision survey and construction of the land development for the Project, which shall include the construction of roads, drainage, and open space facilities, as well as payment for fees for the development permit, license to sell, environmental clearances as may be assessed on the project.

The Developer may also assign the obligation to remit a portion of the project cost to any of its Affiliates, in which case the credit values pertaining to such project cost shall also be deemed assigned to such remitting Affiliate. For this purpose, Affiliate means any corporation, partnership or other form of association, Controlling or Controlled by or under Common Control with the Developer. In relation to the foregoing, "Control" (including with correlative meanings, the terms "Controlling", "Controlled by" and under "Common Control") means the power to direct or cause the direction of the management and policies of any corporation, partnership or other form of association, whether through substantial ownership or voting stock, by contract or otherwise.

The Developers agree that it shall have no right to reimbursement of the amounts disbursed, as the same is its compliance to the Balanced Housing. In case however the implementation of this MoA is terminated prior to the completion of the land development of the Project without fault on the part of any of the Developer, any amount paid it has paid shall be credited for its future utilization or for its Affiliates', for a period of ten (10) years from date of payment thereof or termination of this Agreement, whichever is deemed favorable to the Developers or its Affiliates.

3.3. Free and Harmless Clause. The Developer or its Affiliates, including its Affiliates, and its directors, officers, employees, agents, and representatives, subcontractors, heirs, executors, successors, assigns and all persons and entities acting in privity with them, shall be free and harmless from and against any and all claims, demands, actions, suits, damages payable to third parties by reason of any delays in the enforcement of the Project or failure of the City to fully support the Project, unless such is caused by the fault, negligence, or willful misconduct of the Developer or its representatives in the fulfillment of its obligations as specified under this MoA and the Service Agreement with the contractor to be executed in accordance with this Agreement.

IV. PROGRESS BILLING, SCHEDULE OF RELEASE AND OTHER CONDITIONS

4.1. Progress Billing and Requests for Payment. The City shall cause the Contractor to regularly submit progress report on the land development and shall accordingly submit a Request for Release of Payment consistent with Section 1.4 hereof and shall allow authorized representatives of the DHSUD and the Developer to regularly monitor, inspect and validate the level of completion of the Project as basis for the release of the funds herein provided.

4.2. Schedule of Releases and Additional Conditions. Notwithstanding the schedule of billing and payment as may be provided in the Service Contract, the releases of payment to the Contractor shall in all cases be subject to the following:

4.2.1 Ten Percent (10%) Downpayment - Upon submission by the City of the following:

4.2.1.1 Complete and approved subdivision plan, program and costing signed by a licensed engineer or architect;

4.2.1.2 Notarized Deed of Donation in favor of the City;

4.2.1.3 Submission by the Contractor of the Signed Service Contract and Performance Bond equivalent to the 10% downpayment; and

4.2.1.4 Mobilization at the site, with at least 75% completed temporary facilities.

4.2.2 Second Release - Upon submission by the City of the Project's Development Permit and/or Sanggunian Approval and List of Beneficiaries; and

4.2.3 Third Release - Upon submission by the City of the segregated title, Certificate of Registration and License to Sell issued by DHSUD's Region X (NORTHERN MINDANAO Office), and the project's housing component construction design and plan and application for availment of SHFC Housing Loan Program.

All subsequent releases shall be in accordance with the provisions of the Service Contract, provided that in all cases, progress billing shall be evaluated and processed based on reconciled percentage accomplishment. Provided that, the 10% retention shall only be released upon certification of the DHSUD that the land development is complete according to plans.

V. MISCELLANEOUS PROVISIONS

5.1 Complete Agreement. This Memorandum of Agreement contains the full and complete agreement among the Parties on the subject matter, and the same shall supersede any or all representations, understanding or agreement, verbal or written, implied or express, previously made or entered into by them and thus,

this Agreement may only be amended upon the written mutual agreement of the Parties;

It is understood that all terms and conditions herein provided are subject to and subordinate to the existing rules, regulations and circulars of the DHSUD pertinent to the establishment and utilization of the Developer's Incentivized Compliance. In case of conflict, the pertinent provisions of such rules, regulations and circulars shall prevail.

5.2 Counterparts. This Agreement may be executed simultaneously in one or more counterparts, each one of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

5.3 Good Faith. In complying and implementing the terms of this Memorandum of Understanding, the Parties shall exercise good faith and cooperation to ensure the fulfillment of their common objective of providing adequate, livable, affordable, and inclusive housing and communities to the Filipinos.

5.4 Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon the Parties hereto and their respective successors-in-interest and permitted assigns.

5.5 Non-Waiver. The rights of a Party will not be prejudiced or restricted by any indulgence or forbearance extended by it to the other Party, and no waiver by a Party in respect of any breach of this Agreement will operate as a waiver in respect to any current or subsequent breach thereof;

5.6 Force Majeure. No Party shall be liable for any failure or delay in the performance of its respective obligations as herein provided if any force majeure event shall be the proximate cause of the same; For purposes of this Agreement, a "Force Majeure Event" shall include, but not be limited to: (i) declared or undeclared war, armed hostilities, revolution, rebellion, insurrection, riot, public disorder, and the like; (ii) unforeseen rock formations in the geodetic layers of the identified deep well sites; and (iii) extreme and unforeseen weather conditions, fire, unusual flood, earthquake, and similar calamities or acts of God, and Government's, local or national, declaration of community quarantines and other restrictions;

The Party invoking the existence of a Force Majeure Event shall immediately notify the other Party, specifying the nature and details of the Force Majeure Event, how it affects the Party's ability to comply with its obligations hereunder, and a proposed mitigating action to address the same. Upon the cessation of such Force Majeure Event, the Parties shall immediately resume the performance of their obligations. However, if the Force Majeure Event extends for a period in excess of 180 continuous days, the Parties hereto shall meet to discuss the basis and terms upon which this Agreement be continued or mutually terminated.

5.7 Dispute Resolution. Any conflict or dispute that may arise out of this Agreement on the interpretation or implementation of any provision hereof shall be settled amicably within thirty (30) days, through the authorized representatives of the Parties. Either Party may initiate amicable discussions by sending written notice to the other Party, specifying the alleged dispute and proposing schedule for the amicable settlement thereof;

5.8 Venue. Should the parties fail to settle the dispute amicably, the regular court or competent quasi-judicial bodies of Cagayan de Oro City shall have the sole and exclusive jurisdiction over any disputes or claims that may arise out of, on in connection with this MOA.

5.9 Separability. If any term, provision, or constitution provided in this Agreement is subsequently declared void, contrary to law, or unenforceable by a court of competent jurisdiction, the validity of the other terms, provisions or conditions not affected by such declaration shall remain valid and binding. The Parties shall however endeavor and exert best efforts to agree on the substitution of the void, illegal or unenforceable provision/s with legally acceptable clauses approximating as closely as possible the sense, intent and purpose of the affected provisions and of this Agreement as a whole; and

5.10 Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the Republic of the Philippines.

IN WITNESS WHEREOF, the Parties hereto have signed and executed this Memorandum of Agreement this ____th day of _____, 2021 in _____, _____.

**DEPARTMENT OF HUMAN
SETTLEMENTS AND URBAN
DEVELOPMENT**

By:

**CITY GOVERNMENT
OF CAGAYAN DE ORO**

By:

HON. EDUARDO D. DEL ROSARIO
Secretary

HON. OSCAR S. MORENO
City Mayor

**HIGHLAND VILLE
HOMEOWNERS ASSOCIATION, INC.**

By:

MS. NORMA Z. ADECER
HOA President

CEBU LANDMASTERS, INC.
By:

FINO LAND, INC.
By:

MR. JOSE R. SOBERANO III
*Chairman, President and Chief
Executive Officer*

MR. VOLTAIRE ANTONIO M. FLORES
General Manager

Witnesses:

ACKNOWLEDGMENT

Before me, Notary Public, for and in _____, this ____ say of _____, 2021, personally appeared:

<u>Name</u>	<u>Competent Evidence of Identity</u>	<u>Date / Place Issued</u>
DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT <i>Represented by:</i> Eduardo D. Del Rosario Secretary	Phil. Passport No. P009194A	08/30/2016; DFA Manila
CITY GOVERNMENT OF CAGAYAN DE ORO <i>Represented by:</i> OSCAR S. MORENO City Mayor		
HIGHLAND VILLE HOMEOWNERS ASSOCIATION, INC. <i>Represented by:</i> MS. NORMA Z. ADECER HOA President		
CEBU LANDMASTERS, INC. <i>Represented by:</i> MR. JOSE R. SOBERANO III <i>Chairman, President and Chief Executive Officer</i>		
FINO LAND, INC. <i>Represented by:</i> MR. VOLTAIRE ANTONIO M. FLORES <i>Chairman, President and Chief Executive Officer</i>		

Memorandum of Agreement; DHSUD and City Government of Cagayan de Oro
Highland Ville Housing Project

Known to me to be the same persons who executed the foregoing instrument and acknowledged to me that they acted in a representative capacity, that they are duly authorized to represent as such, that the same is their own free and voluntary act and deed as well as of the agency, local government unit, and corporation they represent.

This instrument, consisting of thirteen (13) pages including this page where this acknowledgment is written, has been signed on each and every page thereof by the parties and their witnesses.

This Memorandum of Agreement consists of thirteen (13) pages, including the page whereon this acknowledgment is written, signed by the Parties and their witnesses.

WITNESS MY HAND AND NOTARIAL SEAL, this _____ day of _____
in _____, Philippines.

NOTARY PUBLIC
Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2021.

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



ORDINANCE NO. 12778-2014

AN ORDINANCE APPROVING THE APPLICATION OF HIGHLAND VILLE HOMEOWNERS ASSOCIATION, INC., REPRESENTED BY ITS PRESIDENT, MS. JANETH V. BAHIAN FOR DEVELOPMENT PERMIT OF ITS RESIDENTIAL SUBDIVISION PROJECT WITH AN AREA OF 4,0934 HECTARES, MORE OR LESS, CONTAINING 264 LOTS, LOCATED AT BARANGAY LUMBIA, THIS CITY

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

SECTION 1. - The application of Highland Ville Homeowners Association, Inc., represented by its President, Ms. Janeth V. Bahian, for Development Permit of its residential subdivision project with an area of 4,0934 hectares, more or less, containing 264 Lots, located at Barangay Lumbia, this City, is hereby approved.

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

UNANIMOUSLY APPROVED.

Present:

1st District:

- Councilor Lourdes Candy R. Darimbang - Councilor Zaldy O. Ocon
- Councilor Anne Y. Daba - Councilor Edna M. Dahino

2nd District:

- Councilor Roger G. Abaday - Councilor Adrian L. Barba
- Councilor Nadya Emano- Elipe - Councilor Teodulfo E. Lao, Jr.
- Councilor Leon D. M. Gan, Jr. - Councilor President D. Elipe

Ex-Officio Member:

- Councilor Yan Lam Lim, *Liga Ng Mga Barangay President*

Out of the Session Hall:

- Councilor Dante B. Pajo, *1st District*

Absent:

- Councilor Alden D. Bacal, (*1st District*)

2nd District:

- Councilor Enrico D. Salcedo - Councilor Alexander S. Dacer, *Indisposed*

On Official Business:

2nd District:

- Councilor Ramon G. Tabor - Councilor Dometilo C. Acenas, Jr.

ENACTED this 12TH day of May 2014 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:

CAESAR IAN E. ACENAS
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

ATTY. ROY HILARIO P. RAAGAS
CITY ADMINISTRATOR



July 01, 2021

Hon. EDGAR S. CABANLAS

Chairperson, Committee on Subdivision
And Landed Estate
Committee on Urban and Rural Poor
City Council of Cagayan de Oro
3rd Level, Legislative Bldg.
City Hall Compound

Dear Hon. Cabanlas,

This refers to the draft of the Memorandum of Agreement (MOA) to be entered into by and among the City Government, to be represented by Hon. Mayor Oscar S. Moreno, as the local chief executive, the Department of Human Settlements and Urban Development (DHSUD), to be represented by its Secretary. Hon. Edrueco del Rosario, Highland Ville Homeowners' Association, to be represented by its President Norma Z. Dacer, Cebu Landmasters Inc., to be represented by its Chief Executive Officer Jose R. Soberano III and Fino Land, Inc., to be represented by its General Manager Voltaire Antonio M. Flores, covering the Parties' collaboration for the development of the Highland Ville Socialized Project, located at Barangay Lumbia, this city. This is another project under with DHSUD's participation and for availment of Community Mortgage Program (CMP), under the terms and conditions thereof.

The collaboration of the parties will enhance the socialized housing program of the city and help reduce the housing backlog requirements, with components in the establishment of the resettlement site to be undertaken by the other parties, and the city government will act as the mobilizer. This will surely allow the city to maximize its housing budget allocation to further expand its program.

After a careful review of the draft of the MOA, I find its provisions to be in order and not contrary to laws, public moral, good customs, public order, or public policy.

Thank you for your kind attention.

Truly yours,


Atty. JOSE B. SABANAL
City Legal Officer



19TH CITY COUNCIL COMMITTEES

CAGAYAN DE ORO



AGRICULTURE:
HON. JAY ROA PASCUAL



BARANGAY AFFAIRS:
HON. YAN LAM LIM



COOPERATIVES:
HON. ENRICO SALCEDO



CULTURAL COMMUNITIES:
HON. MARIA LOURDES GAANE



ETHICS AND BLUE RIBBON:
HON. REUBEN DABA



ECONOMIC ENTERPRISES:
HON. IAN MARK NACAYA



EDUCATION:
HON. SUZETTE MAGTAJAS-DABA



ENERGY:
HON. TEODULFO LAO JR.



ENVIRONMENT:
HON. ENRICO SALCEDO



FINANCE, BUDGET & APPROPRIATIONS:
HON. EDNA DAHINO



FISHERIES AND AQUATIC RESOURCES:
HON. ZALDY OCON



GAMES AND AMUSEMENT:
HON. ROGER ABADAY



HEALTH AND HEALTH INSURANCE:
HON. MARIA LOURDES GAANE



LABOR AND EMPLOYMENT:
HON. JOYLEEN BALABA



LAWS AND RULES:
HON. IAN MARK NACAYA



PLANNING & DEVELOPMENT:
HON. IAN MARK NACAYA



POLICE, FIRE & PUBLIC SAFETY:
HON. ROMEO CALIZO



PUBLIC UTILITIES:
HON. TEODULFO LAO JR.



PUBLIC WORKS:
HON. ZADY OCON



ROADS AND TRAFFIC MANAGEMENT:
HON. ROMEO CALIZO



SENIOR CITIZENS:
HON. ROGER ABADAY



SOCIAL SERVICES:
HON. JOYLEEN BALABA



SPORTS AND YOUTH DEVELOPMENT:
HON. JOHN MICHAEL SENO



SUBDIVISION & LANDED ESTATE:
HON. EDGAR CABANLAS



TOURISM:
HON. JAY ROA PASCUAL



SISTER CITY RELATION:
HON. SUZETTE MAGTAJAS-DABA



TRADE AND COMMERCE:
HON. GEORGE GOKING



URBAN & RURAL POOR & HOUSING DEVELOPMENT: **HON. EDGAR CABANLAS**



WAYS AND MEANS:
HON. GEORGE GOKING



WOMEN AND FAMILY RELATIONS:
HON. EDNA DAHINO