



18th CITY COUNCIL

Cagayan de Oro

AGENDA



77th Regular Session
Monday / March 12, 2018
2:30 PM
Session Hall


HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



CAGAYAN DE ORO MARCH

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

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

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

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

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

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



Republic of the Philippines
CITY OF CAGAYAN DE ORO

OFFICE OF THE CITY COUNCIL

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



March 9, 2018

THE HONORABLE MEMBERS

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

Gentlemen and Ladies:

Please be informed that the **77th Regular Session** of the 18th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro will be on **Monday, 12 March 2018 at 2:30 PM** at the Session Hall, Legislative Bldg., City Hall, this City.

Thank you very much.

Very truly yours,

ARTURO S. DE SAN MIGUEL
CITY SECRETARY

THE HONORABLE MEMBERS

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

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



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HON. YAN LAM S. LIM

CITY COUNCILOR

LIGA NG MGA BARANGAY PRESIDENT

**AGENDA OF THE 77TH REGULAR SESSION OF THE 18TH CITY COUNCIL
(SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO ON
MONDAY, 12 MARCH 2018**

Order of Business

- A. CALL TO ORDER BY THE HONORABLE CHAIR AND PRESIDING OFFICER**
- B. INVOCATION BY HONORABLE CITY COUNCILOR EDNA M. DAHINO**
- C. SINGING OF THE NATIONAL ANTHEM**
- D. SINGING OF THE CAGAYAN DE ORO MARCH**
- E. ROLL CALL AND DETERMINATION OF QUORUM BY THE CITY SECRETARY**
- F. READING, CORRECTIONS, IF ANY, AND APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR SESSION ON MARCH 5, 2018
(SEE APPENDIX “A” / Pages 1-11)**
- G. SPECIAL REPORT**
- H. AGENDA PROPER:**
 - 1] PROPOSED ORDINANCE NO. 2018-34 – approving the Cagayan de Oro City Comprehensive Children’s Welfare Code of 2018; Repealing Ordinance No. 10536-2007, and for other purposes.
(SEE APPENDIX “B” / Pages 12-47)**

AUTHOR: COUNCILOR REUBEN R. DABA
CO-AUTHOR: COUNCILOR IAN MARK Q. NACAYA

Document/s on file:

- Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated November 3, 2017
- Letter of the City Legal Office dated November 30, 2017
- Draft Ordinance

COMMITTEE SPONSOR/S:

COMMITTEE ON **SOCIAL SERVICES**

- COUNCILOR REUBEN R. DABA, CHAIRPERSON
- COUNCILOR MARIA LOURDES S. GAANE, MEMBER
- COUNCILOR JAY R. PASCUAL, MEMBER

COMMITTEE ON **LAWS AND RULES**

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

- 2) PROPOSED ORDINANCE NO. 2018-35 - authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Understanding (MOU) with the Mountain View College, represented by its School President, Dr. Gladden O.**

Flores, covering the affiliation and internship training of its medical technology students at the JR Borja General Hospital, this City, under the terms and conditions specified therein.

(SEE APPENDIX “C” / Pages 48-55)

Document/s on file:

- Endorsement of City Vice Mayor Raineir Joaquin V. Uy dated November 15, 2017
- Endorsement of Dr. Ramon M. Nery, M.D. dated October 19, 2017 (with City Mayor's Marginal Note)
- Endorsement of the City Legal Office dated September 5, 2017
- Draft MOU

COMMITTEE SPONSOR/S:

COMMITTEE ON **HEALTH, SANITATION AND HEALTH INSURANCE** - COUNCILOR MARIA LOURDES S. GAANE, CHAIRPERSON

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

- 3) **PROPOSED ORDINANCE NO. 2018-36-** authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement (MOA) with the Xavier University (Ateneo de Cagayan), represented by its President, Fr. Roberto C. Yap, SJ, covering the affiliation and clinical exposure of its medical students at the JR Borja General Hospital, this City, under the terms and conditions stipulated in the MOA submitted to this body.

(SEE APPENDIX “D” / Pages 56-65)

Document/s on file:

- Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated November 15, 2017
- Endorsement of Dr. Ramon M. Nery, M.D.
- Letter of the Xavier University School of Medicine dated October 25, 2017 (with City Mayor's Marginal Note)
- Endorsement of the City Legal Office dated April 10, 2017
- Draft MOA

COMMITTEE SPONSOR/S:

COMMITTEE ON **HEALTH, SANITATION AND HEALTH INSURANCE** - COUNCILOR MARIA LOURDES S. GAANE, CHAIRPERSON

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

- 4) **PROPOSED ORDINANCE NO. 2018-37-** approving the application of A. Brown Company, Incorporated, represented by Engr. John L. Batac, for Preliminary Approval and Locational Clearance (PALC) of The Terraces in Xavier Estates subdivision project, containing 46 lots/units, with an area of 28,763 square meters, located in Barangay Balulang, this City, subject to the herein conditions as recommended by the City Engineer's Office per technical evaluation dated January 26, 2018, which shall be complied with upon its Development Permit (DP) Application, to wit:

- A consolidated drainage lay-out plan shall be provided;

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

(SEE APPENDIX “E” / Pages 66-76)

Document/s on file:

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

COMMITTEE SPONSOR/S:

COMMITTEE ON SUBDIVISION AND LANDED ESTATE	-	COUNCILOR DOMETILO C. ACENAS, JR., CHAIRPERSON
	-	COUNCILOR ENRICO D. SALCEDO, VICE CHAIR
	-	COUNCILOR JAY R. PASCUAL, MEMBER
	-	COUNCILOR REUBEN R. DABA, MEMBER
	-	COUNCILOR MARIA LOURDES S. GAANE, MEMBER
COMMITTEE ON LAWS AND RULES	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR ROMEO V. CALIZO, MEMBER
	-	COUNCILOR GEORGE S. GOKING, MEMBER

- 5) **PROPOSED ORDINANCE NO. 2018-38-** approving the application of Land Resources Corporation, represented by its General Manager, Ms. Vivian S. Vestil, for Alteration of Plan of a portion of Tuscania Subdivision, located in Barangay Kauswagan, this City, by relocating its parks and playgrounds and open spaces with an affected area of 500 square meters, more or less, from the north-eastern portion to south-western portion of the said subdivision; and for this purpose, amending Ordinance No. 10585-2007, as amended by Ordinance No. 12623-2013.
(SEE APPENDIX “F” / Pages 77-89)

Document/s on file:

- Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated February 9, 2018
- Endorsement of the Cagayan de Oro Housing Board dated February 1, 2018
- Endorsements of the City Planning and Development Office dated January 26, 2018 & January 31, 2018
- Recommendation for Alteration of Plan
- Technical Evaluation of the City Engineering Office dated January 31, 2018
- Application of Alteration of Plan
- Letter of Land Resources Corporation
- Resolution No. 02-17 of Tuscania-CDO Homeowners' Association
- Ordinance No. 10585-2007 & Ordinance No. 12623-2013
- Affidavit executed by the Land Resources Corporation
- Application for Alteration of Plan
- Site Development Plan

COMMITTEE SPONSOR/S:

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

- COUNCILOR ROMEO V. CALIZO, MEMBER
- COUNCILOR GEORGE S. GOKING, MEMBER

- 6) A. PROPOSED RESOLUTION NO. 2018-62-** returning to the Barangay Council of Barangay No. 1, this City, its Ordinance No. 01, Series of 2018, covering its Annual Budget for Calendar Year 2018, with the information that said Ordinance is in order and therefore the same may be given force and effect as of the date fixed for its effectivity.

(SEE APPENDIX “G” / Pages 90-99)

Document/s on file:

- Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated March 2, 2018
- Indorsement of the City Budget Officer
- Technical Review Analysis Sheet by the LFC
- Budget Message
- Ordinance No. 01, series of 2018 of Barangay No. 1
- Certified Statement of Income
- Actual Income & Expenditures CY 2016
- Income and Expenditure Estimates CY 2018
- Personnel Schedule
- Annual Procurement Program
- 2018 Annual Investment Plan

COMMITTEE SPONSOR/S:

COMMITTEE ON **BARANGAY AFFAIRS**

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

COMMITTEE ON **LAWS AND RULES**

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

- B. PROPOSED RESOLUTION NO. 2018-63-** returning to the Barangay Council of Barangay No. 27, this City, its Ordinance No. 01, Series of 2018, covering its Annual Budget for Calendar Year 2018, with the information that said Ordinance is in order and therefore the same may be given force and effect as of the date fixed for its effectivity.

(SEE APPENDIX “H” / Pages 100-108)

Document/s on file:

- Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated February 28, 2018
- Indorsement of the City Budget Officer
- Technical Review Analysis Sheet by the LFC
- Budget Message
- Ordinance No. 01, series of 2018 of Barangay No. 27
- Certified Statement of Income
- Actual Income & Expenditures CY 2016
- Income and Expenditure Estimates CY 2018
- Personnel Schedule
- Annual Procurement Program
- 2018 Annual Investment Plan

COMMITTEE SPONSOR/S:

COMMITTEE ON **BARANGAY AFFAIRS**

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

COMMITTEE ON **LAWS AND RULES**

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

COUNCILOR GEORGE S. GOKING, MEMBER

- C. PROPOSED RESOLUTION NO. 2018-64-** returning to the Barangay Council of Tumpagon, this City, its Ordinance No. 01, covering its Annual Budget for Calendar Year 2018, with the information that said Ordinance is in order and therefore the same may be given force and effect as of the date fixed for its effectivity.
(SEE APPENDIX “I” / Pages 109-117)

Document/s on file:

- Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated February 28, 2018
- Indorsement of the City Budget Officer
- Technical Review Analysis Sheet by the LFC
- Budget Message
- Ordinance No. 01 of Barangay Tumpagon
- Certified Statement of Income
- Actual Income & Expenditures CY 2016
- Income and Expenditure Estimates CY 2018
- Personnel Schedule
- Annual Procurement Program
- 2018 Annual Investment Plan

COMMITTEE SPONSOR/S:

COMMITTEE ON **BARANGAY AFFAIRS**

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

COMMITTEE ON **LAWS AND RULES**

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

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

City Vice Mayor **RAINEIR JOAQUIN V. UY**, Presiding Officer, called the session to order at exactly 3:33 P.M.

The members present were the following:

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

First District:

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

Second District:

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

Ex-Officio Member:

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

On Leave:

- City Councilor **ANNIE Y. DABA**
- City Councilor **NADYA EMANO-ELIPE**, ASSISTANT MINORITY FLOOR LEADER

Absent:

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

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

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

MOTION NO. 23560-2018

MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE 75TH REGULAR SESSION ON FEBRUARY 26, 2018, AND TO CONSIDER THE FURNISHING OF THE COPIES THEREOF TO EACH MEMBER AS THE READING ITSELF

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

MOTION NO. 23561-2018

MOTION TO APPROVE THE MINUTES OF THE 75TH REGULAR SESSION ON FEBRUARY 26, 2018

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

B. ON SPECIAL REPORT

- i. Councilor Romeo V. Calizo reported about the need to construct more classrooms for the Patag National High School in view of the increasing number of students thereat, among other things.

Action taken: The report was referred to the Committee on Education for appropriate action.

- ii. Councilor Reuben R. Daba stressed the need to dredge Cagayan de Oro River and proposed the creation of a Technical Work Group that will coordinate with national government agencies for the purpose, among other things.

Action taken: The report was referred to the Committee of the Whole for appropriate action.

C. ON MINUTES OF THE 76TH REGULAR SESSION ON MARCH 5, 2018

*At this juncture Councilor Yan Lam S. Lim
was out of the Session Hall.*

MOTION NO. 23562-2018

MOTION TO DEFER ACTION, FOR A PERIOD OF ONE WEEK, ON PROPOSED ORDINANCE NO. 2018-28 – “PROTECTING THE TRAVEL OF UNACCOMPANIED MINORS TO AND FROM CAGAYAN DE ORO CITY WITHOUT PROPER DOCUMENTATION IN THE MANNER SPECIFIED HEREIN, PROVIDING PENALTY FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES”, FOR REFINEMENT THEREOF TAKING INTO CONSIDERATION THE OBSERVATIONS AND SUGGESTIONS OF SOME MEMBERS

Moved by Councilor Leon D. Gan, Jr., duly seconded by Councilor Romeo V. Calizo, CARRIED BY MAJORITY.

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

ORDINANCE NO. 13389-2018

AN ORDINANCE APPROVING THE APPLICATION OF A. BROWN COMPANY, INCORPORATED, REPRESENTED BY ENGR. JOHN L. BATAAC, FOR PRELIMINARY APPROVAL AND LOCATIONAL CLEARANCE (PALC) OF XAVIER ESTATES PHASE 4F SUBDIVISION PROJECT, CONTAINING 64

LOTS/UNITS, WITH AN AREA OF 34,711 SQUARE METERS, LOCATED IN BARANGAY BALULANG, THIS CITY, SUBJECT TO THE HEREIN CONDITIONS AS RECOMMENDED BY THE CITY ENGINEER'S OFFICE PER TECHNICAL EVALUATION DATED JANUARY 26, 2018, WHICH SHALL BE COMPLIED WITH UPON ITS DEVELOPMENT PERMIT (DP) APPLICATION, TO WIT:

- A CONSOLIDATED DRAINAGE LAY-OUT PLAN SHALL BE PROVIDED;
- DETENTION POND SHALL BE PROVIDED WITHIN THE PROJECT AREA PRIOR TO DISCHARGE TO ANY EXISTING DEFINED WATERWAY;
- CLEARED RIGHT OF WAY AND DRAINAGE STRUCTURE OF OFFSITE DRAINAGE TO CONNECT ANY EXISTING FUNCTIONAL DRAINAGE SYSTEM, BE DULY DELINEATED WITH TECHNICAL DESCRIPTION AND SHALL FORM PART OF THE PLANS FOR DEVELOPMENT.

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

MOTION NO. 23563-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13389-2018.**

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

ORDINANCE NO. 13390-2018

AN ORDINANCE APPROPRIATING THE SUM OF ₱9,605,785.20 FROM THE CONTINUING APPROPRIATION CY 2013 - "NON-OFFICE: LAND ACQUISITION/ EXPROPRIATION" TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION (₱9,351,600.00) AND FOR THE REGISTRATION AND DOCUMENTATION EXPENSES (₱254,185.20) OF LOT NO. 3-A WITH AN AREA OF 7,793 SQUARE METERS LOCATED IN BARANGAY GUSA, THIS CITY, AND OWNED BY THE CAPISTRANO DEVELOPMENT CORPORATION, WHICH WAS AFFECTED BY THE EXISTING 10.00-M. WIDE ROAD FROM JUNCTION J.R. BORJA EXTENSION TO BIGAAN RIVER; AND FOR THIS PURPOSE, AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE DEED OF ABSOLUTE SALE THEREOF

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Teodulfo E. Lao, Jay R. Pascual & George S. Goking, APPROVED BY MAJORITY.

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

MOTION NO. 23564-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13390-2018.**

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

ORDINANCE NO. 13391-2018

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF AGRICULTURE – REGIONAL FIELD OFFICE 10, REPRESENTED BY REGIONAL EXECUTIVE DIRECTOR CARLENE C. COLLADO, COVERING THE GRANT TO THE CITY OF ONE (1) UNIT MECHANICAL SHELLER FOR CORN SET, UNDER THE TERMS AND CONDITIONS STATED THEREIN

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

MOTION NO. 23565-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13391-2018**.

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

*At this juncture Councilor Yan Lam S. Lim
was back in the Session Hall.*

ORDINANCE NO. 13392-2018

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF AGRICULTURE – REGIONAL FIELD OFFICE 10, REPRESENTED BY REGIONAL EXECUTIVE DIRECTOR CARLENE C. COLLADO, COVERING THE GRANT TO THE CITY OF ONE (1) UNIT PUMP AND ENGINE SET, UNDER THE TERMS AND CONDITIONS STATED THEREIN

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

MOTION NO. 23566-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13392-2018**.

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

ORDINANCE NO. 13393-2018

AN ORDINANCE EXTENDING THE DEADLINE FOR THE FILING OF BUSINESS PERMIT RENEWAL APPLICATION IN THE CITY'S PUBLIC MARKETS AND TERMINALS FROM FEBRUARY 28, 2018 TO MARCH 25, 2018

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

MOTION NO. 23567-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13393-2018.**

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

MOTION NO. 23568-2018

MOTION TO ADJOURN THE 76TH REGULAR SESSION OF THE 18TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO HELD ON MARCH 5, 2018

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

The session adjourned at 5:10 PM, March 5, 2018.

I hereby certify to the correctness of the foregoing Minutes.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as correct:

RAINEIR JOAQUIN V. UY
CITY VICE MAYOR
PRESIDING OFFICER



OFFICE OF THE CITY COUNCIL

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

ORDINANCE NO. 13389-2018

AN ORDINANCE APPROVING THE APPLICATION OF A. BROWN COMPANY, INCORPORATED, REPRESENTED BY ENGR. JOHN L. BATAK, FOR PRELIMINARY APPROVAL AND LOCATIONAL CLEARANCE (PALC) OF XAVIER ESTATES PHASE 4F SUBDIVISION PROJECT, CONTAINING 64 LOTS/UNITS, WITH AN AREA OF 34,711 SQUARE METERS, LOCATED IN BARANGAY BALULANG, THIS CITY, SUBJECT TO THE HEREIN CONDITIONS AS RECOMMENDED BY THE CITY ENGINEER'S OFFICE PER TECHNICAL EVALUATION DATED JANUARY 26, 2018, WHICH SHALL BE COMPLIED WITH UPON ITS DEVELOPMENT PERMIT (DP) APPLICATION

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

SECTION 1. The application of A. Brown Company, Incorporated, represented by Engr. John L. Batak, for Preliminary Approval and Locational Clearance (PALC) of Xavier Estates Phase 4F Subdivision project, containing 64 lots/units, with an area of 34,711 square meters, located in Barangay Balulang, this City, is hereby approved, subject to the herein conditions as recommended by the City Engineer's Office per technical evaluation dated January 26, 2018, which shall be complied with upon its Development Permit (DP) Application, to wit:

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

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

UNANIMOUSLY APPROVED.

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

ENACTED this 5th day of March 2018 in the City of Cagayan de Oro.



Republic of the Philippines
CITY OF CAGAYAN DE ORO

OFFICE OF THE CITY COUNCIL

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



Page 2 of 2 of Ordinance No. 13389-2018

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

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



OFFICE OF THE CITY COUNCIL

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

ORDINANCE NO. 13390-2018

AN ORDINANCE APPROPRIATING THE SUM OF ₱9,605,785.20 FROM THE CONTINUING APPROPRIATION CY 2013 - "NON-OFFICE: LAND ACQUISITION/ EXPROPRIATION" TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION (₱9,351,600.00) AND FOR THE REGISTRATION AND DOCUMENTATION EXPENSES (₱254,185.20) OF LOT NO. 3-A WITH AN AREA OF 7,793 SQUARE METERS LOCATED IN BARANGAYS GUSA, THIS CITY, AND OWNED BY THE CAPISTRANO DEVELOPMENT CORPORATION, WHICH WAS AFFECTED BY THE EXISTING 10.00-M. WIDE ROAD FROM JUNCTION J.R. BORJA EXTENSION TO BIGAAN RIVER; AND FOR THIS PURPOSE, AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE DEED OF ABSOLUTE SALE THEREOF

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

SECTION 1. The sum of ₱9,605,785.20 is hereby appropriated from the Continuing Appropriation CY 2013 - "Non-Office: Land Acquisition/ Expropriation" to be made available for the full payment of the claim for just compensation (₱9,351,600.00) and for the registration and documentation expenses (₱254,185.20) of Lot No. 3-A with an area of 7,793 square meters located in Barangays Gusa, this City, and owned by the Capistrano Development Corporation, which was affected by the existing 10.00-M. wide road from junction J.R. Borja Extension to Bigaan River.

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

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

APPROVED BY MAJORITY.

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

ENACTED this 5th day of March 2018 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

Attested:

OSCAR S. MORENO
CITY MAYOR

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



OFFICE OF THE CITY COUNCIL

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

ORDINANCE NO. 13391-2018

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF AGRICULTURE – REGIONAL FIELD OFFICE 10, REPRESENTED BY REGIONAL EXECUTIVE DIRECTOR CARLENE C. COLLADO, COVERING THE GRANT TO THE CITY OF ONE (1) UNIT MECHANICAL SHELLER FOR CORN SET, UNDER THE TERMS AND CONDITIONS STATED THEREIN

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

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

SECTION 2. The aforesated Memorandum (MOA) consisting of five (5) pages on file with the Records Section of the Office of the Sangguniang Panlungsod—Secretary shall form part and parcel of this Ordinance.

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

UNANIMOUSLY APPROVED.

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

ENACTED this 5th day of March 2018 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

Attested:

OSCAR S. MORENO
CITY MAYOR

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



OFFICE OF THE CITY COUNCIL

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

ORDINANCE NO. 13392-2018

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF AGRICULTURE – REGIONAL FIELD OFFICE 10, REPRESENTED BY REGIONAL EXECUTIVE DIRECTOR CARLENE C. COLLADO, COVERING THE GRANT TO THE CITY OF ONE (1) UNIT PUMP AND ENGINE SET, UNDER THE TERMS AND CONDITIONS STATED THEREIN

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

SECTION 1. The Honorable City Mayor Oscar S. Moreno is hereby authorized to enter into and sign the Memorandum of Agreement (MOA) with the Department of Agriculture – Regional Field Office 10, represented by Regional Executive Director Carlene C. Collado, covering the grant to the City of One (1) Unit Pump and Engine Set, under the terms and conditions stated therein.

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

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

UNANIMOUSLY APPROVED.

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

ENACTED this 5th day of March 2018 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

Attested:

OSCAR S. MORENO
CITY MAYOR

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

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

Communication Number:

Received by:

SUBJECT MATTER: Proposed Ordinance approving the Cagayan de Oro City
From Comprehensive Children's Welfare Code of 2018; Repealing Ordinance No. 10536-
2007, and for other purposes.

Date:

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: March 1, 2018

> for inclusion

HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. ROMEO V. CALIZO, *Member*

HON. GEORGE S. GOKING, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING



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



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

DATE: NOVEMBER 3, 2017

FROM: HON. R. DABA

SUBJECT MATTER: PROPOSED ORDINANCE NO. 2017-____. AN ORDINANCE ENACTING THE LOCAL CODE ON CHILDREN OF CAGAYAN DE ORO CITY, OTHERWISE, KNOWN AS THE COMPREHENSIVE CHILDREN'S WELFARE CODE OF 2017, REPEALING ORDINANCE NO. 10536-2007 AND FOR OTHER PURPOSES AND APPROPRIATING FUNDS THEREOF.

ACTION: REFER TO **COMMITTEE ON SOCIAL SERVICES**.

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



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



Comm. No. _____
From: _____

Received by: _____
Date: _____

SUBJECT MATTER: Proposed Ordinance, entitled: "AN ORDINANCE ENACTING THE LOCAL CODE ON CHILDREN OF CAGAYAN DE ORO CITY, OTHERWISE KNOWN AS THE COMPREHENSIVE CHILDREN'S WELFARE CODE OF 2017, REPEALING ORDINANCE NO. 10536-2007 AND FOR OTHER PURPOSES, AND APPROPRIATING FUNDS THEREOF"

RESPECTFULLY referred to the **COMMITTEE ON SOCIAL SERVICES** the herein Communication for study, investigation, report and/or recommendation.

For the City Vice-Mayor and Presiding Officer:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: February 1, 2018

Recommending for Approval: Committee on
Law's and Rules

HON. REUBEN R. DABA
CHAIRMAN

HON. JAY R. PASCUAL
1ST MEMBER

HON. GEORGE S. GOKING
3RD MEMBER

EX-OFFICIO

HON. MARIA LOURDES S. GAANE
VICE-CHAIRMAN

HON. EDNA M. DAHINO
2ND MEMBER

HON. SUZETTE G. MAGTAJAS-DABA
4TH MEMBER

EX-OFFICIO

DISSENTING

ATTN: DABA
WAGSYB



November 30, 2017

HON. REUBEN R. DABA

City Councilor
Chairman, Committee on Social Services
Co-Chair, Cagayan de Oro Council for the Welfare of Children
Cagayan de Oro City

Rpr to City - Social Sec
(R)
[Signature]

Dear Hon. Daba:

This is in response to your letter dated 15 November 2017 seeking review and legal opinion for the revised version of the proposed ordinance entitled "*An Ordinance Enacting the Local Code on Children of Cagayan de Oro City, Otherwise Known As The Comprehensive Children's Welfare Code of 2017, Repealing Ordinance No. 10536-2007 And For Other Purposes, Appropriating Funds Thereof.*"

Considering new jurisprudence and other developments, the following are some observations and recommendations that might have been insufficiently elaborated in the initial review.

1. Considering some suggestions on phraseology and construction, we respectfully refer you to the marginal notes written on the draft *Ordinance*.
2. **In Section 11. YOUTH CENTER**, it is humbly suggested that it be re-evaluated if such is germane to the title of the Ordinance. Since the ordinance specifically covers policies with regard to Children, it might create confusion as to the extent and coverage of the code. Children¹ and youth² have two different legal definition and import. Furthermore, Section 11 (b) provides a definition of "youth" for the purposes of the Ordinance. It is respectfully suggested that if this would be retained, it be consistent with the national definition of youth in RA 8044, which is fifteen (15) to thirty (30) years old. For consistency, it is humbly suggested that this provision be housed on a separate Ordinance covering youth concerns.
3. In **SECTION 28. PROTECTIVE HOURS FOR CHILDREN**, it is humbly suggested that such should conform to a recent Supreme Court ruling on curfew for minors in *SPARK vs City of Manila et al G.R. No. 225442*. In the said decision, the Supreme Court elucidates that the limitations imposed on the child's right to movement should be narrowly tailored as to not infringed on his or her fundamental rights such as rights of association, free exercise of

¹ Rep. Act No. 7610 (1991), Sec 3 (a) – "Children" refers to person below eighteen (18) years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.

² Rep. Act No. 8044 (1995), Sec 4 (a) – RA 8044 "Youth" shall refer to those persons whose ages range from fifteen (15) to thirty (30) years old.

religion, rights to peaceably assemble, and of free expression. The Supreme Court upheld the *Quezon City Ordinance SP – 2301 Series of 2014* which provided a narrowly tailored set of exceptions, to wit:

Section 4. EXEMPTIONS - Minor children under the following circumstances shall not be covered by the provisions of this ordinance;

(a) Those accompanied by their parents or guardian;

(b) Those on their way to or from a party, graduation ceremony, religious mass, and/or other extra-curricular activities of their school or organization wherein their attendance are required or otherwise indispensable, or when such minors are out and unable to go home early due to circumstances beyond their control as verified by the proper authorities concerned; and

(c) Those attending to, or in experience of, an emergency situation such as conflagration, earthquake, hospitalization, road accident, law enforcers encounter, and similar incidents[;]

(d) When the minor is engaged in an authorized employment activity, or going to or returning home from the same place of employment activity without any detour or stop;

(e) When the minor is in [a] motor vehicle or other travel accompanied by an adult in no violation of this Ordinance;

(f) When the minor is involved in an emergency;

(g) When the minor is out of his/her residence attending an official school, religious, recreational, educational, social, community or other similar private activity sponsored by the city, barangay, school, or other similar private civic/religious organization/group (recognized by the community) that supervises the activity or when the minor is going to or returning home from such activity, without any detour or stop; and

(h) When the minor can present papers certifying that he/she is a student and was dismissed from his/her class/es in the evening or that he/she is a working student.

As such, it is humbly suggested that the exceptions provided in the Quzeon City Ordinance reflect and guide those enumerated in Section 28.

4. In **SECTION 34 (D) PENALTIES**, it is humbly suggested that the fine should not exceed the statutory limits set in the Local Government Code³ at Five Thousand Pesos only (Php 5,000.00).

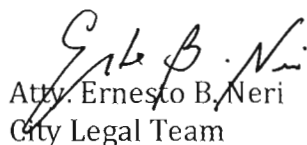
5. In **SECTION 37, MANDATORY CONSULTATION OF NATIONAL PROJECTS & COORDINATION WITH NATIONAL GOVERNMENT AGENCIES**, it is

³ Rep. Act No. 7610 (1991), Sec 458. Powers, Duties, Functions and Compensation. (iii) Approve ordinances imposing a fine not exceeding Five thousand pesos (P5,000.00) or an imprisonment for a period not exceeding one (1) year, or both in the discretion of the court, for the violation of a city ordinance.

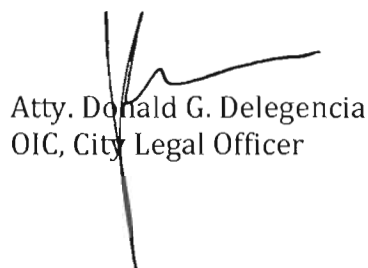
humbly submitted that seeking both executive and legislative approval before a national program be implemented in the local government appears to be legally infirm. It would create an impression that a local government unit could easily reject **ANY** project of national scope created by law. Furthermore, Section 2 (c) of the Local Government Code of 1991⁴ only provides for periodic consultation with the LGU and does not require consent from the LGU in order for projects to be implemented.

For your guidance and Information.

Prepared by:


Atty. Ernesto B. Neri
City Legal Team

Review by:


Atty. Donald G. Delegencia
OIC, City Legal Officer

⁴ Rep. Act No. 7610 (1991), Sec 2 Declaration of Policy (c) It is likewise the policy of the State to require all national agencies and offices to conduct periodic consultations with appropriate local government units, nongovernmental and people's organizations, and other concerned sectors of the community before any project or program is implemented in their respective jurisdictions.



Republic of the Philippines
CITY OF CAGAYAN DE ORO
CITY LEGAL OFFICE

05 September 2017

HON. REUBEN R. DABA

City Councilor
Chairman, Committee on Social Services
Co-Chair, Cagayan de Oro Council for the Welfare of Children
Office of the City Council
Cagayan de Oro City

Dear Hon. Daba:

This is in response to your letter dated August 25, 2017 seeking for review and legal opinion for proposed ordinance entitled "*An Ordinance Enacting The Local Code On Children Of Cagayan De Oro City, Otherwise Known As The Comprehensive Children's Welfare Code Of 2017, Repealing Ordinance No. 10536-20007 And For Other Purposes, Appropriating Funds Thereof.*"

The following are some observations and recommendations on the various sections of the proposed ordinance:

1. In Section 3, subsection "o" (Line 215), there seems to be an inadvertent omission of the definition of "consent card."
2. Section 16 establishes a basket of requirements needed in order for the child to travel into and out of the city. This section effectively places burdens on the exercise of a fundamental right, which is the right to travel. The general welfare clause in the Local Government Code of 1991 housed in Section 16 thereof provides broad powers for the LGU to regulate the exercise of rights to promote the common good, including the limitation of the right of minors to travel, but this power should be exercised within the bounds of substantive due process.
3. The litany of documentary requirements needed for one minor to move outside or into city jurisdiction might expose the provision to constitutional infirmity due to its perceived unreasonableness. Reasonableness is a component of substantive due process. It is humbly suggested that list of documentary requirements be in the alternative or be limited to reasonable amount of documents.
4. In Section 15, paragraph (e) second paragraph (Line 973), it provides that a children's desk conduct mandatory interview if they find the circumstance "suspicious." It is suggested that the standard set should be genuine suspicion or "a genuine reason in the light of the police officers experiences and surrounding conditions." This is the standard set in *Terry v. Ohio* (Adopted in Philippine Jurisdiction) where police officers can conduct a stop and frisk. Since an interview is akin to a surface level search or appropriately, an invasion of the privacy of the person, a standard in line with existing jurisprudence should be established.

5. The requirements of the (Line 1016) taking of pictures of those who are suspected of trafficking children are badges of a custodial investigation. This provision might run against constitutionally enshrined rights such as the presumption of innocence and right to privacy. It is humbly suggested that the taking of pictures be reviewed guided by those principles.
6. As to the rest of the provisions of the ordinance, no other legal concerns incite thorough discussions.

For your guidance and information.

Prepared by:


Atty. Ernesto B. Neri
City Legal Team

Reviewed by:


Atty. Donald G. Delegencia
OIC, City Legal Officer

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AN ORDINANCE APPROVING THE CAGAYAN DE ORO CITY COMPREHENSIVE CHILDREN’S WELFARE CODE OF 2018, REPEALING ORDINANCE NO. 10536-2007, AND FOR OTHER PURPOSES

*Introduced by Councilor Reuben R. Daba, author
and Councilor Ian Mark Q. Nacaya, co-author*

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

**ARTICLE I
BASIC PRINCIPLES**

SECTION 1. TITLE – This ordinance shall be known and cited as the Cagayan de Oro City Comprehensive Children’s Welfare Code of 2018.

SECTION 2. DECLARATION OF POLICIES AND PRINCIPLES –

- (1) The Local Government of Unit of Cagayan de Oro recognizes the vital role of children in nation building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being of the child. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs;
- (2) The Local Government Unit of Cagayan de Oro shall protect the best interest of the child through measures that will ensure the observance of international standards of child protection, especially those to which the Philippines is a party in order to serve the best interests of children, which shall be the paramount consideration in all actions concerning them consistent with local autonomy and the principle of “First Call for Children” as enunciated in the United Nations Convention of the Rights of the Child (UNCHR);
- (3) The Local Government Unit of Cagayan de Oro likewise recognizes the right of the children to assistance, including care nutrition and special protection from all forms of neglect, abuse, cruelty, and exploitation and other condition prejudicial to their development and to undertake the holistic protection and development of children together with national government agencies and non-governmental organizations (NGOs) concerned;
- (4) The Local Government Unit of Cagayan de Oro shall protect and rehabilitate children threatened or endangered by circumstances which affect or will affect their normal development or their very survival, and over which they have no control, and that every effort shall be exerted to promote and protect the welfare of children and enhance their opportunities for a useful and happy life;
- (5) The Local Government Unit of Cagayan de Oro also recognizes the protection and preservation of the diversity of the local culture, its customs and tradition by means of cultural sensitivity; and
- (6) It is hereby declared to be the policy of the Local Government Unit of Cagayan de Oro to effectively promote, fully enhance, and institutionalize the provision, participation, and protection of children’s rights within the framework of advancing general welfare in furtherance of integrated, sustainable, and equitable development.

52 **SECTION 3. DEFINITION OF TERMS** – The following terms as used in this
53 Code shall be defined as:
54

55 a.) “*Child*” shall refer to person below eighteen (18) years of age or those over eighteen
56 but are unable to fully take care of themselves from abuse, neglect, cruelty,
57 exploitation, or discrimination because of a physical or mental disability or
58 condition. For purposes of this ordinance the term minor is used to mean child;
59

60 b.) “*Child Abuse*” shall refer to the maltreatment, whether habitual or not, of the child
61 which includes any of the following:
62

63 (a) Psychological and physical abuse, neglect, cruelty, sexual abuse and
64 emotional maltreatment;
65 (b) Any act by deeds or words which debases, degrades or demeans the intrinsic
66 worth and dignity of a child as a human being;
67 (c) Unreasonable deprivation of his basic needs for survival, such as food and
68 shelter: or
69

70 (d) Failure to immediately give medical treatment to an injured child resulting
71 in serious impairment of his growth and development or in his permanent
72 incapacity or death.
73

74 c.) “*Best interest of the Child*” shall refer to the totality of the circumstances and
75 conditions which are most congenial to the survival, protection and feelings of
76 security of the child and most encouraging to the child’s physical, psychological,
77 intellectual, social, spiritual and emotional development. It also means the least
78 detrimental available alternative for safeguarding the growth and development of the
79 child;
80

81 d.) “*Child in Difficult Circumstances*” shall refer to circumstances which gravely
82 threatens or endanger the survival and normal development of children to include
83 but are not limited to the following:
84

85 (a) Being in a community where there is armed conflict or being affected by
86 armed conflict-related activities;
87 (b) Working under conditions hazardous to life and safety which unduly
88 interface with their normal development;
89 (c) Living in or fending for themselves in the street of urban or rural areas
90 without the care of parents or guardian or basic services needed for a good
91 quality of life;
92 (d) Being a member of an indigenous cultural community and/or living under
93 conditions of extreme poverty or in area which is underdeveloped and/or
94 lacks or has inadequate access to basic services needed for a good quality of
95 life;
96 (e) Being a victim of a man-made or natural disaster or calamity; or
97 (f) Circumstances analogous to those above-stated which endanger the life,
98 safety or normal development of children.
99

100 e.) “*Child at Risk*” shall refer to child who is vulnerable to and at risk of committing
101 criminal offenses because of personal, family and social circumstances, as such, but
102 not limited to the following:
103

104 (a) Being abused by any person through sexual, physical, psychological, mental
105 economic or any other means and the parents or guardian refuse, are
106 unwilling, or unable to provide protection for the child;

- 107 (b) Being abandoned or neglected, and after diligent search and inquiry, the
 108 parent or guardian cannot be found;
- 109 (c) Coming from dysfunctional or broken family or without a parent or
 110 guardian;
- 111 (d) Being in a community where there is armed conflict or being affected by
 112 armed conflict-related activities;
- 113 (e) Working under conditions hazardous to life, safety and morals which unduly
 114 interfere with their normal development;
- 115 (f) Living in or fending for themselves in the streets of urban or rural areas
 116 without the care of parents or guardian or any adult supervision needed for
 117 their welfare;
- 118 (g) Being children of indigenous people and/or living under conditions of
 119 extreme poverty or in area which is underdeveloped and/or lacks or has
 120 inadequate access to basic services needed for a good quality of life;
- 121 (h) Being a victim of a human-made or natural disaster or calamity;
- 122 (i) Analogous circumstances which endanger the life, safety or normal
 123 development of children.
- 124 (j) Gang or living in a community with high level of criminality or drug abused;
- 125 (l) Dysfunctional and broken family;
- 126 (k) Child prostitution; and
- 127 (m) Parents having identified their children with disability must bring their
 128 child to a rehabilitation center.
- 129
- 130 f.) *“Child in Conflict with the Law”* shall refer to a child who is alleged as, accused, or
 131 adjudged as, having committed an offense under existing laws and law of the Philippines
 132 to be consistent pursuant to R.A. 9344, as amended R.A. 10630.
- 133
- 134 g.) *“Community-based Programs”* shall refer to programs provided in a community setting
 135 develop for purposes of rehabilitation of the child in conflict with the law, for
 136 integration into the child family and/or community;
- 137
- 138 h.) *“Comprehensive program against child abuse, exploitation, and discrimination”* shall
 139 refer to the coordinated programs and services and facilities to protect children against:
- 140
- 141 (a) Child prostitution and other sexual abuse of R.A. 7610, R.A. 8353;
- 142 (b) Child trafficking-under the provisions of R.A. 9208 as amended by RA
 143 10364;
- 144 (c) Obscene publication and indecent shows of R.A. 9775;
- 145 (d) Other acts of abuse (R.A. 9231) child labor; and
- 146 (e) Circumstances which threatens or endanger the survival and normal
 147 development of children.
- 148
- 149 i.) *“Child Trafficking”* shall refer to the recruitment, transportation, transfer or harbor
 150 or receipts of minors with or without the victim’s consent or knowledge, within or
 151 across national borders by means of threat or use of force, or other forms of coercion,
 152 abduction, fraud, deception, abuse of power or of position, taking advantage of the
 153 vulnerability of the person, or the giving or receiving of payments or benefits to
 154 achieve the consent of a person having control over another person for the purpose
 155 of exploitation which included at a minimum, the exploitation or the prostitution or
 156 other forms of sexual exploitation, forced labor or services, slavery, servitude or the
 157 removal or sale of organs as defined under R.A 9208 as amended;
- 158
- 159 j.) *“Prostitution”* shall refer to any act transactions, scheme or designs involving the
 160 use of the person by another, for sexual intercourse or lascivious conduct in
 161 exchange for money, profit or any other consideration;

- 162
- 163 k.) *“Forced labor and slavery”* shall refer to the extraction of work or services from any
- 164 person by means of enticement, violence, intimidation or threat, use of force, or
- 165 coercion including deprivation of freedom, abuse of authority or moral ascendancy,
- 166 debt bondage, or deception;
- 167
- 168 l.) *“Child Sex Tourism”* shall refer to a program organized by travel and tourism-
- 169 related establishments and individuals which consist of tourism packages or
- 170 activities utilizing and offering escorts and sexual services of children as enticement
- 171 for tourists. This includes sexual services and practices offered during rest and
- 172 recreation periods for members of the military;
- 173
- 174 m.) *“Sex Exploitation”* shall refer to participation by a person in prostitution or the
- 175 pornographic materials including online pornography or cybersex as a result of
- 176 being subjected to a threat, deception, coercion, abduction, force, abuse of authority,
- 177 debt bondage, fraud, or through abuse of a victim’s vulnerability;
- 178
- 179 n.) *“Sextortion”* shall refer to a form of blackmail in which sexual informations or
- 180 images are used to extort sexual favors from the victim. Either through social media,
- 181 text messages, or any other means considered to be sources of sexual materials used
- 182 to threaten the victim by it with others;
- 183
- 184 o.) *“Debt Bondage”* shall refer to the pledging by the debtor of his or her personal
- 185 services or labor or those of a child under his/her control as security or payment for a
- 186 debt, when the length and nature of services is not clearly defined or when the value
- 187 of the services as reasonably assessed is not applied toward the liquidation of the
- 188 debt;
- 189
- 190 p.) *“Pornography”* shall refer to any representation, through publication, exhibition,
- 191 cinematography, indecent shows, information technology, internet, or by whatever
- 192 means, of a child engaged in real or simulated explicit sexual activities or
- 193 representations of sexual parts of a person for primary sexual purposes;
- 194
- 195 q.) *“Provision Rights”* shall refer to the right of the child to resources, skill, services
- 196 that are necessary to ensure survival and development to their full potential;
- 197
- 198 r.) *“Protection Rights”* shall refer to the right of the child being protected against all
- 199 forms of abuse, exploitation and discrimination in the major areas where a child is
- 200 considered in extremely difficult circumstances;
- 201
- 202 s.) *“Participation Rights”* shall refer to the right of the child which includes the child’s
- 203 freedom to express oneself in matters affecting his/her life as part of preparation for
- 204 responsible parenthood and to freedom of association;
- 205
- 206 t.) *“Children in Need of Special Protection (CNSP)”* shall refer to all persons below 18
- 207 years of age, or those 18 years old and over but are unable to take care of themselves
- 208 because of physical or mental disability or condition: who are vulnerable to or are
- 209 victims of abuse, neglect, exploitation, cruelty, discrimination and violence (armed
- 210 conflict, domestic violence) and other analogous conditions prejudicial to their
- 211 development. CNSP include but are not limited to:
- 212
- 213 (a) Sexually/physically-abused children;
- 214 (b) Children in commercial sexual exploitation;
- 215 (c) Children in conflict with the law;
- 216 (d) Children involved in armed conflict;

- 217 (e) Working children or victims of child labor;
 218 (f) Children in various circumstances of disability;
 219 (g) Displaced children/refugee children;
 220 (h) Children directly affected by Human Immuno-Deficiency Virus (HIV)/
 221 Sexual Transmitted Infections/Disease (STI/D);
 222 (i) Street Children;
 223 (j) Children in substance abuse;
 224 (k) Mentally challenged children;
 225 (l) Abandoned children/children without primary caregiver;
 226 (m) Indigenous Peoples Children;
 227 (n) Unregistered Children; and
 228 (o) Children of Overseas Filipino Workers
 229
 230 u.) “*Guardian*” shall refer to a person who has been appointed by a judge to take care of
 231 a minor child or incompetent adult (both called “ward”) personally and/or manage
 232 that person’s affairs. To become a guardian of a child either the party intending to be
 233 the guardian or another family member, a close friend or a local official responsible
 234 for minor’s welfare will petition the court to appoint the guardian. In case of a
 235 minor, the guardianship remains under court supervision until the child reaches
 236 majority at eighteen (18);
 237
 238 v.) “*Intervention*” shall refer to the Department of Social Welfare and Development
 239 (DSWD) intervening on behalf of the child if it finds, after its case study, that the
 240 petition for guardianship or custody should be denied;
 241
 242 w.) “*Pedophile*” shall refer to the person with this attraction. It denotes significantly
 243 older adults who are sexually attracted to children below the local age of consent as
 244 well as those who have sexually abused a child;
 245
 246 x.) “*Firecracker*” means any device, whether regular or irregular, in shape, or any
 247 powder compact device of any form or shape and of any size or weight that explodes
 248 when lighted or pressed and emits fire and smoke, not included in the category of
 249 dynamite or high explosive;
 250
 251 y.) “*Chaperone*” shall refer to any person of legal age who accompanies and looks after
 252 the minor during the travel, whether parent, guardian, custodian, or other persons
 253 such as grandparent, uncle, aunt, cousin, sibling, teacher, coach, friend, or etc.;
 254
 255 z.) “*City*” shall refer to Cagayan de Oro City;
 256
 257 aa.) “*CSWDD*” shall refer to City Social Welfare and Development-Department;
 258
 259 bb.) “*Custodian*” shall refer to any person of legal age who is acting in loco parentis (“in
 260 the place of a parent”) to a minor;
 261
 262 cc.) “*Parent*” shall refer to the natural or adoptive parent of the minor;
 263
 264 dd.) “*Parental Travel Permit*” shall refer to a document issued by the Department of
 265 Social Welfare and *Development* (DSWD) to a minor traveling abroad accompanied only
 266 by one parent or persons exercising parental authority. When a minor is traveling
 267 with only one of his/her parents, the parent who is left behind shall execute a duly
 268 notarized Parental Travel Permit, certifying that he/she is allowing the minor to
 269 travel with his/her spouse;
 270
 271 ee.) “*PNP*” shall refer to the Philippine National Police;

272 ff.) “*Travel Clearance*” shall refer to a document issued by the DSWD (Department of
273 Social Welfare and Development) to a Filipino child (below 18 years of age)
274 traveling abroad alone or with someone other than his/her parents, legal guardian, or
275 custodian. A travel clearance certificate shall be valid for a period of one (1) year
276 from the date of issuance and shall be valid for multiple travels within the said
277 validity period, provided that the conditions under which the travel clearance was
278 issued have not changed. If a change in condition occurs, (e.g., a change in traveling
279 companion, then a new travel clearance must be obtained; and

280
281 gg.) “*NCIP*” shall refer to the *National Commission on Indigenous Peoples*.

282 **ARTICLE II**

283 **PROVISION ON THE RIGHTS OF CHILDREN**

284
285 **SECTION 4. ROLE OF THE CITY GOVERNMENT** - The City Government of
286 Cagayan de Oro shall ensure the survival and proper development of children. The city shall
287 implement a primary health care program which shall be formulated by the City Health
288 Officer, in coordination with or assistance of the Department of Health, which will include
289 the following programs:
290

- 291
- 292 a) Requiring all parents, guardians, primary care givers and significant others to exclusive
293 breastfeed their infants up to six (6) months and encouraging up to two years, submit
294 newborn child or infant within forty-eight (48) hours for Newborn Screening and
295 immediate reporting for appropriate management;
 - 296 b) Submitting children for Operation Timbang, full immunization, deworming and
297 assessment on integrated management on childhood illness (IMCI) for early detection of
298 complications like dehydration and pneumonia;
 - 299 c) Requiring all pregnant women and/or postpartum mothers to have prenatal check-up,
300 Tetanus Diphtheria Vaccination, and postpartum check-up one week after delivery;
 - 301 d) Directing all local health personnel to intensify advocacy on the pillars of Family
302 Planning emphasizing birth spacing and consider the health of the mother as a
303 paramount factor; strengthen measures to sustain low Maternal Mortality Rate (MRR)
304 and Infant Mortality Rate (IMR); monitor Lying-in and other private clinics catering to
305 deliveries; and recommend measures based on findings to concerned agencies;
 - 306 e) Intensifying and sustaining the home, school and community food production and other
307 nutrition programs;
 - 308 f) Monitoring of Milk Code, Food Fortification Law and Act on Salt Iodization (ASIN)
309 pursuant to RA 8172;
 - 310 g) Promoting and monitoring the birth registration in relation to the right of the child to a
311 name and nationality pursuant to Article VII of United Nations Convention on the
312 Rights of the Children (UNCRC); and
 - 313 h) Promoting micronutrient supplementation among young children and mothers (*i.e.*,
314 Vitamin A, Iron, etc.)

315
316 **SECTION 5. BIRTH REGISTRATION OF CHILDREN IN NEED OF**
317 **SPECIAL PROTECTION (CNSP)** – Conformably with the City Government’s recognition
318 of the right of a child to a name and nationality upon birth:
319

- 320 a) It shall be the duty of any finder of CNSP to report the incident to the Punong
321 Barangay of the place where the CNSP was found/rescued, and to the nearest police
322 precinct/authority. Thereafter, the Punong Barangay or police authority shall

323 facilitate the commitment of the child to the Department of Social Welfare and
324 Development (DSWD), or to a duly licensed and accredited orphanage or charitable
325 institution;

326 b) In case the finder is given custody of the child, he/she shall cause the registration of
327 birth of the child;

328 c) Any government institution or Social Welfare and Development Agency (SWADA)
329 licensed and accredited by the DSWD which is in custody of CNSP or who possesses
330 any information about the CNSP shall cause the registration of birth;

331 d) The registration of birth of the CNSP shall be made in the Local Civil Registry
332 Office where the child was born, if known. If the place of birth is unknown,
333 registration shall be made in the place where the child was found, or in the residence
334 of the custodian;

335 e) The registration shall be made sixty (60) days from the date of the actual custody of
336 the child, except during armed conflicts, emergencies, natural calamities and other
337 difficult circumstances, in which case the registration shall be made sixty (60) days
338 after the cessation thereof. Failure of the custodian to register the child within the
339 elementary period shall make him/her liable under existing laws;

340 f) The registration of the birth of CNSP shall be exempted from payment of applicable
341 Local Civil Registry fees. NSO fees of the CNSP shall be shouldered by City
342 Government; and

343 g) The registration of birth of CNSP shall conform to the rules and regulations under
344 the Philippine Statistics Authority Memorandum Circular No. 2004-01.

345 **SECTION 6. RECOGNITION OF CHILD'S RIGHTS** - The City Government of
346 Cagayan de Oro City recognizes the right of the child to education and to achieve
347 progressive realization of these rights on the basis of equal opportunity and shall ensure to:
348

349 a) Make education compulsory according to age bracket up to age 15 including children
350 with special needs;

351 b) Make early childhood, elementary and secondary education available and accessible to
352 every child; and

353 c) Promote and encourage the cooperation of non-government organizations, private and
354 public organizations, and other groups to provide financial assistance to the less
355 fortunate and deserving children.
356

357 **ARTICLE III**
358 **EARLY CHILDHOOD CARE AND DEVELOPMENT**
359

360 **SECTION 7. ECCD ESTABLISHMENT** - Pursuant to RA 10410 or known as the
361 Early Years Act of 2013, the City shall promote the rights of children to survival,
362 development and special protection with full recognition of the nature of childhood and its
363 special needs; and to support parents in their roles as primary caregivers and as their
364 children's first teachers. The City shall institutionalize a National System for Early
365 Childhood Care and Development (ECCD) that is comprehensive, integrative and
366 sustainable, that involves multi-sectoral and inter-agency collaboration at the national and
367 local levels among government; among service providers, families and communities; and
368 among the public and private sectors, nongovernment organizations, professional
369 associations, and academic institutions. This System shall promote the inclusion of children
370 with special needs and advocate respect for cultural diversity. It shall be anchored on
371 complementary strategies for ECCD that include service delivery for children from
372 conception to age six (6), educating parents and caregivers, encouraging the active

373 involvement of parents and communities in ECCD programs, raising awareness about the
374 importance of ECCD, and promoting community development efforts that improve the
375 quality of life for young children and families. The number of centers shall depend on the
376 number of children, preferably proportionate to a ratio of 1:30 of center to children
377 especially in heavily populated barangays.

378
379 1. Establishment of Child Development Centers - there shall be established Child
380 Development Centers in barangays for at least a minimum of 15 and a maximum of 30
381 children enrolled. Special consideration will be given to hinterland barangays. Home-
382 based ECCD- Home-based program such as neighborhood-based, play groups, family
383 child care programs, parent education and home visiting programs (republic Act No.
384 1080 ECCD Act) shall be established.

385 2. CHILD DEVELOPMENT TEACHERS – Preferably a resident of the barangay, at
386 least second Year College, shall possess good moral character, pass a psychological
387 evaluation. They shall undergo trainings on Early Childhood Care and Development
388 (ECCD) of the DSWD and any Colleges or Universities in the College of
389 Education/Teacher of Education. The City Social Welfare and Development Office
390 shall conduct a regular technical assessment and monitoring. Recruitment and hiring
391 of Child Development Teachers must meet the standard set by the DSWD.

392 3. ACCREDITATION OF CHILD DEVELOPMENT TEACHERS AND CENTERS –
393 Every Child Development Center and Teachers shall be accredited by authorized
394 accreditors of the DSWD. Accreditation shall be based on Revised Assessment Tool
395 and User’s Manual for the Accreditation of DSWD. Renewal of accreditation shall be
396 compulsory and be done immediately after the expiration of accreditation. The City
397 Social Welfare and Development Office shall supervise and monitor the renewal of the
398 accreditation of Child Development Centers and Teachers.

399 4. ACCREDITATION PERIOD AND SECURITY OF TENURE – The period of
400 accreditation shall be based on the result of the evaluation on the service provider and
401 the Child Development Center by the accreditors based on the standards set by the
402 DSWD. For purposes of the continuation and stability of the program the accredited
403 Child Development Teacher shall in no way be transferred, remove or suspended
404 during the period of her accreditation without justifiable cause and due process
405 thereof. No Child Development Teacher shall be removed from Self-Help Service by
406 cause of change administration at the barangay level, unless found ineffective and
407 inefficient on two (2) consecutive evaluation by CSWD.

408 5. REMOVAL OF CHILD DEVELOPMENT TEACHER - After due investigation by
409 the Early Childhood Care and Development (ECCD) section, the City Social Welfare
410 and Development Office shall recommend to the Federation for the Issuance of
411 Resolution for Removal of Child Development Teacher. The CDT subject for the
412 termination shall be given 15 days to turn over all necessary documents such as
413 Records of pre-school children, class records, etc. to the ECCD Section. The
414 concerned barangay shall be furnished with the copy of Resolution for their reference.

415 6. SEPARATION INCENTIVES FOR CHILD DEVELOPMENT TEACHERS- Child
416 Development Teachers shall be entitled to receive the following retirement:

417

418	10 years to 15 years	- 50% of the minimum wage law
419	16 years to 20 years	- 75% of the minimum wage law
420	21 years and above	- 100% of the minimum wage law

421

422 a) The program shall include the following:
423

- 424 i. Monitoring of registration of birth and the completion of the immunization
 425 series for prevention of tuberculosis, diphtheria, tetanus, measles,
 426 poliomyelitis and such other diseases for which vaccine have been developed
 427 for administration to children up to six (6) years of age in coordination with
 428 Barangay Health Center Personnel;
- 429 ii. Growth and nutritional monitoring enrolled in Child Development Center
 430 with supplementary nutritional feeding & supervision of nutritional intake
 431 at home;
- 432 iii. Care for children of working mothers during the day and, where feasible,
 433 care for the children up to six (6) years of age when mothers are working at
 434 night provided that the Day Care Center need not take care of children in a
 435 particular place but shall develop network of homes where women may take
 436 care of the children in a particular place but shall develop network of homes
 437 where women may take care of the children up to six (6) years of age of
 438 working mothers during work hours with adequate supervision from the
 439 supervising Social Welfare Officer of the Department of Social Welfare and
 440 Development of the city; provided further, that, where young children are
 441 left to the care of paid domestic, an elderly relative or older children without
 442 adequate and competent adult supervision, the Supervising Social Welfare
 443 Officer shall provide such training and adult supervision until the children's
 444 care meets adequate standards whereby the children under their care will
 445 develop normally as healthy, happy and loved children, even in the absence
 446 of their mothers during working hours;
- 447 iv. Material and network of surrogate mother-teachers who will provide
 448 intellectual and mental stimulation to the children, as well as supervised
 449 wholesome recreation, with a balanced program of supervised play, mental
 450 stimulation and activities, and group activities with peers;
- 451 v. A sanctuary for abused, neglected or exploited children either in one child
 452 institution in the Barangay and/or network of sanctuary-homes which will
 453 take in children in urgent need of protection due to a situation which
 454 endangers the child or which has exposed the child to cruelty and abused: a
 455 provided, that the Day Care Center, with the help and support of the
 456 Barangay Chairman and their barangay- level support system may call upon
 457 law enforcement home situation;
- 458 vi. A referral and support system for pregnant mothers for prenatal and neonatal
 459 care in the proper case for delivery of the infant under conditions which will
 460 remove or minimize risk to mother and child. Provided that high-risk
 461 mothers shall be referred to the proper tertiary or secondary care services
 462 personnel and children who are at risk from any condition or illness will be
 463 brought for care; provided further that the Day Care Center shall be alert to
 464 illegal abortions and incompetent obstetrical and pediatric medical care for
 465 mother and child who are at risk; and
- 466 vii. A support system and network of assistance from among the members of the
 467 barangay for the total development and protection of children.
- 468
- 469 b) The City shall establish a Youth Rehabilitation Center which shall provide 24 hours
 470 group case, treatment and rehabilitation services under the guidance of trained staff
 471 where residents are cared for under a structured therapeutic environment with the
 472 end in view of reintegrating children to their families and communities as socially
 473 functioning individuals, particularly those who are at risk and/or in conflict with
 474 law, taking into consideration the best interest of the child.

- 475 c) The City shall establish Youth Shelter Home separate for boys and girls which shall
476 provide a 24 hours short term residential care of children in conflict with law who
477 are awaiting court disposition of their cases or transfer to other agencies or
478 jurisdiction;
479 d) The City shall establish a Drug Rehabilitation Center for minor drug dependents in
480 conformity with existing guidelines therefor.

481 **SECTION 8. ECCD ROLE AND RESPONSIBILITIES OF THE CITY**
482 **GOVERNMENT-**The City Government shall perform the following role and
483 responsibilities, but not limited to:
484

- 485 a) implement the National Early Childhood Care and Development (ECCD) program
486 by providing basic public ECCD services;
487 b) support the organization of parent cooperatives to initiate the establishment of ECD
488 programs;
489 c) ensure the services providers of public ECCD programs under its supervision shall
490 be justly compensated, that adequate funds are made available, and their working
491 conditions are conducive to fulfil national quality standards;
492 d) provide counterpart funds for the training and continuing education of ECCD
493 service providers, and supporting the operations of the city and barangay ECCD
494 coordinating committees/City Council for the Protection of Children; and
495 e) ensure the active participation of various stakeholders at all levels in the planning,
496 implementation, monitoring and evaluation of ECD projects and programs in the
497 city.
498

499 **SECTION 9. QUALIFICATIONS OF CITY ECCD OFFICER-** The City ECCD
500 Officer shall have the following qualifications, but not limited to:
501

- 502 a) Master's degree in any ECCD-related field as social work, community
503 development, health, education, nutrition, and psychology; and
504 b) Experience in program management in related ECCD fields.
505

506 **ARTICLE IV**
507 **CHILD MINDING CENTER**
508

509 **SECTION 10. ESTABLISHMENT.** - There shall be established Child Minding
510 Center at City Hall and in every commercial center, industry, school and other working
511 places in this City a Child Care Center or Child Minding Center to be operated and
512 maintained by the City Government or the respective management thereof, as the case
513 maybe. All national government agencies, local government units, and GOCCS within the
514 City are enjoined to establish, implement and sustain the Child Minding Services pursuant
515 to and in accordance with Executive Order No. 340 Series of 1997.
516

517 **a) *Features of Child Minding Center-*** The Child Minding Center shall have the
518 following features:
519

- 520 i. Preferably situated at the center of the workplace or any available space that is
521 accessible to employees;
522 ii. A well-ventilated, open space without barriers nor accident-prone fixtures;
523 iii. Of rounded structure with one meter cemented base wall but the rest are
524 screened walls visible to the public and floors of wooden tiles;
525 iv. Should have a circular and child-friendly bathroom and toilet facilities, away
526 from dining/kitchen area, but accessible to the child, with tiled floor, a pit
527 measuring the size of the child's small feet and small button flush. All the faucet
528 and related fixtures ate within the reach of the small fingers of the child; and

- 529 v. Should have a lactation room.
- 530 b) ***Services Offered by Child Minding Center*** – The Child Minding Center shall
531 provide nine-hour non-stop service for infants and toddlers of employees, consisting
532 of custodial and health care, food service and early child education. Surrogate
533 mothering shall be integral to its program.
- 534
- 535 i. It would cover children 2 months to 2 years old. Sound indigenous Filipino
536 practices will be inculcated in rearing up the children. Earth-
537 friendly/appropriate babyhoods, as well as stories games and play and ethnic
538 art and music will be part of the program;
- 539 ii. Nutritious and natural foods will be given to children 4-6 months to 2 years
540 old every two-hour interval in small amounts appropriate to the needs of the
541 children’s immature digestive system to develop good eating habits to keep
542 them from being dependent on processed/junk foods;
- 543 iii. Counselling on breast feeding for working women will be part of its
544 premium service. Proper techniques of breast milk preservation and re-
545 lactation will be managed; and
- 546 iv. Mother-support group will be formed to prepare them to run the child-
547 minding program. Training inputs to mothers will include issues of women,
548 reproductive health, alternative initiatives on healthcare, foods that heal and
549 nourishes, early child education, counselling techniques, leadership skills,
550 organizational management and networking. Sessions will be given at
551 lunchtime for 6 months. It will be open to the public too.
- 552 c) ***Fees***- To ensure sustainability, parent-beneficiary will shoulder the child-enrollee’s
553 fee on socialized scheme to cover for the nine hours custodial and health services,
554 educational inputs and continues feeding program. The fee will also cover the
555 honorarium of certified caregivers at the ratio of one caregiver to three babies (one
556 infant and two toddlers).
- 557
- 558 d) ***Clearance requirement***- No business permit shall be issued to an establishment
559 having a workforce of not less than 10 mothers with children between the age of 2
560 months and 2 years old unless it has established a Child Minding Center within its
561 work place.
- 562
- 563 For this purpose, the Business and Licensing Division of the City Mayor’s
564 Office shall require concerned establishments to secure such clearance from the
565 Child Minding Task Force before issuing their business permits.

566

567 **ARTICLE V**

568 **PROTECTION RIGHTS OF THE CHILD**

569

570 **SECTION 11. MANDATORY REPORTING.** It shall be the duty of any person
571 who has personal knowledge of facts and circumstances of a child who is suffering from any
572 form of abuse, neglect, or is abandoned by his/her parents or guardians, to report by any
573 means to the nearest office of the Barangay Council for the Protection of Children (BCPC),
574 the City Social Welfare and Development Office (CSWDO), or any police station and other
575 Law Enforcement Agencies, or to the City Council for the Protection of the Children
576 (CCPC), and other concerned agencies.

577

578 **SECTION 12. SEXUALLY EXPLOITED AND PROSTITUTED CHILDREN.** -
579 Sexually exploited and prostituted children shall be considered as victims of abuse and shall
580 be afforded with utmost protection, understanding and support. A comprehensive program,

581 including massive information and education campaign, regular counseling and medical
582 services, shall be provided by the CCPC.

583
584 1. The following prohibited acts shall be penalized;

585
586 (a) Those who engage in or promote, facilitate or facilitate or induce child
587 prostitution, which include, but not limited to the following:

- 588
589 i. Acting as a procurer of a child prostitute;
590 ii. Inducing a person to be a client of a child prostitute by means of written or
591 oral advertisement or other similar means.
592 iii. Taking Advantage of influence or relationship to procure a child as
593 prostitute;
594 iv. Threatening or using violence towards a child to engage him as a prostitute;
595 or
596 v. Giving monetary consideration, goods or other pecuniary benefit to a child
597 with intent to engage such child prostitution.

598
599 (b) Those who derive profit or advantage there from, whether as manager or owner
600 of the establishment where the prostitution takes place or the owner of the
601 sauna, disco, bar resort, place of entertainment or establishment serving as a
602 cover or which engages.

603
604 (c) There is an attempt to commit child prostitution which shall likewise is
605 penalized in the following instances, to wit;

606
607 i. When the person who, not being a relative of a child, is found alone with the
608 said child inside the room or cubicle of a house, an inn, hotel, motel, pension
609 house, apartelle or other similar establishment, vessels vehicle or any other
610 hidden or secluded area under circumstances which would lead a reasonable
611 person to believe that the child is about to be exploited in prostitution and
612 other sexual abuse; and

613
614 ii. When any person is receiving services from a child in sauna parlor or bath,
615 massage clinic, health club and other similar establishment.

616
617 **SECTION 13. CHILDREN AS GUESTS IN BARS, INNS, MOTELS, HOTELS,**
618 **RESORTS, AND SIMILAR ESTABLISHMENTS -**

619 **a. Requirements.** The owner or the concerned personnel or employees of inns, motels,
620 hotels, resorts, and other similar lodging establishments shall observe the following:

621
622 1) To require, when practicable, from all adult guests or clients who avail of the
623 services to present proof of identity such as but not limited to passports, birth
624 certificate, driver's license and any other valid identification cards and record the
625 identification presented, its id number, date and place of issue if available;

626
627 2) Whenever practicable, adult guests or clients who are bringing with them a child or
628 children, to require from them proof of identify of the child/children such as but not
629 limited to passports or other legal or private documents or any valid identification
630 cards of the child or children and record the document or id card presented.
631 Specifically, for drive in hotels, clients shall be subjected to visual inspection,
632 whether there are minors inside the vehicle. In a child-friendly manner, the
633 following information shall be asked from the child or children including those who
634 appear to be a child or children of oral or verbal communication;

- i. name;
 - ii. address;
 - iii. birthdate or age;
 - iv. Relationship with the guests or clients who brought the child/children.
 - 3) To maintain a separate record book of all guests or clients who are bringing with them a child or children or of all minor or children guests or clients only with no adult companions. This record book is open to law enforcement authorities conducting surveillance and monitoring of possible child prostitution, sexual exploitation, and other sexual abuse of children in the establishment. Guests/clients should be informed of this policy;
 - 4) To exercise due diligence of a good father in the vigilance over guests who have children not registered as guests, to the rooms of the registered guests/clients except those who are related to the registered guests within the fourth civil degree of consanguinity or affinity. The personnel concerned shall call the attention of the children and adult companion, if any, who attempt to enter the rooms without first passing through the desk officer or concerned employee; and
 - 5) To report to the Social Welfare Office or the PNP Station through the Women and Children Protection Desk Officer, to the Barangay Officials and the Tourist Police any of the following suspicions or allegations of child exploitation or abuse:
 - i. Child victim or witness with personal knowledge who reported to the company personnel incidents of child prostitution, sexual exploitation, and other sexual abuse of children happening in the establishment or involving their guests, clients or visitors;
 - ii. Guests/clients who are taking with them inside their room child/children not related with them within the fourth civil degree of consanguinity or affinity and not registered as guests or whose alleged relation with guests/ clients does not satisfy or convince the personnel concerned;
 - iii. Sexually explicit or pornographic materials involving children found in their possession;
 - iv. Guests or visitors taking along with them a minor under 12 years of age who are not related with them within the fourth civil degree of consanguinity or affinity in the establishment; and
 - v. Guests or visitors hanging around in the establishment with a child or children not related with them within the fourth civil degree of consanguinity or affinity.
- Reports shall be made immediately after the incident or within 24 hours after having formed reasonable suspicion of child exploitation.
- b. Adoption of Child Protection Policy.** It is mandated by this ordinance that all inns, motels, hotels, resorts, and other similar lodging establishments shall adopt and implement the Child Protection Policy, an ethical policy regarding child prostitution, sexual exploitation, and other sexual abuse of children.
- 1) For the purpose of this Ordinance, the Child Protection Policy shall contain the establishment's ethical stance on the issue of child prostitution and the basic commitment to counter child prostitution, sexual exploitation, and other sexual abuse of children.
 - 2) Child Protection Policy shall be adopted from this basic example:
 - i. "Our company is fully against child prostitution, sexual exploitation, and other sexual abuse of children in inns, motels, hotels, resorts, and other similar lodging establishments. We will refuse to conduct business with

688 any person or company who is engaged or associated with this type of
689 activity.”

690
691 ii. “We will train our staff and partners to ensure that they know what to do if
692 they suspect such activity in the course of their work.”

693
694 3) A duly signed Child Protection Policy shall be displayed at the reception desk,
695 lobby, façade or other visible areas of the company’s establishments as a
696 preventive measure to address child prostitution, sexual exploitation, and other
697 sexual abuse of children.

698 4) Compliance with this section shall be one of the requirements for the renewal of
699 the annual business permit and or license to operate being issued by the permit
700 or license officer of the LGU concerned. Newly established enterprise shall be
701 given one year to formulate and adopt their child protection policy in accordance
702 with this ordinance and other relevant issuances.

703
704 c. ***Orientation of Employees and Personnel.*** It shall be the obligation of the lodging
705 establishment to orient or train all employees and personnel of their enterprises about
706 the implementation of the child protection policy. The companies may coordinate with
707 the Local Government Unit through the Office of the Mayor through the Department of
708 Social Welfare and Development Office and Non-Government Organizations promoting
709 the same cause, for the conduct of the orientation and training of its personnel.
710 Orientation may be done through the association/s. The orientation shall include:
711 understanding the phenomenon of the commercial sexual exploitation of children in
712 travel and tourism or child sex tourism; measures of implementation of the Child
713 Protection Policy; and reporting incidences of abuse and exploitation.

714
715 **SECTION 14. CHILD TRAFFICKING** – The City Government recognizes its
716 vital role in addressing the problem of trafficking in persons, especially women and
717 children, at the local level by instituting policies and programs to prevent, protect, and
718 rehabilitate victims of trafficking, (refer to proposed ordinance implementing RA9208). The
719 City Government shall monitor and document cases of trafficking in persons within the
720 City.

721
722 **SECTION 15. PROHIBITION** – It shall be prohibited for any person to further
723 exploit trafficked children.

724
725 **SECTION 16. PROSECUTION OF CHILD TRAFFICKERS** – The City
726 Government of Cagayan de Oro shall ensure the effective prosecution of cases of trafficking
727 in persons committed in the City.

728
729 **SECTION 17. INFORMATION CAMPAIGN AGAINST TRAFFICKING IN**
730 **PERSONS** – The City Government of Cagayan de Oro shall undertake an information
731 campaign against trafficking in persons through the establishment of the Migrant Advisory
732 and Information Network (MAIN) desks in coordination with the DILG, Philippine
733 Information Agency (PIA), Commission on Filipino Overseas (CFO), NGOs and other
734 concerned agencies, organizations and individuals as well as the posting of signages in
735 conspicuous/public places especially in the City’s point of exits/entries; i.e., public transport
736 terminals, seaport, airport, etc.

737

SECTION 18. OBSCENE PUBLICATIONS AND INDECENT SHOWS. –

- a) Any person who shall hire, employ, use, persuade, induce or coerce a child perform in obscene publications or pornographic materials or to sell or distribute the said materials shall be penalized pursuant to R.A. No. 9775.
- b) Any ascendant, guardian, or person entrusted in any capacity with the care of a child who shall cause and/or allow such child to be employed or participate in any obscene play, scene, act, movie or show or in any other acts covered by this section shall likewise be penalized.

SECTION 19. FOR ADULT MOVIES SHOWING REGULATION – No owner or person in charge of any movie house, theatre, stadium and other places of amusement shall allow children below five (5) years old to enter the same except when the show, film or presentation is specifically for children or for educational purposes. Likewise, person below eighteen (18) years old shall not be allowed to enter Movie Theater showing films classified by the Movies and Television Regulatory and Classification Board (MTRCB) as For Adults Only.

SECTION 20. OTHER ACTS OF NEGLIGENCE, ABUSE, CRUELTY OR EXPLOITATION AND OTHER CONDITIONS TO THE CHILD'S DEVELOPMENT:

Any person including the parents or guardians of a child who shall use, coerce, force or intimidate a child or any other child under the following circumstances shall be penalized:

- a. Conceals or abandons the child with intent to make such child lose his civil status;
- b. Abandons the child under such circumstances as to deprive him of the love, care and protection he needs;
- c. Sells or abandons the child to another person for valuable consideration;
- d. Neglects the child by not giving him the education which the family's status in life and financial conditions permit;
- e. Fails or refuses, without justifiable grounds to enroll the child as required by law;
- f. Causes, abates or permits the truancy from the school where he is enrolled "Truancy" as herein used means absence without cause for more than twenty school days, not necessary consecutive
- g. Improperly exploits the child by using him, directly or indirectly such as for purposes of begging and other acts, which are inimical to his interest and welfare;
- h. Inflicts cruel and unusual punishment upon the child or deliberately subjects him to indignation and other excessive chastisement that embarrass or humiliate him;
- i. Pedophilia or obsession with children as sex objects. It shall include overt acts, such as taking sexually explicit photographs, molesting children and exposing one's genitalia to children. It is the paraphilia of being sexually attracted primarily or exclusively to prepubescent or prepubescent children;
- j. Causes or encourage the child to lead an immoral or dissolute life;
- k. Permits the child to possesses handle or carry a deadly weapon regardless of its ownership;
- l. Allows or requires the child to drive without license or with license which the parent knows to have been illegally procured;
- m. Cause or allow a child to act as conduit or middlemen in drug trafficking or pushing; and

787 n. Causes, participates, directs a child in the conduct of illegal activities shall be penalized.

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SECTION 21. CHILD LABOR. - Children below 15 years old and below shall NOT be employed in circumstances as amended by R.A 9231, otherwise known as an Act providing for the Elimination of the Worst Form of Child Labor and Affecting Stronger Protection for the Working.

1. The guideline provided under R.A 9231, the child is prohibited to work in hazardous (physical & psychological) exposure, sexual conditions.
2. Any employer and parent/guardian who permitted the child to be employed is punishable by law working/hiring as:
 - a. Porter;
 - b. Side car (sikad/padyak) driver;
 - c. Conductor/jeepney/bus helper;
 - d. Deep sea fishing;
 - e. Quarrying and mining;
 - f. Guest entertainer in Bars/Hotel & other establishment
 - g. Dispatcher/barker;
 - h. Peddling like cigarettes and boiled maize; and
 - i. Bakery
3. Except those circumstances , children who are 15 years old and above are allowed by law to work on the following conditions:
 - a. Secure approval from the Department of Labor & Employment;
 - b. Should render only working 4 hours daily;
 - c. Allowed to work doing simple domestic help; and
 - d. Establishments operators or host households shall provide sleeping quarter/medical/accident/educational assistance as needed
4. Schools should have a data base on working students for monitoring
5. Barangay should have a baseline data on families' source of income
6. Barangay must regularly monitor on business establishment

SECTION 22. CHILDREN DISPLACED BY ARMED CONFLICT AND/OR CALAMITIES. - An evacuation center and resettlement area shall be immediately provided to families displaced by armed conflict and/or calamities. Counseling services shall also be extended to the children.

In addition, children who are engaged in combats, and under the custody of law enforcement officers, shall be provided with rehabilitation program to prepare them for re-integration to the community.

SECTION 23. CHILDREN IN CONFLICT WITH THE LAW. - The City government, in coordination with the Philippine National Police (PNP), the Prosecutors' Office, Department of Health, and Department of Social Welfare and Development, and the Commission on Human Rights shall ensure that children in conflict with the law are protected from any form of abuse, discrimination, and exploitation as provided under R.A 9344, otherwise known as comprehensive Juvenile Justice and Welfare Act of 2006.

The City shall establish a Youth Rehabilitation Center which shall provide 24 hours group case, treatment and rehabilitation services under the guidance of trained staff where residents are cared for under a structured therapeutic environment with the end in view of

837 reintegrating children to their families and communities as socially functioning individuals,
838 particularly those who are at risk and/or in conflict with law, taking into consideration the
839 best interest of the child:

- 840
- 841 a. A Youth Home Intervention Center shall be implemented by the City government
842 to take care of children who have been apprehended/arrested or have violated a law,
843 and/or their case is pending before the court, or have been criminally convicted;
844
 - 845 b. A certified and competent psychologist shall be hired by the City government to
846 take charge in the counseling of children;
847
 - 848 c. Children in the center shall be provided with skills training and personal
849 development trainings that will help them become self-reliant individuals; and
850
 - 851 d. The city government should duly implement the principle of restorative justice by
852 requiring a process of resolving conflicts with the maximum involvement of the
853 victim, the offender and the community. It shall seek to obtain reparation for the
854 victim; reconciliation of the offender, the offended and the community; reassurance
855 to the offender that he/she can be reintegrated into society. It shall enhance public
856 safety by galvanizing the offender, the victim, and the community in prevention
857 strategies.
858

859 **SECTION 24. ABANDONED AND NEGLECTED CHILDREN.** The city
860 government, in coordination with the City Social Welfare and Development (CSWD), shall
861 provide temporary shelter to children who are found to be abandoned and neglected.
862

863 **SECTION 25. STREET CHILDREN.** The CCPC shall formulate a comprehensive
864 plan to resolve the problem of the proliferation of street children in coordination with
865 CSWD, non-government organizations, church, and other civic groups, to include massive
866 information campaign and enforcement of the Anti-Mendicancy Law and protection of
867 children against any use force, or any abusive language to street children, especially during
868 the Holiday Season when children migrate to the City.
869

870 **SECTION 26. GAMBLING, COCKPIT, MAHJONG AND OTHER GAMBLING**
871 **PLACES:**
872

- 873 a) Children should be totally free from the influence and pernicious effects of gambling
874 of whatever form and betting in sports.
- 875 b) The owner/s, operator/s, manager/s, or any responsible person of a cockpit, mahjong
876 parlor and other gambling establishments, whether licensed or not, operating within
877 the City of Cagayan de Oro, shall be strictly prohibited from admitting or allowing
878 children to enter the said gambling establishments or profit and for whatever purpose.
- 879 c) If a child is found inside any gambling establishments, it is presumed that his/her
880 entry is with the permission of the owner/operator/manager or any responsible person
881 of the said establishments.
- 882 d) If a gambling place is owned by a corporation, the President or its Chief Executive
883 Officer or any member of the Board of Directors who personally authorized, allowed,
884 consented, or acted in conspiracy with the manager or any person responsible for the
885 commission of the prohibited acts shall also be held criminally liable as principal.
- 886 e) i. No children shall be admitted in any bars, clubs, and cafes exhibiting shows unfit
887 for minors including enclosed or open establishments or any establishments,
888 which sell liquors. However, children ages 13 to 17 years old maybe allowed

889 entering the said establishment if accompanied by their parents, adult relatives or
890 other responsible adults.

891 ii. No person shall sell, give, or offer intoxicating liquor to any person less than 18
892 years of age except for medical purposes when certified and prescribed by a
893 physician.

894 iii. No person less than 18 years old shall buy, receive or drink intoxicating liquor
895 like alcohol, whisky, ale, beer, brandy, gin, rum, champagne, basi, tuba, or any
896 other beverage liable to produce intoxication, except when prescribed by a
897 physician for medical purposes.

898 iv. Proof of age shall be required from the parents or guardians before children aged
899 thirteen (13) years but not below 15 may be accepted entrance.

900 v. Establishments selling liquors shall be required to install signs on the ban of
901 selling liquors to minors.

902

903 f) City Social Welfare and Development Officer, with the assistance of the PNP in every
904 Police Station in the City, are mandated to do a weekly/monthly monitoring to the
905 video-k bars and similar establishments.

906

907 g) A monthly/quarterly report based on the weekly monitor shall be submitted by the
908 CSWDO to the City Council for the Protection of Children (LCPC)

909

910 **SECTION 27. RESTRICTION HOURS FOR CHILDREN.** – No person below
911 fifteen (15) years old shall roam, wander around, stand-by, or loiter in around market places,
912 restaurants, cafes, bars, nightclubs, cocktail lounges, massage clinics, beer houses,
913 discotheque joints or saloons, cabarets or liquor stores, gambling places, plazas, parks,
914 recreation halls, billiard halls, parlors, bowling alleys, theater lobbies, sidewalks, hotels, and
915 all other similar establishments, after ten o'clock (10:00) post meridian, and before five
916 o'clock (5:00) ante meridian, except however, on the eve of the town fiesta, Charter Day and
917 other local holidays for the city of Cagayan de Oro, Christmas, New Year, All Souls day, All
918 Saints Day, Good Friday, Holy Thursday up to the Resurrection day immediately following,
919 or those who have just attended in and are going home from school classes, civic or religious
920 gatherings or social occasions.

921

922 **SECTION 28. REGULATED ACTS OVER INTERNET CAFES, VIDEO GAME**
923 **CENTERS, ETC. -**

924

925 a) Owners of internet café and commercial video center shall share the responsibility of
926 promoting the best interest of children that facilitate their educational development.

927

928 b) **Prohibition-** It shall unlawful for owners, operators or persons in charge of Internet
929 Cafes, Video Game Centers, bowling alleys and similar establishments to allow minors
930 to play computer or video games inside their establishments from 7:00AM to 7:00PM
931 during school days.

932

933 c) **Exemption.** – Notwithstanding of the above provision to the contrary, minors maybe
934 allowed to play computer video games inside Internet Cafes, Video Games Centers and
935 similar establishments during afforested elementary period; Provided, That they can
936 present a Consent Card duly signed both their parents/s and school principal.

937

938 d) Furthermore, any commercial video or computer establishment allowing children to
939 enter the said establishments during school days pursuant to the school authorized
940 research or activity for educational purposes shall not be covered by this ordinance.
941 Provided, that the student or group of students/pupils can present a school clearance
942 or permit signed by the principal or the Teacher-In-Charge.

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- e) Unless proven satisfactorily, when a child is found inside a commercial video or computer establishment, it is *prima facie* presumed that he/she managed his/her way in through the admission or permission of the owner, operator, or responsible person threat.
- f) School days as herein defined shall not include the whole period of Summer Vacation and Semestral Break and those officially announced by the President or by competent authorities as no-classes.
- g) Internet café owners are prohibited from allowing children to access pornographic sites, nor be engaged in any pornographic activities through the internet.
- h) The internet café owners are mandated to provide maximum of three (3) hours for children to access internet.

SECTION 29. REGULATED ACTS OVER BILLIARD HALLS-

- a) No school children sixteen (16) years old and below shall be allowed to play billiard or pool in billiard halls from Monday to Friday except when accompanied by their parents or guardians.
- b) **Exemption-** Notwithstanding the preceding Section, such playing of billiard shall be allowed if the same forms part of school activity or program.

SECTION 30. SMOKING BAN ON REGULAR AND ELECTRONIC (VAPE) CIGARETTE. - Children should be prevented from procuring and/or trying the vice of smoking either regular or electronic cigarette (E-cigarette, Personal Vaporizers, Alternative nicotine with flavors. It shall be unlawful for minors to smoke.

- 1. Any person/corporation/commercial establishment who sell to or entertain the purchase by a minor commits a violation shall be held liable for the offense.
- 2. In case of doubt as the real age of the buyer, retailers shall verify, by means of any valid form of identification containing the date of the bearer.
- 3. Establishments that are selling/distributing tobacco/vaporize products shall post "PERSONS BELOW 18 YEARS OLD ARE NOT ALLOWED TO SELL/PURCHASE/DISTRIBUTE."

SECTION 31. PROHIBITION ON THE USE AND SELLING OF INHALANT. - All children below 18 years old are prohibited to use/sniff any solvent. Solvent is a combination of two chemicals forming into liquid or gas for a solution specifically, thinner, rugby, *vulcaseal*, nail polish, gasoline. Examples of inhalant substances, but not limited to, are paint thinners and removers, gasoline, glues, and felt-tip marker fluids. Gases include medical gases (ether, nitrous oxide) and household or commercial products (butane lighters, propane tanks, whipped cream dispensers that contain nitrous oxide, and refrigerants).

- a) No children shall sniff solvent.
- b) No children shall buy solvent from any person or establishments.
- c) All establishments selling solvents are required to maintain a data (name, age and occupation of the buyer to be submitted to the Office of CCPC or PNP. Likewise, no establishments, store owners shall sell or distribute solvents to children.

995 **SECTION 32. REGULATING THE SALE, DISTRIBUTION, PROCUREMENT,**
996 **AND USE OF FIRECRACKERS OR PYROTECHNICS DEVICES TO CHILDREN -** No
997 person, business establishments, store owners, and the like shall likewise sell or distribute,
998 directly or indirectly, any firecracker or pyrotechnic devices to minors upon procurement of
999 the latter.
1000

1001 **A. OBJECTIVE.** It is the objective of this measure to regulate the sale, and distribution
1002 of firecrackers and other pyrotechnic devices to minors, to protect the latter from
1003 possible jeopardy that is inimical to their health and welfare.

1004 **B. TYPES OF PROHIBITED FIRECRACKERS AND PYROTECHNIC DEVICES**

1005 **I. Firecrackers**

- 1006
- 1007
- 1008 a) *Baby Rocket* – A firecracker with a stick so constructed that a lighting of the
1009 wick will propel the whole thing to lift a few meters before exploding. The
1010 firecracker is about 1 ½ inches in length by 3/8 inches in diameter while the
1011 stick is about a foot in length
- 1012
- 1013 b) *Small Triangulo* – A triangle shape firecracker with powder content less than the
1014 bawang and usually wrapped in brown paper measuring ¾ inch length in its
1015 longer side
- 1016
- 1017 c) *Pulling of Strings* – A firecracker with a small tube about an inch in length and
1018 less than ¼ of an inch in diameter with strings on each end. Pulling both strings
1019 will cause the firecracker to explode;
- 1020
- 1021 d) *Paper Caps* – Minute amount of black powder spread in either small strips of
1022 paper on a small sheet used for children’s toy guns 2;
- 1023
- 1024 e) *El Diablo* – Firecracker tubular in shape about 1 ¼ inches in length and less
1025 than ¼ inches in diameter with a wick; this is also known as labintador;
- 1026
- 1027 f) *Judah’s Belt* – A string of firecrackers consisting of either diablos or small
1028 triangulos that can number up to a hundred or thereabout and culminating in
1029 large firecracker usually a bawang;
- 1030
- 1031 g) *Sky Rocket (kwitis)* – A large version of a baby rocket designed to be propelled
1032 to a height of forty (40) to fifty (50) feet before exploding; and
- 1033
- 1034 h) Other types equivalent to the foregoing in explosive content

1035

1036 **II. Pyrotechnic Devices**

- 1037
- 1038 (a) *Sparklers* – Pyrotechnic devices usually made of black powder on a piece of wire
1039 or inside a paper tube designed to light up and glow after igniting;
- 1040
- 1041 (b) *Luces* – Any of several kinds of sparklers;
- 1042
- 1043 (c) *Fountain* – A kind of sparkler conical in shape which is lighted on the ground
1044 and designed to provide various rising colors and intermittent lights upon being
1045 ignited;
- 1046

- 1047 (d) *Jumbo regular and special* – A kind of sparkler similar to a “fountain” but bigger
1048 in size;
- 1049
- 1050 (e) *Mabuhay*– Sparklers bunched into a bundle of a dozen pieces;
- 1051
- 1052 (f) *Roman Candle* – A sparkler similar to a “fountain” but shaped like a big candle;
- 1053
- 1054 (g) *Trompillo* – A pyrotechnic device usually fastened at the center and designed to
1055 spin first clockwise and then counter-clockwise and provides various colored
1056 lights upon being ignited;
- 1057
- 1058 (h) *Airwolf* – A kind of sky rocket shaped like an airplane with a propeller to rise
1059 about forty (40) or fifty (50) feet and provide various kinds of lights while aloft;
- 1060
- 1061 (i) *Whistle Device* – Any of the various kinds of firecrackers or pyrotechnics
1062 designed to either simply emit a whistle-like sound or explode afterwards upon
1063 being ignited;
- 1064
- 1065 (j) *Butterfly* – A butterfly-shaped pyrotechnic device designed to lift above ground
1066 while providing light; 11. All kinds of pyrotechnic devices (pailaw); and
- 1067
- 1068 (k) Other types equivalent to the foregoing devices.
- 1069

1070 **C. OTHER PROHIBITED TYPES OF FIRECRACKERS AND PYROTECHNIC**
1071 **DEVICES SELL TO MINORS.** The sale and distribution of any firecrackers and
1072 pyrotechnic devices not mentioned above, with explosive content that could
1073 endanger life and limb, such as but not limited to atomic big triangulo and super
1074 lolo and their equivalent are strictly prohibited.

1075

1076 **D. PENALTIES.** Any person and business establishment or store owners who shall sell
1077 and distribute firecrackers and other pyrotechnic devices to minors, provided, that
1078 person has full conviction and knowledge that the person who procures and /or buys
1079 is duly recognized as minor as defined in section 3 herein, in violation of the
1080 provisions of this Ordinance shall be penalized by a fine of not less than Twenty
1081 thousand Pesos (P20, 000.00) nor more than Thirty thousand pesos (P30, 000.00), or
1082 imprisonment of not less than six (6) months nor more than one (1) year, or both
1083 such fine and imprisonment, at the discretion of the court in addition to the
1084 cancellation of his license and business permit and the confiscation of the
1085 Government of his inventory or stock pursuant to R.A. No. 7183 .

1086

1087 **ARTICLE IV**

1088 **PARTICIPATION RIGHTS OF CHILDREN**

1089

1090 **SECTION 33. CHILD REPRESENTATION IN THE CCPC** – The City
1091 Government of Cagayan de Oro shall ensure child representation in the City Council for the
1092 Protection of Children (CCPC) and in barangay levels hereby amending hereof the
1093 membership of CCPC as provided in Ordinance No. 8624- 2003, February 03, 2003.

1094

1095 **SECTION 34. NOVEMBER AS CHILDREN’S MONTH.** – The Children’s Month
1096 Celebration in November is pursuant to Republic Act 10661, otherwise known as National
1097 Children’s Month (NCM) Act and DILG Memorandum Circular 2015-123. This declaration
1098 commemorates the adoption of the Convention on the Rights of the Child (CRC) by the
1099 United Nations General Assembly on November 20, 1989 and seeks to instill its significance
1100 in the Filipino consciousness. The City Council for the Protection of Children in

1101 cooperation with the Barangay Councils for the Protection of Children shall conduct child-
1102 focused activities for the month promoting the rights of children.

1103

1104 **SECTION 35. MANDATORY CONSULTATION OF NATIONAL PROJECTS &**
1105 **COORDINATION WITH NATIONAL GOVERNMENT AGENCIES:**

1106

1107 1. Prior to the implementation of any national project by any and all national
1108 government agencies, bureaus, offices with regards to children, the express approval
1109 by Chief Executive and the Sangguniang Panlungsod shall be obtained after the
1110 holding of the public hearings on the matter.

1111 2. In the full implementation of this Code and the overall development of all children
1112 within the locality, local programs, projects and activities shall be coordinated with,
1113 as far as practicable, national government agencies concerned.

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1118 **SECTION 36. ROLE AND DUTY OF THE LOCAL CHIEF EXECUTIVE-**

1119

1120 a) The Local Chief Executive, for and in behalf of the Local Government, shall be
1121 principally responsible for the implementation of this Code and the attainment of its
1122 avowed objectives, provided, that in addition to the duties delegated to and
1123 possessed by the Local Chief Executive, he/she is hereby authorized and directed to
1124 cause the full implementation of this Code as well as to exercise those powers
1125 necessary, appropriate, incidental or essential for the promotion of the survival,
1126 development, protection and participation of children in particular, and the general
1127 welfare.

1128

1129 b) In the regulation of establishments, enterprises, projects and activities which are
1130 subject to the authority of the local government, the office of the Local Chief
1131 Executive shall take into account this Code in the issuance or cancellation of permits
1132 and licenses including renewals thereof, or rejection of applications. The Local Chief
1133 Executive shall be further authorized, after due notice, hearing, investigation to
1134 order and cause the closure of non-complying establishments and enterprises.

1135

1136 c) The Local Chief Executive is hereby authorized to enter into inter-local government
1137 cooperative arrangements with nearby local government for mutual benefit and in
1138 furtherance of the rights of children in such local governments.

1139

1140 **SECTION 37. COMMITTEE ON CHILDREN-**

1141

1142 1. In addition to the standing and special committee of the Sanggunian, there shall be
1143 created a Committee on Children composed of the president of the federation of the
1144 Sanggunian Kabataan as Chairman and another three (3) sanggunian members
1145 thereof.

1146

1147 2. The committee shall have the following functions and responsibilities:

1148

1149 (a) Formulate, consider and deliberate on proposals, measures and bills affecting the
1150 children, their survival, protection, development and participation;

1151 (b) Conduct periodic public hearings and consultations with appropriate
1152 organizations and agencies involved with children;

1153 (c) Receive, process reports and recommendations and dialogue with the City
1154 Council for Children; and

(d) Creation of the Barangay Committee on Children in every Barangay.

SECTION 38. CREATION OF THE CAGAYAN DE ORO COUNCIL FOR THE WELFARE OF CHILDREN (CDOCWC)- A Council for the Welfare of Children to be known as the Cagayan de Oro Council for the Welfare of Children (CDOCWC) is hereby created.

a) **Composition-** The Council shall be composed of the following;

- A. Chair - City Mayor
- B. Co-Chair - Chair, City Council Committees on Social Services and Women and Family Relations
- C. Vice Chair - to be selected among the members of NGO's
- D. Members -
 - i. Chair, SP Committees on Health, Education, Youth, and Finance
 - ii. SK Federation President
 - iii. City Health Officer
 - iv. City Budget Officer
 - v. City Treasurer
 - vi. City Social Welfare Officer
 - vii. City Planning and Development Coordinator
 - viii. President Liga ng mga Barangay
 - ix. Public Employment Services Officer
 - x. City Tourism Officer
 - xi. City Civil Registrar
 - xii. City Information Officer
 - xiii. MTCC Representative
 - xvi. City DILG
 - xviii. Department of Education- City
 - xix. Cagayan de Oro City Police Office/Women's Desk Officer
 - xx. Presidential Commission on the Urban Poor- 10
 - xxi. Commission on Human Rights- 10
 - xxii. Five Children Representatives
 - xxiii. Five NGOs/SWADA accredited by the City
 - Xxiv. Oro Youth Development Council (OYDC)
 - xxv. Inter-Faith Organization

Member offices shall designate their permanent representative to the CCPC.

The CCPC may create executive and special committees for its effective and efficient operation.

Executive Committee Members - The following shall compose of executive committee members of the CCPC coming from Chair, SP Committees on Health, Education, Youth, Finance, City DepEd, CSWDD, COCPO, City DILG, PCUP, Three NGOs accredited by the City, CHO, CPDO, and OYDC.

- b) **CDOCWC Secretariat-** The staff from CDOCWC shall serve as Secretariat, which shall provide administrative and technical support services thereto.
- c) **Creation of CDOCWC Office and Staff.** There shall be created a CDOCWC office with at least four staff (Social Worker, SOCTEC, Admin, and Driver) who are employees from CSWDD and amenities under the supervision of the CDOCWC in collaboration with CSWDD. Social Worker shall be the coordinator of the said office.

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- d) **Powers and Functions-** The City Council for the Protection of Children shall have the following powers and functions:
- i. Formulate plans, programs and policies for children that are gender sensitive, culturally relevant and responsive to the needs of diverse groups of children below 18 years of age;
 - ii. Provide coordinative linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
 - iii. Prepare Annual Work and Financial Plan (AWFP) for children and recommend appropriations to the Sangguniang Panlungsod;
 - iv. Provide technical assistance and recommend financial support to the Barangay Council for the Protection of Children or similar bodies;
 - v. Establish and maintain database on children in the city;
 - vi. Foster education of every child;
 - vii. Advocate for the establishment and maintenance of playgrounds, day care centers and other facilities necessary for child and youth development;
 - viii. Recommend local legislations promoting child survival, protection, participation and development, especially on the quality of television shows, media prints and coverage, which are detrimental to children, and with appropriate funding support;
 - ix. Assist children in need of special protection and refer cases filed against child abuses to proper agencies/institutions;
 - x. Conduct capability building programs to enhance knowledge and skills in handling children's programs;
 - xi. Protect and assist children in need of special protection (e.g. abandoned, maltreated and dependents) and refer cases filed against child abusers to proper agencies/institutions;
 - xii. Document barangay best practices on children;
 - xiii. Monitor situational reports on children and prepare quarterly updates including the implementation of children's program and make recommendations to the City Mayor for consideration;
 - xiv. Coordinate the implementation and enforcement of all laws relative to the promotion of child and youth welfare;
 - xv. Perform such other functions and other child related laws especially in matters of child and parent education, health, entertainment, etc.;
 - xvi. Prepare and submit to the City Mayor plans and programs for the total development of children and youth and submit to him an Annual Report of the progress thereof;
 - xvii. To call upon and utilize any department, bureau; office, agency or instrumentalities, public, private or voluntary, for assistance as it may require in the performance of its functions;
 - xviii. Serve as the Oversight Committee in the monitoring and implementation of this Code and such as, it may suggest proposals and submit recommendations for legislative action on matters affecting children;

- 1255 xix. Act as an advisory committee on the Sanggunian with respect to children's
1256 protection and development and the uses of local appropriations for this
1257 purpose;
- 1258 xx. Authorize the City Treasurer, as the case maybe, with the concurrence of the
1259 Sanggunian, to disburse funds from the Special Children Fund thereto
1260 created in accordance with the budget prepared;
- 1261 xxi. Designate and undertake education programs for the general public specific
1262 sectors and interest groups, special types of children such as but not limited
1263 to working, abused, differently-abled, indigenous people's children youth
1264 offenders;
- 1265 xxii. Prepare and present an annual assessment of the implementation of this
1266 Code to the assembly of children as provided for in Section 9 hereof;
- 1267 xxiii. Develop and implement support services enumerated in Section 23 of R.A.
1268 9208;
- 1269 xxiv. Oversee and monitor foundations and centers for children in the city
1270 operated by the City Government and/or NGOs and approve registration of
1271 these foundations prior to its accreditation and with City Government;
- 1272 xxv. Rights to receive grants, donations from any source and to establish a special
1273 account thereof in the City Government for same purpose;
- 1274 xxvi. Establish a Special Education for Special Children; and
- 1275 xxvii. Such other functions as the Sanggunian will delegate; such as create or
1276 establish committees that would deal or work on Anti-Trafficking of Women
1277 and Children, Child Labor and Slavery, Child Prostitution, Pornography,
1278 Indigenous Persons/Children (pursuant to law on Indigenous People).
- 1279 xxviii. Formulate Comprehensive Local Juvenile Intervention Program.
- 1280
- 1281 e) **Meetings-** the CCPC shall convene in regular meeting once a month every third
1282 week thereof and as many special meetings as maybe called by the City Mayor or the
1283 majority of the members of the Council in a resolution duly passed for the purpose.
1284
- 1285 f) **Appropriation-** Based on its Program of Works, there shall be appropriated so much
1286 amount as may be necessary in the Annual Budget of the City for the operation of
1287 the City Council for the Protection of Children.
1288
- 1289 To augment its funding, national agencies, GOs and NGOs that are members
1290 thereof may provide counterpart funds for their CCPC-related operations.
1291
- 1292 (Memorandum Circular 2012-120 of the Department of Interior and Local
1293 Government (DILG) - "ALLOCATION OF ONE PERCENT (1%) INTERNAL
1294 REVENUE ALLOTMENT (IRA) FOR THE STRENGTHENING AND
1295 IMPLEMENTATION OF THE PROGRAMS, PROJECTS AND ACTIVITIES OF
1296 THE LOCAL COUNCILS FOR THE PROTECTION OF CHILDREN (LCPC)
1297 PER SECTION 15 OF RA 9344")
1298
- 1299 g) Barangay Council for the Protection of Children- All Barangays in the City are
1300 hereby mandated to create and organized their respective Barangay Council for the
1301 Protection of Children (BCPC) and shall coordinate in drawing and implementing
1302 plans for the promotion of child and youth welfare.
1303
- 1304 (a) **MANDATORY PARTICIPATION TO SEARCH FOR CHILD-**
1305 **FRIENDLY BARANGAY.** All Barangays are mandated to join, not for the

- 1306 *sole purpose of competing in the Annual Search for Child-Friendly*
1307 *Barangay, but for the continuous enhancement and strengthening of their*
1308 *respective Barangay Council for the Protection of Children's functionality, as*
1309 *the primary defender of children from any forms of abuses, discrimination*
1310 *and exploitations and to foster better mechanism for child right's promotion*
1311 *and protection.*
- 1312 (b) **PENALTY.** *Before the Barangay could receive their budget from the City*
1313 *Budget Office for review, they are required to allocate 1 % of their IRA for*
1314 *children and submit annual working financial plan and activities for*
1315 *children to be induced in their Barangay Annual Development Investment*
1316 *Program.*
- 1317 (c) **COMMUNITY OF BEST PRACTICE.** *The winning Barangay for three (3)*
1318 *consecutive and non-consecutive years within the span of six (6) years shall*
1319 *be considered by the City Council for the Protection of Children as*
1320 *Community of Best Practice for immersion and exposure of interested*
1321 *barangay government units across the region, Mindanao Area and the*
1322 *country in general. The concerned Barangay, aside from the Seal to be*
1323 *Awarded by the City Government, shall also receive a FIFTY THOUSAND*
1324 *CASH Assistance in the continuous implementation of their activities for*
1325 *children and will no longer be eligible to join in the succeeding Search.*
- 1326 (d) **FORFEITURE OF CASH INCENTIVES.** *The Non-enjoinment in the*
1327 *Search and Failure to maintain the Rating Standard set by the CCPC in two*
1328 *consecutive instances shall void the incentives and automatically permits the*
1329 *concerned Barangay to compete in the next Search. XXXXX*

1330 **SECTION 39. ROLE OF REGULATORY AND COMPLAINTS BOARD** – The
1331 Regulatory and Complaints Board (RCB) shall be responsible in regulating establishments
1332 covered under this Code.

1333 **ARTICLE VI**
1334 **PROHIBITED ACTS**

1336 **SECTION 40. SANCTIONS OF ESTABLISHMENT OR ENTERPRISES**
1337 **WHICH PROMOTE, FACILITIES OR CONDUCT ACTIVITIES CONSTITUTING**
1338 **CHILD PROSTITUTION AND OTHER SEXUAL ABUSE, CHILD TRAFFICKING,**
1339 **OBSCENE PUBLICATION AND INDECENT SHOWS AND OTHER ACTS OF**
1340 **ABUSE.**

- 1342 1. All establishment and enterprises which promote or facilitate child prostitution and
1343 other sexual abuse, child trafficking, obscene publication and indecent shows and
1344 other acts of abuse shall be immediately closed and their authority or license to
1345 operate canceled subject to due process requirements, without prejudice to the owner
1346 or manager there being prosecuted under this Code and/or the Revised Penal Code
1347 as amended or special laws.
- 1348 2. After an administrative determination of the culpability of the owners, managers,
1349 employees and agents of said establishment or enterprises, a sign with the words “off
1350 limits” shall be conspicuously displayed outside the establishment or enterprises for
1351 such period which shall not be less than one (1) year, as the Council may determine.
- 1352 3. An establishment shall be deemed to promote or facilitate child prostitution and
1353 other sexual abuse, child trafficking, obscene publication and indecent shows and
1354 other acts of abuse if the acts constituting the same occur in the premises of said
1355 establishment under this code. An enterprise such as sauna, travel agency or
1356 recruitment agency which promotes the aforementioned acts as part of a tour for

1357 foreign tourists, exhibits children in a lewd or indecent show provides child
1358 masseurs for adults of the same or opposite acts and said services include any
1359 lascivious conduct with the customers or solicits children or activities constituting
1360 the aforementioned acts shall be deemed to have committed the acts penalized
1361 herein.

1362
1363 **SECTION 41. PROHIBITION AGAINST LABELING AND SHAMING.** - In the
1364 taking of custody of children beginning from the initial contact with the child, the
1365 competent authorities must refrain from branding and labelling children as young
1366 criminals, juvenile delinquents, prostitutes or attaching them in any manner any other
1367 derogatory names. Likewise, no discriminatory remarks and practices shall be allowed
1368 particularly with respect to the child's class or ethnic origin.

1369
1370 **SECTION 42. OTHER PROHIBITED ACTS.** The following and any other similar
1371 acts shall be considered prejudicial and detrimental to the psychological, emotional, social,
1372 spiritual, moral and physical health and well-being of the child in conflict with the law and
1373 therefore, prohibited.

- 1374
1375 1. Employment of threats of whatever kinds and nature;
1376
1377 2. Employment of abusive, coercive and punitive measures such as cursing, beating,
stripping and solitary confinement.
1378
1379 3. Employment of degrading, inhuman and other cruel forms of punishment such as
1380 shaving of heads, pouring irritating corrosive or harmful substances over the body of
1381 the child in conflict with the law, or forcing the child to walk around the community
1382 wearing signs which embarrass, humiliate, and degrades the child's personality and
dignity; and
1383
1384 4. Compelling the child to perform involuntary servitude in any and all forms under
any and all instances.

1385
1386 **ARTICLE VII**
1387 **FINAL PROVISION**

1388
1389 **SECTION 43. GENERAL PENALTY-** The penalty for any violation of this Code,
1390 which is not penalized elsewhere in other sections of this Code or in a national law, shall
1391 be imprisoned of six (6) months to one (1) year or a fine ranging from ₱500.00 to
1392 ₱5,000.00, or both at the discretion of the court.

1393
1394 **SECTION 44. INFORMATION DISSEMINATION** - The City Information Office
1395 is hereby directed to formulate and implement an Information Dissemination Program to
1396 inform the general public about this code and to cause the printing and distribution of
1397 this Code.

1398
1399 **SECTION 45. APPROPRIATIONS** - There shall be allocated in the annual budget
1400 of each City Government department or office in charge of implementing the provisions of
1401 this Code so much amount necessary to carry out the provisions of this Code.

1402
1403 **SECTION 46. SEVERABILITY** - If, for any reason or reasons, any part or
1404 provision of this Code shall be held to be unconstitutional or invalid, other parts or
1405 provisions hereof which are not affected thereby shall continue to be in full force and
1406 effect.

1407

1408 **SECTION 47. REPEALING CLAUSE** - Ordinance No. 10536-2007, ordinances,
1409 resolutions, Executive Orders and other issuance/s which are inconsistent with any of the
1410 provisions of this Code, are hereby repealed or modified accordingly.

1411
1412 **SECTION 48. FORMULATION OF IMPLEMENTING RULES AND**
1413 **REGULATIONS.** - Within six (6) months after the approval of this Ordinance, the
1414 Council for the Protection of Children through a Technical Working Group shall
1415 formulate and issue the appropriate rules and regulations necessary for the efficient and
1416 effective implementation of any and all provisions of this Ordinance, and shall be effective
1417 after approval of the City Mayor, and review this Code for possible amendments.

1418
1419 **SECTION 49. EFFECTIVITY** - This Code shall take effect upon completion of its
1420 publication and posting in at least two (2) conspicuous places for a minimum period of
1421 three (3) consecutive weeks.

1422
1423 **APPROVED.**

Respectfully filed:

REUBEN R. DABA
City Councilor
Author

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

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

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Ordinance authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Understanding with the Mountain View College, represented by its School President Dr. Gladden O. Flores, covering the affiliation and internship training of its medical technology students at the JR Borja General Hospital, this City, under the terms and conditions specified therein

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: _____


HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING



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

Communication Number: 2017-1212

Date: 11/16/2017
Receiver: JESSAMINE

From: JR BORJA GENERAL HOSPITAL

Subject: MEMORANDUM OF UNDERSTANDING BETWEEN THE J.R. BORJA GENERAL HOSPITAL (JRBGH) AND THE MOUNTAIN VIEW COLLEGE (MVC) MEDICAL TECHNOLOGY PROGRAM REQUESTING THE CITY COUNCIL FOR AN APPROPRIATE ORDINANCE TO AUTHORIZE THE HONORABLE OSCAR S. MORENO, CITY MAYOR, THIS CITY, TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT

Respectfully referred to **COMMITTEE ON HEALTH, SANITATION AND HEALTH INSURANCE** the herein communication for study, investigation, report and/or recommendation.

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

[Signature]
ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Refer to Comm. on Laws and Rules
Date of Meeting: *3/2/18*

[Signature]
HON. MARIA LOURDES S. GAANE
Chairperson

HON. REUBEN R. DABA
Vice Chairperson

HON. GEORGE S. GOKING
Member

HON. JAY R. PASCUAL
Member

HON. SUZETTE MAGTAJAS-DABA
Member

HON. YAN LAM LIM
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING

Generated from Legislative Management Information System: 11/16/2017 8:42:59M



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



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

DATE: NOVEMBER 15, 2017

FROM J.R. BORJA GENERAL HOSPITAL

SUBJECT MATTER: MEMORANDUM OF UNDERSTANDING BETWEEN THE J.R. BORJA GENERAL HOSPITAL (JRBGH) AND THE MOUNTAIN VIEW COLLEGE (MVC) MEDICAL TECHNOLOGY PROGRAM REQUESTING THE CITY COUNCIL FOR AN APPROPRIATE ORDINANCE TO AUTHORIZE THE HONORABLE OSCAR S. MORENO, CITY MAYOR, THIS CITY, TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT

ACTION: REFER TO COMMITTEE ON **HEALTH, SANITATION AND HEALTH INSURANCE.**

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



Republic of the Philippines
J.R. BORJA GENERAL HOSPITAL

J.V. Serina Street, Carmen, Cagayan de Oro City
Misamis Oriental, PHILIPPINES 9000
Tel.no.: Admin. Office: (088) 880 - 2001
Emergency Room: (088) 880 - 1070
Email address: jrborjagenhosp@gmail.com

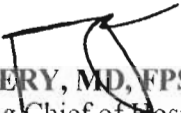


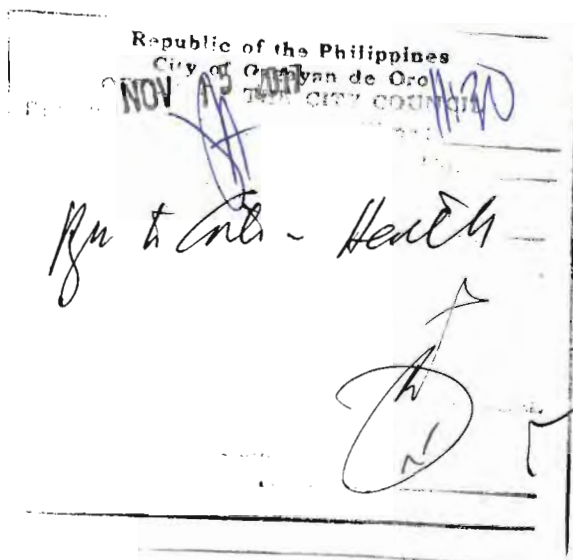
4th Indorsement

14 November 2017

Respectfully favorably indorsing to the *City Council*, this City, the herein attached *Memorandum of Understanding between the J.R. Borja General Hospital (JRBGH) and the Mountain View College (MVC) Medical Technology Program* requesting to authorize the *Honorable Oscar S. Moreno, City Mayor, this City* to enter into and sign the Memorandum of Agreement.

For your approval.


RAMON M. NERY, MD, FPSP, MHA, CEO VI
Acting Chief of Hospital
J.R. Borja General Hospital





Republic of the Philippines
J.R. BORJA GENERAL HOSPITAL

J.V. Serifa Street, Carmen, Cagayan de Oro City
Misamis Oriental, PHILIPPINES 9000
Tel.no.: Admin. Office: (088) 880 - 2001
Emergency Room: (088) 880 - 1070
Email address: jrborjagenhosp@gmail.com

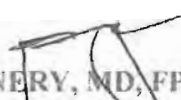


3rd Indorsement

19 October 2017

Respectfully favorably indorsing to the *Honorable Oscar S. Moreno, City Mayor, this City*, the attached *Contract of Affiliation between the J.R. Borja General Hospital (JRBGH) and the Mountain View College (MVC) Medical Technology Program* following the format recommended by *Atty. Reymond Q. Villablanca, Assistant City Legal Officer*.

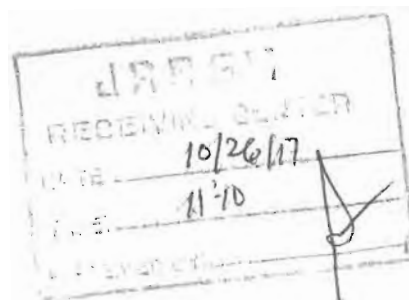
For your approval,


RAMON M. NERY, MD, FPSP, MHA, CEO VI
Acting Chief of Hospital
J.R. Borja General Hospital

Dr. Ramon Nery,

1. This is ok with me. I have thus signed it.
2. However, for good order's sake, let's seek authority from the City Council. We should ensure that there are no questions later, whatsoever.
3. Pls have an unsigned copy presented to the City Council, with a request for authority for us to sign.

Gm
25 Oct 17



MEMORANDUM OF UNDERSTANDING

KNOW ALL THESE MEN BY HIS PRESENT:

This Memorandum of Understanding ("MOU", for brevity) is entered into and executed this _____ day of _____ 2017 by and between:

MOUNTAIN VIEW COLLEGE is a corporation duly organized and existing under laws of the Republic of the Philippines with address at Mt. Nebo, Valencia City, represented herein by its president, **DR. GLADDEN O. FLORES**, of legal age, married, Filipino and with office address at Mt. Nebo, Valencia City, hereinafter referred to as the **"FIRST PARTY"**.

And

CITY GOVERNMENT OF CAGAYAN DE ORO, a local Government Unit created and existing by virtue of its charter, RA 521, with address at the City Hall Building, Capistrano-Hayes Sts., Cagayan de Oro City, herein represented by the **HON. CITY MAYOR OSCAR S. MORENO**, of legal age, married, Filipino and with office address at City Hall, Cagayan de Oro City, hereinafter referred to as the **"SECOND PARTY"**;

WITNESSETH:

Whereas, the **FIRST PARTY** is a private educational institution with a permit from the Commission on Higher Education (CHED) herein attached as ANNEX "A", that offer course of Bachelor of Science in Medical Technology (BSMT) which requires all its trainees/students ("interns", for brevity) to undergo affiliation training in a reputable health institution in order to ultimately produce globally competitive Medical technologist;

Whereas, to attain the objective of the **FIRST PARTY**, it wishes to engage the assistance of the **SECOND PARTY** thru its **J.R. BORJA MEMORIAL GENERAL HOSPITAL ("HOSPITAL"**, for brevity), a public health institution, for the purpose of affiliating their interns where they can have hands on practice of the theories learned from the classroom and to apply them in actual situational experience;

Whereas, the **SECOND PARTY** agrees to the request of the **FIRST PARTY** to be an affiliate training health institution;

NOW, THEREFORE, this MOU is executed and entered into under the following terms and conditions:

1. RESPONSIBILITY OF THE SECOND PARTY THRU THE HOSPITAL:

- 1.1 To provide opportunity for the interns to gain actual experience and training in the Hospital, as maybe necessary, but always under the direct supervision and control of the **FIRST PARTY**. But the **SECOND PARTY**, in pursuance to the security and protection of its clients and/or patients, as well as of the interns, may restrict or limit certain acts, access, presence and involvement of the interns.
- 1.2 Whenever necessary and with the written approval of Chief of Hospital, to allow the **FIRST PARTY** and its interns to attend the clinical activities, conferences and symposiums related to medical and health care services of **SECOND PARTY**.
- 1.3 To enforce rules and regulations, thru the cooperation and coordination of the **FIRST PARTY** regarding the admission, supervision, training and the regulation of the interns who fail to comply with any of the regulation of the **SECOND PARTY** and /or **J.R. BORJA MEMORIAL GENERAL HOSPITAL** by committing acts detrimental to the health , safety, and welfare of the clients, patients and Hospital personnel. In relation hereto, the **FIRST PARTY** hereby

recognizes by acknowledging the right of the **SECOND PARTY** To refuse admission or further involvement of certain interns based on disqualification and reasonable legal grounds.

1.4 To assess and collect, thru the office of the City Treasurer, the affiliation fees by furnishing the **FIRST PARTY** within reasonable time of the necessary document (e.g. statement of accounts or proof of billing).

1.5 To conduct and hold regular dialogue with the **FIRST PARTY** regarding the status of the affiliation and assessment of the interns.

1.6 To conduct and hold regular meeting with the **FIRST PARTY** to discuss or deliberate on issues and other concerns relative to training and affiliation activities.

2. RESPONSIBILITIES OF THE FIRST PARTY AND IT'S INTERNS:

2.1 To submit to the **SECOND PARTY** thru the **J.R. BORJA MEMORIAL GENERAL HOSPITAL** the Certified list of qualified interns who desires to undergo its internship training program;

2.2 To assume responsibility for care and custody of the interns in case of loss, damages, infections, illnesses, injuries and/or death at the course of affiliation or internship. Thus, it hereby waives quitclaims and releases the **SECOND PARTY** from any and all liabilities in case of loss, damages, infections, illnesses, injuries and/or death of interns at the course of the affiliation.

2.3 To reimburse the **SECOND PARTY** in cash or in kind (at the discretion of the **SECOND PARTY**) all losses, damages, or breakage caused by the act, omission or negligence of any of its interns;

2.4 To cooperate and coordinate with the Chief of Hospital, thru the Chief Medical Technologist or her authorized hospital staff on matters concerning the program of internship, training, duties and discipline of interns, convocations, and other related activities.

2.5 To provide a clinical instruction and supervision of the interns for a period from ____ hours
Or a breakdown of hours a day; days a week for a total of ____ weeks; and

2.6 To comply with the existing rules and regulations regarding training and internship including the duties and responsibilities related hereto that will be formulated by the **SECOND PARTY**.
And such other rules and regulations of the **SECOND PARTY**, in coordination of the **FIRST PARTY**, as may be issued after execution of this instrument.

3. The **FIRST PARTY** shall pay the **SECOND PARTY** a corresponding amount for affiliation fees based on the standard rates in accordance with Section 582 of Ordinance No. 4373-94, otherwise known as Codified Ordinance.

4. The **FIRST PARTY** shall ensure that its interns shall perform or render services to the clients and/or patients of the Hospital with reasonable care and skill, including observing pleasing personality when attending to or dealing with them and the **SECOND PARTY** or its representatives.

5. The **FIRST PARTY** shall hold the **SECOND PARTY** free from any and all liabilities, damages, losses, injuries and/or death whether arising from contract, tort (including negligence) or otherwise as be the proximate cause thereof. Consequently, the **FIRST PARTY** shall be solidarity liable therefore.

6. Either party may terminate or rescind this MOU, in case of material breach which is not remedied within reasonable time (within 30 days) after due notice. The parties may also mutually agree to terminate this MOU without cause.

7. This MOU does not create an employer-employee relationship between the **SECOND PARTY**, its employees, agents or sub-contractors and the **FIRST PARTY**, its interns, trainees, students, employees, agents or sub-contractors.
8. Except as herein provided, neither party shall assign or transfer all of nor any part of its rights under this MO without the prior written consent of the concerned party.
9. The regular court or competent quasi-judicial bodies of Cagayan de Oro City shall have the exclusive and sole jurisdiction over any disputes and/or claims arising hereto.
10. This MOU shall be for a term of two (2) years from execution hereof subject to renewal every two years upon such terms and conditions as may be mutually agreed upon by the parties; Provided, however, that the **SECOND PARTY** has the sole and exclusive prerogative to revise this contract in compliance with such laws, rules and regulations that maybe enacted by the proper authorities thereafter; Provided, further, that the **FIRST PARTY** shall be informed of the modification for its compliance.

IN WITNESS WHEREOF, the parties hereto have set their hands this _____ day of _____ in Cagayan de Oro City.

For: (FIRST PARTY)

For: (SECOND PARTY)

GLADDEN O. FLORES, EdD
President, Mountain View College

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

SIGNED IN THE PRESENCE OF

MARY JEAN P. LOECHE, MD, FPSP, FPSO
Chairperson, MVC Medical Technology

RAMON M. NERY, MD, FPSP, MHA
CEO VI, Acting Chief of Hospital

ACKNOWLEDGEMENT

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

BEFORE ME, this _____ day of _____, in the City of Cagayan de Oro, Philippines, personally appeared:

<u>Name:</u>	<u>Valid Government Issued ID:</u>	<u>Place or Date of Issue:</u>
<u>GLADDEN O. FLORES, EdD</u>	<u>Passport No. EC 3336086</u>	<u>February 2, 2015</u>
<u>CITY MAYOR OSCAR S. MORENO</u>	<u>Passport No. EB9472666</u>	<u>October 29, 2013</u>

Known to me to be the same persons who executed the foregoing Memorandum of Understanding for the purposes set forth therein, and they acknowledged to me that the same is their free and voluntary act and deed. This instrument consists of the three (3) pages, including this page where this acknowledgement is written, and signed by all parties and their instrumental witnesses on each and every page hereof.

WITNESS MY HAND AND SEAL on the date and place first above written.

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

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

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Ordinance authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement with the Xavier University (Ateneo de Cagayan), represented by its President Fr. Roberto C. Yap, SJ, covering the affiliation and clinical exposure of its medical students at the JR Borja General Hospital, this City, under the terms and conditions stipulated in the MOA submitted to this body

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

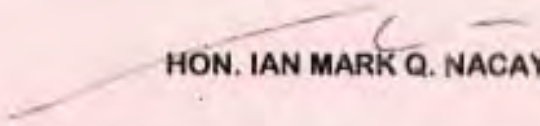
FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL

City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: _____


HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING



Communication Number: 2017-1213

Date: 11/16/2017
Receiver: JESSAMINE

From: JR BORJA GENERAL HOSPITAL

Subject: MEMORANDUM OF AGREEMENT BETWEEN THE J.R. BORJA GENERAL HOSPITAL AND THE XAVIER UNIVERSITY DR. JOSE P. RIZAL SCHOOL OF MEDICINE REQUESTING THE CITY COUNCIL FOR AN APPROPRIATE ORDINANCE TO AUTHORIZE THE HONORABLE OSCAR S. MORENO, CITY MAYOR, THIS CITY, TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT.

Respectfully referred to COMMITTEE ON HEALTH, SANITATION AND HEALTH INSURANCE the herein communication for study, investigation, report and/or recommendation.

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 3/2/18

Refer to comm on Laws & Rules the Amended MOA

HON. MARIA LOURDES S. GAANE
Chairperson

HON. REUBEN R. DABA
Vice Chairperson

HON. GEORGE S. GOKING
Member

HON. JAY R. PASCUAL
Member

HON. SUZETTE MAGTAJAS-DABA
Member

HON. YAN LAM LIM
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING



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

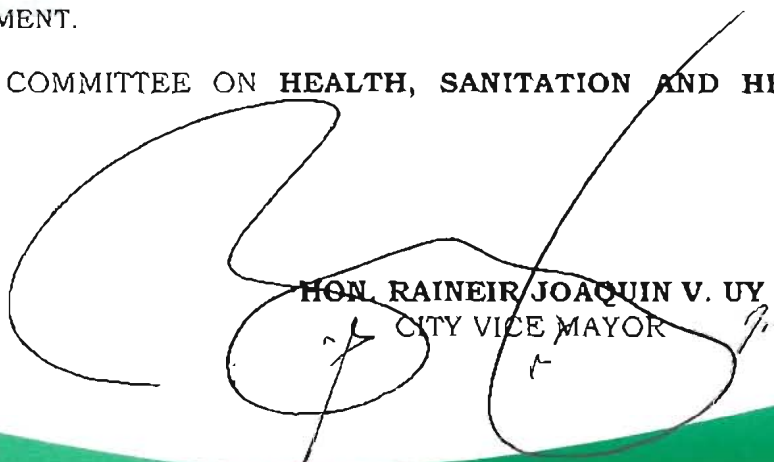


2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

DATE: NOVEMBER 15, 2017
FROM: J.R. BORJA GENERAL HOSPITAL

SUBJECT MATTER: MEMORANDUM OF AGREEMENT BETWEEN THE J.R. BORJA GENERAL HOSPITAL AND THE XAVIER UNIVERSITY DR. JOSE P. RIZAL SCHOOL OF MEDICINE REQUESTING THE CITY COUNCIL FOR AN APPROPRIATE ORDINANCE TO AUTHORIZE THE HONORABLE OSCAR S. MORENO, CITY MAYOR, THIS CITY, TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT.

ACTION: REFER TO COMMITTEE ON HEALTH, SANITATION AND HEALTH INSURANCE.


HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



Republic of the Philippines
J.R. BORJA GENERAL HOSPITAL

J.V. Serina Street, Carmen, Cagayan de Oro City

Misamis Oriental, PHILIPPINES 9000

Tel.no.: Admin. Office: (088) 880 - 2001

Emergency Room: (088) 880 - 1070

Email address: jrborjagenhosp@gmail.com



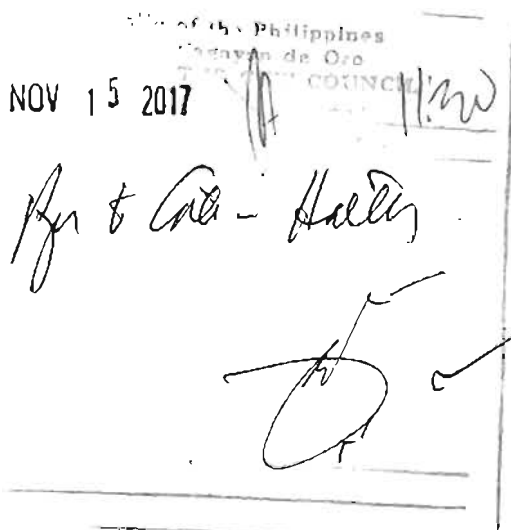
3rd Indorsement

14 November 2017

Respectfully favorably indorsing to the *City Council*, this City, the herein attached *Memorandum of Agreement between the J.R. Borja General Hospital (JRBGH) and the Xavier University Dr. Jose P Rizal School of Medicine* requesting to authorize the *Honorable Oscar S. Moreno, City Mayor, this City* to enter into and sign the Memorandum of Agreement.

For your review and recommendations.


RAMON M. NERY, MD, FPSP, MHA, CEO VI
Acting Chief of Hospital
J.R. Borja General Hospital





Xavier University
ATENEOS DE CAGAYAN

In Consortium with
ATENEO DE DAVAO UNIVERSITY and
ATENEO DE ZAMBOANGA UNIVERSITY

SCHOOL OF MEDICINE
Office of the Dean

25 October 2017

Hon Oscar S Moreno
Mayor
Cagayan de Oro City

Thru Dr Ramon M Nery
Hospital Executive Officer
J R Borja General Hospital

Dear Mayor Moreno,

Peace!

Since school year 2016-2017, medical students of XU JPRSM were given the opportunity to extend their clinical exposure at the J.R. Borja General Hospital but the school and the city government has yet to formalize this affiliation through a MOA. We have sent a draft of the same to Dr Maria Magdalena A Juan and got a copy back with the suggested revision.

I am now sending to you the "Final" draft for your comments and approval. We are hoping that this can be bilaterally signed before November 20, 2017 which is the start of our students' scheduled preceptorships at the JR Borja General Hospital upon your approval.

Thank you very much for your kind understanding, consideration and all out support to quality education. Your approval of this MOA will certainly go a long way towards the formation of competent physicians who will serve the people of Mindanao.

Yours truly,

Ruth Semilla-Beltran
Dr Ruth Semilla-Beltran
Dean

JRBC-H	
RECEIVING CENTER	
DATE	11/10/17
TIME	10:45 AM
RECEIVED BY	<i>[Signature]</i>

Corrales Avenue 9000 Cagayan de Oro City, Philippines

Tels: (63 88) 8573123 (6388) 72-3116 (trunk) 63 88-3116 trunk) Local: 1104/ 1103

Fax: Local 1103 Email: <jprcm@xu.edu.ph>



Republic of the Philippines
CITY LEGAL OFFICE
Cagayan de Oro City

2nd INDORSEMENT

30 April 2017

Respectfully returned to **RAMON M. NERY, MD, FPSP, MHA, CEO VI**, Hospital Executive Officer, J.R. Borja General Hospital, this City, its 1st Indorsement Dated 06 April 2017 relative to the attached Memorandum of Agreement between JRBGH and Xavier University of Cagayan de Oro in order for the latter's medical students to gain clinical exposure. Kindly take notice that the Office took the liberty of preparing an amended MOA for your ready reference. However, we would like to stress that unless there are justifiable causes, this Office has extreme reservations over the propriety of granting a waiver of the affiliation fees as it tends to favor and gives undue advantage to medical students over other health students undergoing affiliation or practicum in the said hospital. Other than the foregoing, should the parties find the herein amended MOA to be in order, it is recommended that the necessary ordinance be requested authorizing the City Mayor to sign the said MOA. For your information and appropriate action.

ATTY. DONALD G. DELEGENCIA
OIC - City Legal Office



MEMORANDUM OF AGREEMENT (AMENDED)

KNEW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement made and executed by and between:

J.R. BORJA GENERAL HOSPITAL, is a local government health institution, which is a duly authorized service, training and teaching hospital of the Department of Health, with address at J.V. Serina St., Carmen, Cagayan de Oro City, is owned by the City Government of Cagayan de Oro, and represented herein by its Local Chief Executive, **HON. CITY MAYOR OSCAR S. MORENO**, of legal age, married, Filipino and with office address at City Hall, Cagayan de Oro City, hereinafter referred to as the **"FIRST PARTY"**;

- and -

XAVIER UNIVERSITY OF CAGAYAN DE ORO, a non-stock, non-profit private educational institution duly organized under the laws of the Republic of the Philippines with address at Corrales St., Cagayan de Oro City is a duly recognized educational institution by the Commission on Higher Education (CHED), herein represented by its President **FR.ROBERTO C. YAP, SJ**, of legal age, single, Filipino and with office address at Office of the President, Xavier University, Corrales St., Cagayan de Oro City, hereinafter referred to as the **"SECOND PARTY"**;

WITNESSETH:

WHEREAS, the PARTIES will mutually benefit by sharing their learning and health service resources;

WHEREAS, the FIRST PARTY recognizes the importance of supporting the medical education of future doctors in the region through good clinical exposure;

WHEREAS, the FIRST PARTY is a health care provider geared in preserving life and maintaining quality in rendering health and social services to its clients and/or patients while the SECOND PARTY is an educational institution that has a Medical Education Program;

WHEREAS, the FIRST PARTY delivers services in the major clinical specialties: Internal Medicine, Pediatrics, Obstetrics and Gynecology and Surgery with very high census of patients in the Out-patient and In-patient departments;

WHEREAS, the SECOND PARTY acknowledges the excellent learning opportunities that medical students can gain through the numerous patients in the various clinical departments of the FIRST PARTY both in the OPD & In-patient sections;

WHEREAS, the SECOND PARTY requires that all its medical students shall be under the university's Clinical preceptors when at the FIRST PARTY'S hospital premises for clinical exposure, physical examination and observing interesting procedures being performed;

WHEREAS, the FIRST PARTY is willing to assist the SECOND PARTY in providing the latter's medical students the opportunity to complete the required hospital training and exposure;

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

1. The FIRST PARTY will allow the medical students (from Levels I, II and III), clinical preceptors, faculty and staff of the SECOND PARTY to carry and conduct research studies, training and clinical exposure related to their field of expertise within the former's hospital premises. The said medical students shall be allowed access to the former's clients/patients confined or in the OPD of the hospital for their clinical exposure / practicum. And in the course of the said medical

students' duty, they shall remain under the supervision of the SECOND PARTY thru its clinical preceptors;

2. In dealing with the clients and/or patients, the employees, hospital staff and doctors of the FIRST PARTY, the SECOND PARTY assures that its students, clinical preceptors, faculty and staff shall perform the services being rendered with reasonable care, skill and diligence;
3. The SECOND PARTY shall ensure that all its students, clinical preceptors, faculty and staff shall strictly abide by the proper decorum including the rules and regulations of the FIRST PARTY;
4. The SECOND PARTY shall also ensure that its students, clinical preceptors, faculty and staff is physically and mentally fit including to have sufficient basic clinical / medical instruction;
5. The FIRST PARTY, in its discretion, shall allow the medical students of the SECOND PARTY to participate in appropriate professional learning experiences such as training, seminars and work shops conducted by the former.
6. The FIRST PARTY shall guide and assist the students, clinical preceptors, faculty and staff of the SECOND PARTY in the course of the clinical exposure / practicum while at the former's hospital premises.
7. The students, clinical preceptors, faculty and staff of the SECOND PARTY shall coordinate and cooperate with the FIRST PARTY during the duration of the medical students' clinical exposure / practicum at the hospital premises.
8. The SECOND PARTY shall provide the FIRST PARTY with the list of its students, clinical preceptors, faculty and staff participating or involved in the clinical exposure / practicum program including the clinical schedules for every semester of the school year. In case of revisions of the submitted schedule, the SECOND PARTY shall coordinate with and inform the FIRST PARTY, through its Chief of Hospital, of such revision at least one (1) week prior to the final clinic schedule. Meanwhile, the FIRST PARTY has the right to remove, reject and/or refuse the entry, participation, and/or involvement of the persons listed therein if they are deemed unfit, uncooperative or otherwise do not follow or observe its rules and regulations.
9. The FIRST PARTY, through its Chief of Hospital, shall report to the SECOND PARTY's XU JPRSM Medical Training Officer for appropriate disciplinary measures in case of any misconduct or violations of the former's Rules and Regulations committed by the latter's medical students, clinical preceptors, faculty and staff, but the same shall be without prejudice to the rights provided in the previous paragraph.
10. The SECOND PARTY assures the FIRST PARTY that its clinical preceptors, faculty and staff are readily available for a conference to discuss certain concerns or issues that may arise during the duration of the effectivity of this MOA.
11. The responsibility of evaluating, supervising and other relevant school responsibilities towards its students shall remain the sole responsibility of the SECOND PARTY. However, the FIRST PARTY may assist the SECOND PARTY in the evaluation of the students' development based on their actual clinical exposure / medical field performance.
12. The SECOND PARTY shall pay the necessary affiliation fees as provided in the relevant ordinance.
13. The SECOND PARTY shall provide in terms of health personnel education through free lectures on topics deemed necessary to refresh, enhance knowledge and improve health services of the FIRST PARTY'S Hospital staff.
14. The duration of this Agreement shall be for _____ () years beginning _____ and will end on _____ unless sooner cancelled, rescinded and/or terminated by the parties as may herein provided.

15. The SECOND PARTY shall hold the FIRST PARTY free from any and all liabilities, damages, loss, injury and/or death whether arising from contract, tort (including negligence) or otherwise as a result of the services being rendered herein or should it be the proximate cause thereof. Thus, the SECOND PARTY shall be solidarily liable as provided herein.
16. The substituted parental responsibility towards students shall remain the sole and exclusive responsibility of the SECOND PARTY.
17. Either party may terminate or rescind this Agreement, in case of material breach which is not remedied within reasonable time after due written notice (within 30 days). The parties may also mutually agree to terminate this Agreement.
18. This Agreement does not create an employer – employee relationship between the FIRST PARTY, its employees, agents or sub-contractors and the SECOND PARTY, its employees, agents or sub-contractors including its students, clinical preceptors, faculty and staff.
19. Except as herein provided, neither party shall assign or transfer all or any part of its rights under this agreement without the prior written consent of the party concerned.
20. The regular court or competent quasi-judicial bodies of Cagayan de Oro City shall have the exclusive jurisdiction over any disputes and/or claims arising hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands this _____ at Cagayan de Oro City, Philippines.

FOR THE J.R. BORJA MEMORIAL GEN. HOSPITAL:

FOR XAVIER UNIVERSITY:

HON. OSCAR S. MORENO
City Mayor

FR. ROBERTO C. YAP, SJ
University President

WITNESSES:

DR. RAMON M. NERY
Hospital Executive Officer

DR. RUTH SEMILLA-BELTRAN
Dean, XU School of Medicine

ACKNOWLEDGEMENT

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

BEFORE ME, a Notary Public, personally appeared the following:

Name	Competent Evidence of Identity (Pursuant to A.M. No. 02-8-13-SC / Valid Gov't issued ID)	Issued on / at
CITY MAYOR OSCAR S. MORENO	_____	_____
FR. ROBERTO C. YAP, SJ	_____	_____

Both known to me to be the same persons who executed the foregoing instrument and who acknowledged to me that the same is their free and voluntary act and deed and of the entities they respectively represent in this instance.

This instrument refers to the Memorandum of Agreement consisting of four (4) pages including this page where this Acknowledgement is written and has been signed by the parties and their witnesses on all the pages hereof.

WITNESS MY HAND AND SEAL, this _____ at Cagayan de Oro City, Philippines.

Doc. No. ____
Page No. ____
Book No. ____
Series of 2017.

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

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

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Ordinance approving the application of A. Brown Company, Incorporated, represented by Engr. John L. Batac, for Preliminary Approval and Locational Clearance (PALC) of The Terraces in Xavier Estates subdivision project, containing 46 lots/units, with an area of 28,763 square meters, located at Barangay Balulang, this city, subject to the herein conditions as recommended by the City Engineer's Office per technical evaluation dated January 26, 2018, which shall be complied with upon its Development Permit (DP) Application, to wit:

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

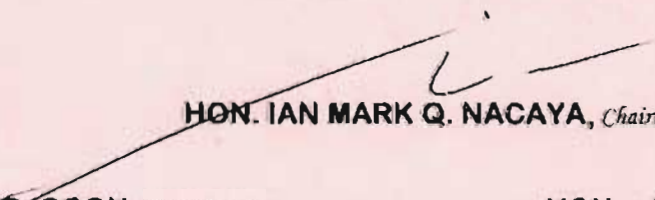
Respectfully referred to the **COMMITTEE on LAWS AND RULES**, *the herein communications for study, investigation, report and recommendation.*

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: _____


HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING

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

Comm. No. 2018-1399

Received by: _____

From: _____

Date: _____

SUBJECT MATTER: APPLICATION FOR PRELIMINARY APPROVAL AND
LOCATIONAL CLEARANCE (PALC) APPLICATION OF TERRACES
IN XAVIER ESTATES PHASE 6, REPRESENTED BY ENGR. JOHN L. BATA, A.
BROWN CO., INCORPORATED LOCATED AT BARANGAY BALULANG,
THIS CITY, COVERING AN AREA OF 28,763 SQUARE METERS MORE OR
LESS CONTAINING 46 LOTS/ UNITS WITH FINDINGS/REMARKS OF
THE CITY ENGINEER'S OFFICE THAT THE SAME SHALL BE COMPLIED DURING
THE DEVELOPMENT PERMIT APPLICATION.

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

For the City Vice Mayor and Presiding Officer
City Council

ARTURO S. DE SAN MIGUEL
City Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 2-28-2018

UR - recommending approval

Chairman: HON. DOMETILO C. ACENAS JR. Vice-Chairman: HON. ENRICO S. SALCEDO

Member: HON. JAY R. PASCUAL Member: HON. REUBEN R. DABA

Member: HON. MARIA LOURDES S. GAANE

DISSENTING

Member

Member



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

FEB 09 2018

DATE: _____

From CAGAYAN DE ORO HOUSING BOARD



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

SUBJECT MATTER: PRELIMINARY APPROVAL AND LOCATIONAL CLEARANCE (PALC) APPLICATION OF THE TERRACES IN XAVIER ESTATES REPRESENTED BY ENGR. JOHN L. BATA, A BROWN CO., INC., LOCATED AT BRGY. BALULANG, THIS CITY, COVERING AN AREA OF 28,763 SQUARE METERS MORE OR LESS, CONTAINING 46 LOTS/UNITS TO INCLUDE THE FINDING/REMARKS FROM CITY ENGINEER'S OFFICE WHICH SHALL BE COMPLIED DURING THE DEVELOPMENT PERMIT APPLICATION.

ACTION: REFER TO COMMITTEE ON SUBDIVISION AND LANDED ESTATE.

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



Republic of the Philippines
City of Cagayan de Oro

OFFICE OF THE CITY MAYOR

CAGAYAN DE ORO HOUSING BOARD

1ST Endorsement

February 1, 218

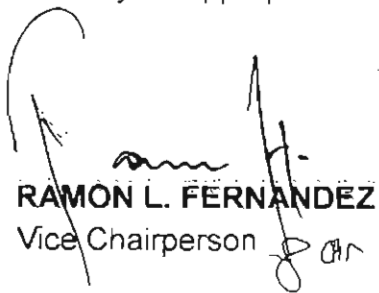
Respectfully forwarded to Committee Chairperson on Subdivision and Landed Estate, Office of the City Council the enclosed pertinent documents of the following applications after the deliberations of the CdeO Housing Board on 1 February 2018.

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

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

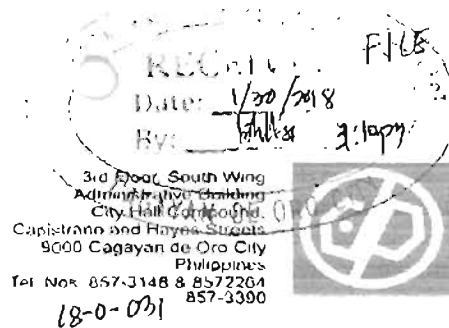
6. Preliminary Approval and Locational Clearance (PALC) application of **Breeza Subdivision of Johndorf Ventures Corp.** represented by Mr. Robin Peter R. Cui, located at Upper Carmen, this City, covering an area of 204,524.62 square meters more or less, containing 677 lots/units to include the finding/remarks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

For your appropriate action.


RAMON L. FERNANDEZ
Vice Chairperson

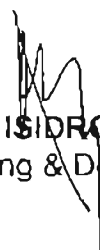


Republic of the Philippines
City of Cagayan de Oro
CITY PLANNING and
DEVELOPMENT OFFICE



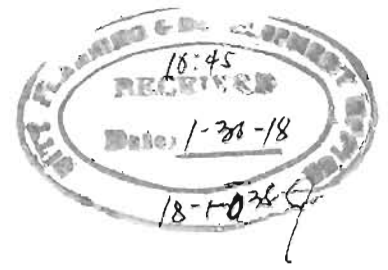
2nd Endorsement
January 30, 2018

Respectfully forwarded to **Cagayan de Oro City Housing Board**, the herein plans and documents relative to the application for Preliminary Approval and Locational Clearance (PALC) of **The Terraces in Xavier Estates** represented by **Engr. John L. Batac, A. Brown Co., Inc.**, located at Barangay Balulang, this City, covering an area of 28,763 square meters, containing 46 lots/units with the information that the herein findings/remarks from the City Engineering Office shall be complied during the development permit application, for deliberation of the said board.


Engr. **SIDRO G. BORJA**
City Planning & Dev't. Coordinator *(w)*



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



January 26, 2018

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

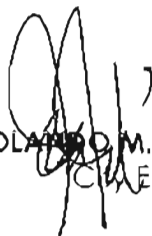
Subject: Technical Evaluation re: Application for Preliminary Approval and Locational Clearance (PALC) of **A. BROWN CO. INC.**, for their subdivision project, The Terraces in Xavier Estates, covering an area of 28,763 square meters consisting of 46 saleable lots, represented by Mr. John L. Batac of A. Brown Co., Inc.

Location : Balulang, Cagayan de Oro City

Enclosure : Plans & other supporting documents .

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

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


ROLANDO M. PACURIBOT C.E, ME
City Engineer

Isidro-Borja-Xavier Estates-Terraces (palc)
encl:067



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

**PRELIMINARY APPROVAL &
LOCATIONAL CLEARANCE**

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

NAME OF APPLICANT/DEVELOPER: Engr. John L. Batac	NAME OF PROJECT: The terraces in Xavier Estates
ADDRESS AND TEL. NO.: A. Brown Co. Inc.	AREA AND LOCATION: 28, 763 sq.m. Brgy. Balulang, Cagayan de Oro City
RIGHT OVER LAND See summary	PROJECT CLASSIFICATION: RESIDENTIAL
BASIS FOR CLEARANCE : Pertaining provisions of Zoning Ordinance 2006 and other related City Ordinances.	SITE ZONING CLASSIFICATION : Medium Density Residential Zone (R2)
DOMINANT LAND USES IN VICINITY OF 1 KM. RADIUS: <i>Residential</i>	
EVALUATION OF FACTS: <i>Pursuant to the implementing rules and regulations of P.D. 957 and Section 458(a)(2)(x) of R.A. No. 7160 and provisions of Zoning Ordinance 2006 and other related City Ordinances.</i>	
RECOMMENDATION FOR APPROVAL: <i>Recommended for Preliminary Approval and Locational Clearance.</i>	

CONDITIONS:

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

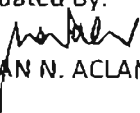
Engr. ISIDRO G. BORJA
City Planning & Devt Coordinator

PROJECT PROFILE

PROJECT NAME : THE TERRACES IN XAVIER EATATES
APPLICANT : ENGR. JOHN L. BATAAC
DEVELOPER : A. BROWN CO. INC.
LOCATION : BRGY. BALULANG, CDOC
TOTAL AREA : 28,763 SQ. M
NO. OF LOTS/UNITS : 46
PROJECT ZONIFICATION : RESIDENTIAL
ZONING/LANDUSE : RESIDENTIAL
CLASSIFICATION : RESIDENTIAL
TYPE OF APPLICATION : Preliminary Approval and Locational Clearance (PALC)
: PD 957

ALTERATION PERMIT APPLICATION PARTICULARS

PARAMETERS	REQUIRED AREA/LINEAR METER	PROPOSED AREA /LINEAR METER	REMARKS
Parks & Playground Communities Facillties	4,319.00 sq.m 216.00 sq.m	1,006.70 sq.m 216.00sq.m	Complied/More than the required area. Complied
Road Right of Way (OEPNMARKET/MEDIUM COST)			
Major	12.00	12.00	Proposed ROAD RIGHT OF WAY is in Accordance with road hierarchy of PD 957
Collector			
Minor	10.00	10.00	
Secondary minor	8.00	8.00	
Motor Court			
Alley			
Pathway			
Planting Strips/ Sidewalks			
15m ROW			
12m ROW			
10m ROW			
8m ROW			
6m ROW			
Saleable Lots		46	
RECOMMENDATION : As per evaluation for the application of PALC of plan were found in accordance with the PD 957 guidelines and recommending for approval.			

Evaluated By:

ROLAN N. ACLAN

Reviewed By:

Engr. ROLANDO PACURIBOT
City Engineer

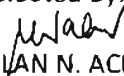
Engr. ISIDRO G. BORJA
City Planning & development Coordinator

PROJECT PROFILE

PROJECT NAME : THE TERRACES IN XAVIER EATATES
APPLICANT : ENGR. JOHN L. BATAC
DEVELOPER : A. BROWN CO. INC.
LOCATION : BRGY. BALULANG, CDOC
TOTAL AREA : 28,763 SQ. M
NO. OF LOTS/UNITS : 46
PROJECT ZONIFICATION : RESIDENTIAL
ZONING/LANDUSE : RESIDENTIAL
CLASSIFICATION : RESIDENTIAL
TYPE OF APPLICATION : Preliminary Approval and Locational Clearance (PALC)
: PD 957

ALTERATION PERMIT APPLICATION PARTICULARS

PARAMETERS	REQUIRED AREA/LINEAR METER	PROPOSED AREA /LINEAR METER	REMARKS
Parks & Playground Communities Facilities	4,319.00 sq.m 216.00 sq.m	1,006.70 sq.m 216.00sq.m	Complied/More than the required area. Complied
Road Right of Way (OEPNMARKET/MEDIUM COST)			
Major	12.00	12.00	Proposed ROAD RIGHT OF WAY is in Accordance with road hierarchy of PD 957
Collector			
Minor	10.00	10.00	
Secondary minor	8.00	8.00	
Motor Court			
Alley			
Pathway			
Planting Strips/ Sidewalks			
15m ROW			
12m ROW			
10m ROW			
8m ROW			
6m ROW			
Saleable Lots		46	
RECOMMENDATION : As per evaluation for the application of PALC of plan were found in accordance with the PD 957 guidelines and recommending for approval.			

Evaluated By:

ROLAN N. ACLAN

Reviewed By:

Engr. ROLANDO PACURIBOT
City Engineer

Engr. ISIDRO G. BORJA
City Planning & development Coordinator



APPLICATION FOR PRELIMINARY APPROVAL
AND LOCATIONAL CLEARANCE

JANUARY 15, 2018

Date

THE CITY PLANNING & DEVELOPMENT COORDINATOR

City Planning and Development Office
Cagayan de Oro City

Sir;

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

MAIN SUBDIVISION
PROJECT

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

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

THE PARCELS IN XANER ESTATE
BAYLUNG, CDO
SUBDIVISION
28,763 sq. m.
46 units
PD 957
Not Applicable

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

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

Very truly yours, R

JOHN L. BONTAG
A BROWN COMPANY, INC.
Applicant

Address: XANER ESTATE, UPPER BAYLUNG, CDO
Tel. No: 851-5877
TIN : 002-124-446

16 JAN 2018

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

Doc. No.: 211
Page No.: 13
Book No.: 2
Series of: 211

Notary Public
Judy P. Viloso
Commission Expires on December 31, 2018
R.N. No. 438619414 June 2017 / CDO
Expiry Date: 17 May 2017 / Mts. On
17 May 2017

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

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

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Ordinance approving the application of Land Resources Corporation, represented by its General Manager Ms. Vivian S. Vestil, for Alteration of Plan of a portion of Tuscania Subdivision, located in Barangay Kauswagan, this City, by relocating its parks and playgrounds and open space with an affected area of 500 square meters more or less from north-eastern portion to south-western portion of the said subdivision; and for this purpose, amending Ordinance No. 10585-2007, as amended by Ordinance No. 12623-2013.

*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: _____


HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING



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

No. 001-1404

Communication Number: 2018-1404

Date: 02/09/2018
Receiver: JESSAMINE

From: CAGAYAN DE ORO HOUSING BOARD
Subject: ALTERATION OF PLAN APPLICATION OF TUSCANIA SUBDIVISION REPRESENTED BY MS. VIVIAN S. VESTIL, GENERAL MANAGER, LAND RESOURCES DEVELOPMENT CORPORATION, LOCATED AT BARANGAY KAUSWAGAN, THIS CITY, COVERING AN AREA OF 500 SQUARE METERS MORE OR LESS.

Respectfully referred to **COMMITTEE ON SUBDIVISION AND LANDED ESTATE**
the herein communication for study, investigation, report and/or recommendation.

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 2/7/2018

HON. DOMETILO C. VICENAS, JR.
Chairperson

HON. ENRICO D. SALCEDO
Vice Chairperson

HON. JAY R. PASCUAL
Member

HON. MARIA LOURDES S. GAANE
Member

HON. REUBEN R. DABA
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING



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



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

DATE:

FEB 03 2018.

From

CAGAYAN DE ORO HOUSING BOARD

SUBJECT MATTER: ALTERATION OF PLAN APPLICATION OF TUSCANIA SUBDIVISION REPRESENTED BY MS. VIVIAN S. VESTIL, GENERAL MANAGER LAND RESOURCES DEVELOPMENT CORPORATION, LOCATED AT BARANGAY KAUSWAGAN, THIS CITY, COVERING AN AREA OF 500 SQUARE METERS MORE OR LESS.

ACTION REFER TO COMMITTEE ON SUBDIVISION AND LANDED ESTATE.

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor



Republic of the Philippines
City of Cagayan de Oro

OFFICE OF THE CITY MAYOR
CAGAYAN DE ORO HOUSING BOARD

1ST Endorsement
February 1, 2018

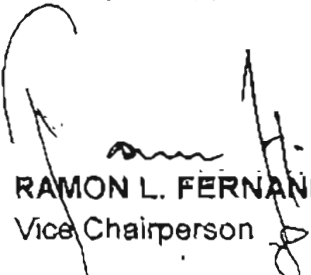
Respectfully forwarded to Committee Chairperson on Subdivision and Landed Estate, Office of the City Council the enclosed pertinent documents of the following applications after the deliberations of the CdeO Housing Board on 1 February 2018.

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

2
meters more or less, containing 251 lots/units to include the finding/remarks from City Engineer's Office which shall be complied during the Development Permit application.

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

For your appropriate action.


RAMON L. FERNANDEZ
Vice Chairperson



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

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



1st Endorsement
January 26, 2018

284

1-70-1k

10-70 1m

✓

Respectfully transmitted to **Engr. Rolando M. Pacuribot**, City Engineer, City Engineering Office, this city, the herein plans and documents relative to the application for Alteration of Plan of **Tuscania Subdivision** represented by Vivian S. Vestil, *Land Resources Dev. Corp.* located at Kauswagan, this City. For his evaluation and recommendation.


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



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

January 31, 2018

To : **ENGR. ISIDRO G. BORJA**
City Planning & Development Coordinator

Subject: Technical Evaluation re: Application for Alteration Plan of
TUSCANIA SUBDIVISION represented by Ms. Vivian S. Vestil
General Manager of Land Resources Dev't. Corporation.

Location : Barangay Kauswagan, Cagayan de Oro City

Enclosure : Plans & other supporting documents

Remarks : Alteration **NOTED**. Alteration due to relocation of Parks &
Playground & Open Space with an area of 500 square meters
more or less from North-Eastern portion to South-Western portion
of the said subdivision.


ROLANDO M. PACURIBOT C.E, ME
City Engineer

File:tuscania-subd(alteration-kauswagan)
code#129



Republic of the Philippines
City of Cagayan de Oro

**CITY PLANNING and
DEVELOPMENT OFFICE**

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



1st Endorsement
January 31, 2018



Respectfully forwarded to Cagayan de Oro City Housing Board, the herein plans and documents relative to the application for Alteration of Plan of **Tuscania Subdivision** represented by Ms. Vivian S. Vestil, General Manager Land Resources Development Corporation located at Kauswagan, This City, particularly the relocation of Parks and Playgrounds containing an area of 500 sq.m., for deliberation of the said board.


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

10-48
RECEIVED
Date: 1-26-18
18-1-28/1

JAN 18 2018

Date _____

Office of the City Council
Cagayan de Oro City

In connection with applicable laws of B.P 220 of P.D 957 and its implementing Standards, Rules and Regulation, as amended by Executive Order No. 648 dated 07 February 1981; I am applying for the alteration of Plan of a Subdivision/Condominium project with Development Permit No. _____ having a total area of 44,210 square meters, containing 229 lots/units.

1. Six (6) copies of the plan showing the proposed alteration duly signed and sealed by a Licensed Architect/Engineer;
2. Letter stating the proposed/reason for the proposed alteration/conversion;
3. Sworn statement that the affected lots/units for alteration have not been sold;
4. written conformity of the duly organized homeowners association or in the absence therefore, majority of the lot/unit buyers;
5. Certified true copy of title/s of the affected lots/units if the said lots/units have been titled.

Very truly yours,



VIVIAN S. UECIL

Applicant

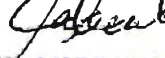
Address: ST. IGNATIUS STREET,
KALAWAGAN, CDO

Tel. No. : 081-7891

T.I.N. : _____

JAN 18 2018

Doc. No. 40
Page No. 10
Book No. 43
Series of 2018


 ATTORNEY ANDREW L. BARBA
 Notary Public for El Salvador to
 be sworn in on 10/13/13 (N 2 17-038)
 P.T.R. Notary Public A 1-3-18
 11P 117 1111-11 11111111
 R 11 11 11111111
 T 11 11 11 11111111

0977 687 2359

January 16, 2018

Hon. Oscar Moreno
Chairman

Thru: **Mr. Ramon Fernandez**
Co-Chairman

Local Housing Board
Cagayan de Oro City

Sir;

Greetings!

This is to officially request your good office to allow us to alter the Subdivision Plan of Tuscania Subdivision to include a recently acquired 500 sqm property beside the existing subdivision. We are requesting this alteration due to an error pointed to us by HLURB. A certain area of the Parks and Playground was sold and the said acquired property is intended to replace the sold area.

For your perusal, I have attached here the subdivision plan that included the 500 sqm acquired property.

Thank you very much for your time given to this letter and I look forward for your positive response. God bless you.

Very truly yours,

Vivian S. Vestil
General Manager



RESOLUTION No. 02-17

DATE: December 5, 2017

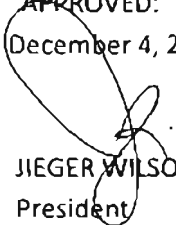
**ADDENDUM TO THE APPROVAL OF THE ACQUISITION OF PARCEL LOT OF LAND
RESOURCES CORP. (LRC) TO MEET THE REQUIRED OPEN SPACE AREA BY HLURB**

WHEREAS, the BOD representatives held a meeting with LRC representative, Ms. Bemby Quinones, to inform the HOA of the Open Space area being short of approximately 500 Sq. M. As per required by HLURB & PD # 1216 standards. Said meeting was on November 28, 2017 at 6PM in the office of LRC.

WHEREAS, LRC is to purchase said additional parcel lot to comply HLURB open space area requirement, which will be developed into a botanical & promenade garden & turned over to HOA upon completion hereto of.

WHEREFORE, WE HEREBY RESOLVED, on motion, to signify the approval of this resolution for the common good of Tuscania subdivision and its homeowners. Thus, the affixation of my signature.

APPROVED:
December 4, 2017


JIEGER WILSON T. LIM
President

AFFIDAVIT

I, **VIVIAN S. VESTIL**, of legal age, Filipino, a resident of Cagayan de Oro City, and General Manager of **LAND RESOURCES CORPORATION**, a registered corporation under the Philippine laws, holding office at St. Ignatius Street Zone 3, Kauswagan, Cagayan de Oro City, after having been sworn in accordance with law, hereby depose and state that:

- 1. The following properties intended for Parks and Playground have not been sold and are being processed for annotation at the Registry of Deed for its land use:

Blk/Lot	Title No.
Block 15 Lot 1	T-188744
Block 15 Lot 2	T-188745
Block 15 Lot 3	T-188746
Block 15 Lot 4	T-188747
- 2. A recently purchased property covered with Transfer Certificate of Title No.: 137-T-141885 congruent to Tuscania Subdivision will be assigned also as Parks and Playground to complete the required area of the Housing and land Use Regulatory Board (HLURB). The title of the said property is currently being processed for Title Transfer at the Registry of Deeds.
- 3. I am executing this affidavit to attest to the truth of the foregoing facts and for whatever legal purpose/s this may deem serve.

JAN 16 2018
IN WITNESS WHEREOF, I have hereunto set my hand on this ____ day of January 20____ in Cagayan de Oro City.


VIVIAN S. VESTIL
Affiant

JAN 16 2018
SUBSCRIBED AND SWORN to before me this ____ day of January 20____ in Cagayan de Oro City. I further certify that I have personally examined the affiants and that I am fully satisfied that they voluntarily executed and understood their affidavit.

Doc. No.: 44
Page No.: 9
Book No.: 4m
Series of 2018.


ATTY. ANDREW L. BARBA
Notary Public for SI Salvador to
Bisayan, His Office is located at
Until: 3/2018 (N-217-088)
PTR No. 3146596-A 1-3-18
IBP Lifetime No. 00703
Roll No. 32601
TIN: 124-101-386
0000591 10-29-13

APPLICATION FOR ALTERATION OF PLAN

☐ Subdivision
☐ Condominium/Townhouse

JAN 18 2018

Date

THE CITY COUNCIL
Office of the City Council
Cagayan de Oro City

Sir;

In connection with applicable laws of B.P 220 of P.D 957 and its implementing Standards, Rules and Regulation, as amended by Executive Order No. 648 dated 07 February 1981; I am applying for the alteration of Plan of a Subdivision/Condominium project with Development Permit No. _____ having a total area of 44,210 square meters, containing 229 lots/units.

Attached hereto are:

- 1. Six (6) copies of the plan showing the proposed alteration duly signed and sealed by a Licensed Architect/Engineer;
- 2. Letter stating the proposed/reason for the proposed alteration/conversion;
- 3. Sworn statement that the affected lots/units for alteration have not been sold;
- 4. written conformity of the duly organized homeowners association or in the absence therefore, majority of the lot/unit buyers;
- 5. Certified true copy of title/s of the affected lots/units if the said lots/units have been titled.

Very truly yours,

VIVIAN S. UERTIL

Applicant

Address: ST. IGNATIUS STREET,
KANAWAGAN, CDO

Tel. No. : 081-7091

T.I.N. : _____

Republic of the Philippines S.S
Cagayan de Oro City

JAN 18 2018

SUBSCRIBED AND SWORN to before me this day of _____, 20____
in the City/Province of _____, affiant exhibited to me his/her Residence Certificate
No. _____ issued at _____ on _____.

Doc. No. 48
Page No. 10
Book No. 43
Series of 2018

ATTY. ANDREW B. BARRA
Notary Public for C.I. Salvador to
the State of C.I. Salvador (N-2 17-038)
PTR of Notary Public A 1-3-18
IBP of C.I. Salvador No. 00703
R.O. No. 30501
TIN: 1311-1183

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

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

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: A) Proposed Resolution returning to the Barangay Council of Barangay No. 1, this City, its Ordinance No. 01, series of 2018 covering its Annual Budget for Calendar Year 2018, with the information that said Ordinance is in order and therefore the same may be given force and effect as of the date fixed for its effectivity.

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

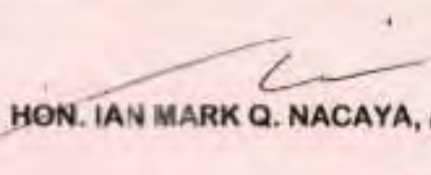
ARTURO S. DE SAN MIGUEL

City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: March 9, 2018

3 *for inclusion*


HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING



Communication Number: 2018-1461

Date: 03/02/2018
Receiver: JESSAMINE

From: CBO
Subject: ANNUAL BUDGET FOR CY 2018 OF BARANGAY 1, 2018.

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

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 3/7/18

Unanimously approved

HON. YAN LAM LIM
Chairperson

HON. TEODULFO E. LAO, JR.
Vice Chairperson

HON. ENRICO D. SALCEDO
Member

HON. JAY R. PASCUAL
Member

HON. MARIA LOURDES S. GAANE
Member

HON. NADYA EMANO-ELIPE
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING



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



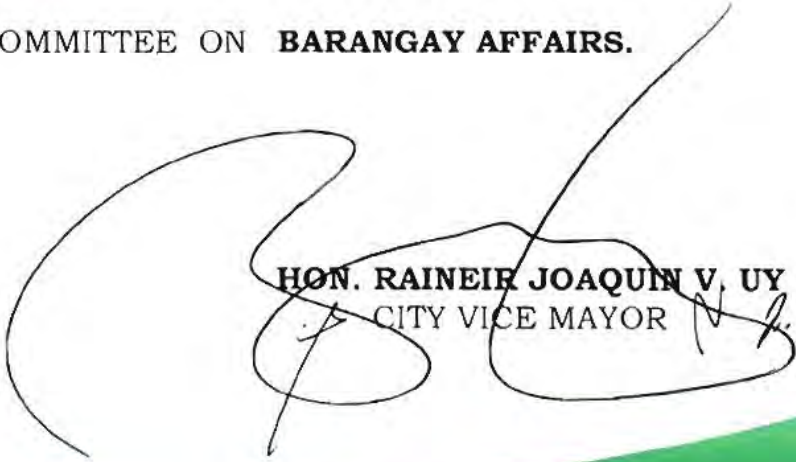
2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

DATE: MAR 2 - 2018

FROM: CBO

SUBJECT MATTER: ANNUAL BUDGET FOR CY 2018 OF BARANGAY 1, 2018.

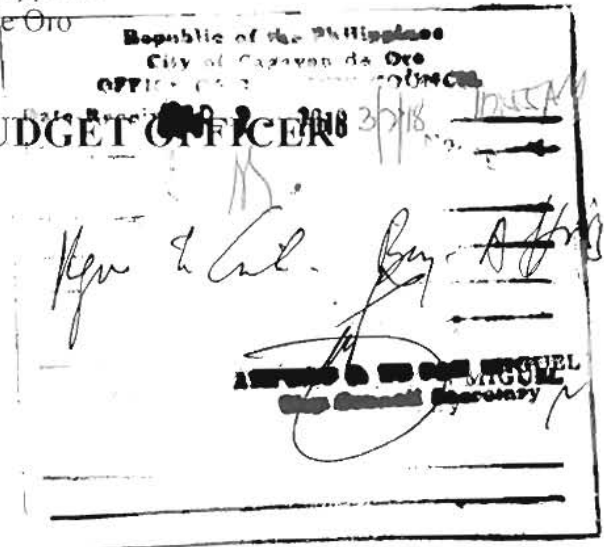
ACTION: REFER TO COMMITTEE ON **BARANGAY AFFAIRS.**


HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

Republic of the Philippines
City of Cagayan de Oro

OFFICE OF THE CITY BUDGET OFFICER



The Honorable Members
City Council
Cagayan de Oro City

Gentlemen/Ladies:

Respectfully forwarding the herein Annual Budget CY 2018 of Barangay 1 with an Estimated Income of 3,400,948.00 as against Expenditures of same amount.

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

Thank you.

Very truly yours,

ATTY. PERCY G. SALAZAR
City Budget Officer

CYNTHIA A. SY PIECCO
ASST. CITY BUDGET OFFICER

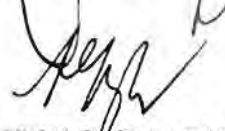
TECHNICAL REVIEW ANALYSIS SHEET
LGU: Barangay 1
CY 2018 Annual Budget General Fund

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


ATTY. PERCY G. SALAZAR
City Budget Officer

LOCAL FINANCE COMMITTEE:


RAMON ANTONIO R. MENDOZA
Acting City Treasurer
City Finance Department


ATTY. PERCY G. SALAZAR
City Budget Officer


ATTY. BEDA JOY B. ELOT, CPA
City Accountant


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


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

TECHNICAL REVIEW ANALYSIS SHEET
 LGU: Barangay 1
 CY 2018 Annual Budget General Fund

Approp. Items By Object of Expenditures	A m o u n t	City Budget Office Specific Findings	CBO Recommendation
1. Net available resources for Appropriation Less: Total Appropriations Unappropriated Balance	P 3,400,948.00 3,400,948.00 P -	Total appropriations did not exceed total income	For Approval.
2. Appropriations for Personal Services a. Total Annual Regular Income actually realized from local sources during the next preceding (CY 2016) b. 55% thereof (Legal limitation for PS) c. Amount appropriated for PS d. Waived PS(Cash Gift/V&S Leave Benefit) e. Net P S subject to limitation h. Still Allowable or (Deficiency)	P 2,511,228.36 1,381,175.60 1,494,006.00 288,406.00 1,205,600.00 175,575.60	Total Personal Services did not exceed the 55% limitation. Rates in accordance w/ LBC No. 113 dated January 05, 2017 (proportionate application)	For Approval.
3. 20% Development Fund a. Amount of IRA b. 20% thereof c. Amount Appropriated	1,242,289.00 305,512.00 305,512.00	305,512.00 Appropriation for 20% Development Fund is also provided in accordance with Sec. 287 LGC as implemented by DBM-DILG Joint Memorandum Circular No. 2011-1 Series of 2012 dated April 13, 2011.	For Approval
4. Reserved For: A. Sangguniang Kabataan (Sec. 329 LGC) a. Total Income (Gen. Fund) b. 10% thereof c. Amount Appropriated B. LDRRMF-Calamity Fund (Sec. 324 (d)) a. Total est. revenue fr. regular sources b. 5% thereof c. Amount Appropriated	350,172.00 2,983,179.00 350,172.00 350,172.00 149,159.00 2,983,179.00 149,159.00 149,159.00	350,172.00 Appropriations for the Sangguniang Kabataan activities pursuant to the 426(b) of RA 7160 149,159.00 Appropriation provided in compliance with Sec. 324 (d) of LGC as amended by Sec. 21 of RA No. 10121. Provision for basic services are also provided pursuant to Sec. 17(b) of RA 7160 (LGC) and Sec. 2.3.1 of LBM No. 66 dated July 02-2012	For Approval. For Approval.
5. Basic Services. Health & Nutrition Services, Administration and Legislative Services, etc.			For Approval.
6. Other Appropriations. Maint. & Other Oprtg. Expenditures Capital Outlay. Equipment Infrastructure Projects Others Non-Office/Special Project	897,099.00 - - 205,000.00	897,099.00 - - 205,000.00 That in all cases, disbursements of appropriations shall be subject to availability of funds and all accounting and auditing rules & regulations. Compliance to all existing laws, administrative rules and regulations shall be the responsibility of the Barangay.	

General Findings/Observations.

OFFICE OF THE BARANGAY COUNCIL
Barangay 1
Cagayan de Oro City

TO: **ATTY. PERCY C. SALAZAR**
City Budget Officer
Cagayan de Oro City

Transmitting herewith the **ANNUAL BUDGET FOR CY 2018** of Barangay 1, Cagayan de Oro City for your consideration and approval.

Thank you.



ANTHONY D. ABEJUELA
Punong Barangay
Barangay 1
Cagayan de Oro City

City of Cagayan de Oro
BARANGAY 01

OFFICE OF THE SANGGUNIANG BARANGAY

MINUTES OF SESSION BARANGAY 01 HELD AT BARANGAY MULTIPURPOSE
HALL ON JANUARY 3, 2018.

PRESENT:

ANTHONY D. ABEJUELA	Punong Barangay
JOANNA MARIE C. ABEJUELA	Barangay Kagawad
ESTHER F. ABEJUELA	Barangay Kagawad
ERIC B. SABANAL	Barangay Kagawad
DEOGRACIAS R. MINISTERIO SR.	Barangay Kagawad
JOHN BERNARD A. LIMA	Barangay Kagawad
DANTE R. BANQUERIGO	Barangay Kagawad

ABSENT:

SIDNEY A. FLORES	Barangay Kagawad
------------------	------------------

RESOLUTION NO. 002
SERIES OF 2018

Presented for consideration is the Annual Budget of the Barangay 01 for the period January 1, 2018 to December 31, 2018 in the sum of P3,400,948.00.

NOW THEREFORE, on motion of Kagawad ESTHER F. ABEJUELA duly seconded by Kagawad JOHN BERNARD A. LIMA.

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

APPROPRIATION ORDINANCE NO. 01
SERIES OF 2018

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

Be enacted by the SANGGUNIANG BARANGAY of Barangay 01 that the Barangay Annual Budget covering the period from January 1, 2018 to December 31, 2018 with total estimated income of P3,400,948.00 appropriation in the amount of P3,400,948.00 is hereby approved, summarized as follows:

1. Income

Real Property Tax Due Component	P	232,000.00
Real Property Tax Equal Sharing		700,000.00
50% Community Tax		16,805.00
Government Service Fees & Other Charges		79,875.00
Miscellaneous - Internal Revenue Allotment (IRA)		1,242,289.00
Grants - City Financial Aid		108,000.00
- City Aid for BDF		3,000.00
- City Aid for Brgy. Police		10,000.00
Government Business Operation (Stall Rental)		512,210.00
Bank Balance Available		200,000.00
10% SK Fund 2016		51,854.00
20% Dev. Fund CY 2016		57,054.00
Net Fund Free CY 2016		187,861.00

Total Income

P 3,400,948.00

PURSUANT TO THE PROVISIONS OF REPUBLIC ACT NO. 7160

BY AUTHORITY OF THE SANGGUNIANG BARANGAY

APPROPRIATIONS:

A. CURRENT OPERATION EXPENDITURES

1. Personal Services

Honoraria	1,150,600.00
Year-End Bonus – Cash Gift	55,000.00
Productivity Enhancement Incentive	55,000.00
Vacation & Sick Leave Benefits	137,522.00
Year-End Bonus	<u>95,884.00</u>

Total P1,494,006.00

2. Maintenance & Other Operating Expenses

Office Supplies Expenses	21,000.00
Other Supplies Expenses – Barangay Police	10,000.00
Training & Seminar Expenses	30,000.00
Travel Expenses/Team Building	50,000.00
Electricity Expenses	105,000.00
Water Expenses	18,000.00
Auditing Services	6,215.00
Insurance/Reinsurance Premium	10,000.00
Membership Dues – Liga Ng Mga Barangay	20,100.00
Extraordinary & Miscellaneous Expenses	18,640.00
Other Maintenance & Operating Expenses-Anti-Illegal Drug Activity	30,000.00
Other Maintenance & Operating Expenses– Aid to Senior Citizen & Disabled Persons	10,000.00
Other Maintenance & Operating Expenses – General Assembly	15,000.00
Other Maintenance & Operating Expenses – Aid to Indigents	55,000.00
Other Maintenance & Operating Expenses – Local Councils for Protection of Children	10,000.00
Repair & Maintenance – Land Transportation/Spare Parts	40,000.00
Other Supplies Expenses – Office Equipment/Electrical	10,000.00
Gas, Oil, & Lubricants	20,000.00
Other Maintenance & Operating Expenses -Solid Waste Management	30,000.00
Cable, Satellite, Internet Expenses	16,800.00
Other Maintenance & Operating Expenses -Blood Samaritan / Blood Letting Project	15,000.00
Other Supplies Expenses - Uniform	16,500.00
Other Maintenance & Operating Expenses	66,444.00
General Services – Job Order	263,400.00
Other Maintenance & Operating Expenses – GAD	5,000.00
Other Maintenance & Operating Expenses – VAWC	<u>5,000.00</u>

Total P 897,099.00

3. Non-Office Expenditures

5% LDRRMF Calamity Fund	149,159.00
10% SK Fund – Youth Development Programs	298,318.00
10% SK Fund CY 2016	51,854.00
20% Development Fund	248,458.00
20% Development Fund CY 2016	<u>57,054.00</u>

Total P 804,843.00

Breakdown: 20% Development Fund

* Installation of Electrical and Roll-Up Doors-	
SARAFVA Staffs	45,000.00
Rehabilitation/Improvement of Multi-Purpose Hall	90,000.00
Rehabilitation/Improvements of Public Restroom	170,512.00
Total	<u>305,512.00</u>

RECEIVED TO THE PROVISIONS OF THE POLICE ACT NO. 75
BY THE DEPT. OF ANGELES
JAN 10 2017

8

Breakdown of 5% CALAMITY FUND:

*	Quick Response Fund	44,748.00
*	Conduct of Trainings on Disaster Preparedness and Response	<u>104,411.00</u>
Total		P 149,159.00

Breakdown of 10% SK FUND:

*	Training & Seminar Program	50,000.00
*	Office Supplies Expenses	20,000.00
*	Cultural & Athletic Program	100,172.00
*	Solid Waste Management Program	70,000.00
*	Employability Skills Training	60,000.00
*	Barangay/SK Election Expenses	10,000.00
*	Other Youth Related Development Programs and Projects	40,000.00
Total		P 350,172.00

Capital Outlay:

*	Procurement of Traffic Paints for Road Painting of Gaston Park	15,000.00
*	Garbage Bins/Push Carts	23,000.00
*	Barangay Nutrition Equipment	5,000.00
*	Fabrication of Traffic Steel Railings	49,000.00
*	Raker	5,000.00
*	Ecological Solid Waste Management Program	108,000.00
Total		P 205,000.00

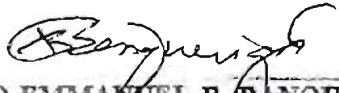
Total Budgetary Appropriations:**P 3,400,948.00**This Appropriation Ordinance shall take effect on January 1, 2018.

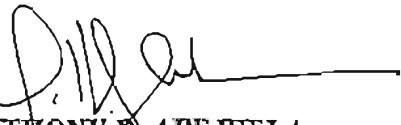
RESOLVED FURTHER, to submit copies of this Resolution with the approved budget as embodied in the Appropriation Ordinance to the Sangguniang Panlungsod for review.

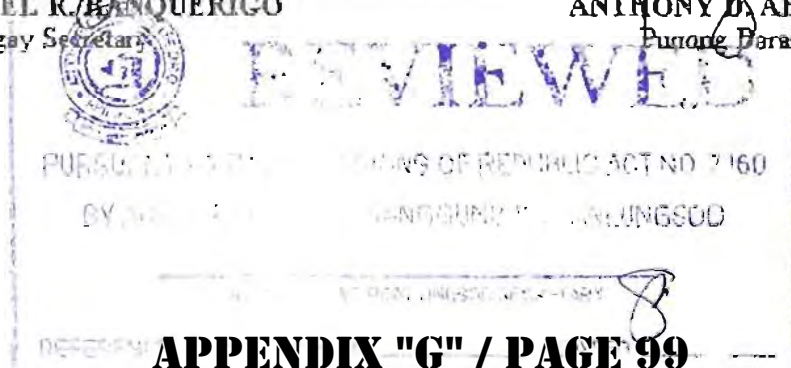
APPROVED January 3, 2018.

I hereby certify that the foregoing Resolution No. 002 embodying Appropriation Ordinance No. 01 both Series of 2018 which approved the Barangay Annual Budget for the period January 1, 2018 to December 31, 2018 of Barangay 01 City of Cagayan de Oro, was duly enacted by Sangguniang Barangay in its regular session held at Barangay 1 Multipurpose Hall on January 3, 2018.

ATTESTED:


RENO EMMANUEL R. BANQUERIGO
Barangay Secretary


ANTHONY D. ABEJUELA
Punong Barangay



Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(SANGGUNIANG PANLUNGSOD)
13th CITY COUNCIL
(088) 857-4026; 857-4032; 857-4035; 857-2258

Communication Number:
From :

Received by:
Date:

SUBJECT MATTER: B) Proposed Resolution returning to the Barangay Council of Barangay No. 27, this City, its Ordinance No. 01, series of 2018 covering its Annual Budget for Calendar Year 2018, with the information that said Ordinance is in order and therefore the same may be given force and effect as of the date fixed for its effectivity.

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

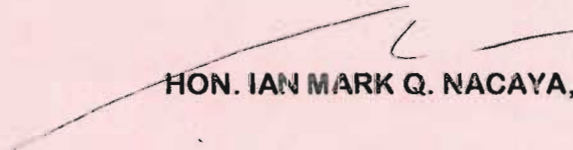
FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: March 9, 2018

for inclusion


HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING



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

Communication Number: 2018-1455

Date: 02/28/2018

Receiver: JESSAMINE

From: CBO

Subject: ANNUAL BUDGET FOR CY 2018 OF BARANGAY 27, CDO.

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

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 2/27/2018

CR - recommending approval

HON. YAN LAM LIM
Chairperson

HON. ENRICO D. SALCEDO
Member

HON. MARIA LOURDES S. GAANE
Member

HON. TEODULFO E. LAO, JR.
Vice Chairperson

HON. JAY R. PASCUAL
Member

HON. NADYA EMANO-ELIPE
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING

Generated from Legislative Management Information System, 02/28/2018 9:06 am



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



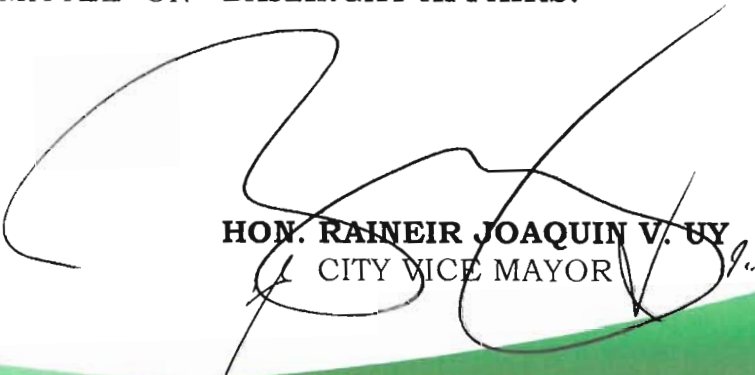
2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

DATE: February 28, 2018,

FROM: CBO

SUBJECT MATTER: ANNUAL BUDGET FOR CY 2018 OF BARANGAY 27,
CDO.

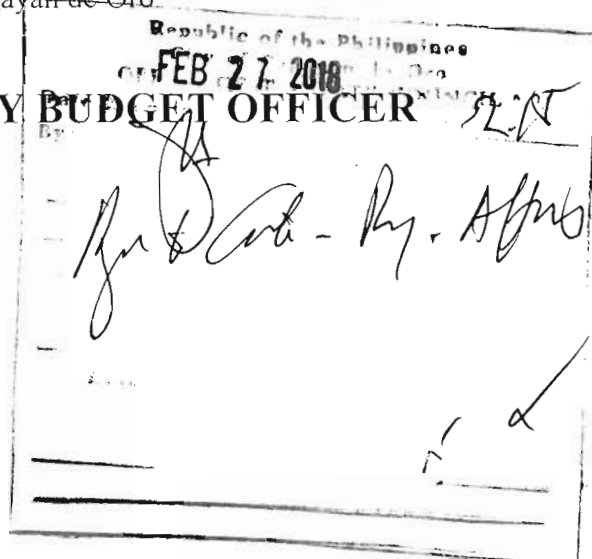
ACTION: REFER TO COMMITTEE ON **BARANGAY AFFAIRS.**


HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

Republic of the Philippines
City of Cagayan de Oro

OFFICE OF THE CITY BUDGET OFFICER



The Honorable Members
City Council
Cagayan de Oro City

Gentlemen/Ladies:

Respectfully forwarding the herein Annual Budget CY 2018 of Barangay 27 with an Estimated Income of 3,344,767.00 as against Expenditures of same amount.

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

Thank you.

Very truly yours,

ATTY. PERCY G. SALAZAR

City Budget Officer

MS

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

TECHNICAL REVIEW ANALYSIS SHEET
LGU: **Barangay 27**
CY 2018 Annual Budget General Fund

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

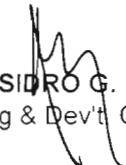

ATTY. PERCY G. SALAZAR
City Budget Officer
  

LOCAL FINANCE COMMITTEE:


RAMON ANTONIO R. MENDOZA
Acting City Treasurer
City Finance Department 


ATTY. BEDA JOY B. ELOT, CPA
City Accountant


ATTY. PERCY G. SALAZAR
City Budget Officer
  


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



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

TECHNICAL REVIEW ANALYSIS SHEET
LGU: Barangay 27
CY 2018 Annual Budget General Fund

Approp. Items By Object of Expenditures	A m o u n t	City Budget Office Specific Findings	CBO Recommendation
1. Net available resources for Appropriation Less: Total Appropriations Unappropriated Balance	P 3,344,767.00 3,344,767.00 P -	Total appropriations did not exceed total income.	For Approval.
2. Appropriations for Personal Services a. Total Annual Regular Income actually realized from local sources during the next preceding (CY 2016) P 2,734,163.88 b. 55% thereof (Legal limitation for PS) 1,503,790.13 c. Amount appropriated for PS 1,574,959.00 d. Waived PS(Cash Gift/V&S Leave Benefit) 299,843.00 e. Net P.S. subject to limitation 1,275,116.00 h. Still Allowable or (Deficiency) 228,674.13	P 1,574,959.00	Total Personal Services did not exceed the 55% limitation. Rates in accordance w/ LBC No. 113 dated January 05, 2017 (proportionate application)	For Approval.
3. 20% Development Fund a. Amount of IRA 1,997,966.00 b. 20% thereof 399,593.00 c. Amount Appropriated 399,593.00	399,593.00	Appropriation for 20% Development Fund is also provided in accordance with Sec. 287 LGC as implemented by DBM-DILG Joint Memorandum Circular No. 2011-1Series of 2012 dated April 13, 2011.	For Approval.
4. Reserved For: A. Sangguniang Kabataan (Sec. 329 LGC) a. Total Income (Gen. Fund) 3,223,767.00 b. 10% thereof 322,377.00 c. Amount Appropriated 322,377.00 B. LDRRMF-Calamity Fund (Sec. 324 (d)) a. Total est. revenue fr. regular sources 3,223,767.00 b. 5% thereof 161,188.00 c. Amount Appropriated 161,188.00	322,377.00 161,188.00	Appropriations for the Sangguniang Kabataan activities pursuant to the 426(b) of RA 7160. Appropriation provided in compliance with Sec. 324 (d) of LGC as amended by Sec. 21 of RA No. 10121.	For Approval. For Approval.
5. Basic Services: Health & Nutrition Services, Administration and Legislative Services, etc.		Provision for basic services are also provided pursuant to Sec. 17(b) of RA 7160 (LGC) and Sec. 2.3.1 of LBM No.66 dated July 02-2012.	For Approval.
6. Other Appropriations: Maint. & Other Oprtg. Expenditures 836,650.00 Capital Outlay: Equipment - Infrastructure Projects 50,000.00 Others - Non-Office/Special Project	836,650.00 - 50,000.00 - -	That in all cases, disbursements of appropriations shall be subject to availability of funds and all accounting and auditing rules & regulations. Compliance to all existing laws, administrative rules and regulations shall be the responsibility of the Barangay.	

General Findings/Observations:



OFFICE OF THE BARANGAY COUNCIL

**MINUTES OF THE REGULAR SESSION OF THE BARANGAY COUNCIL OF BARANGAY 27
HELD ON JANUARY 09, 2018, TUESDAY AT 3:00 P.M. IN ITS SESSION HALL, BARANGAY 27,
THIS CITY.**

Present:

Punong Barangay	REY C. DANTE	Barangay Kagawad	VIVIAN T. ASEQUIA
Barangay Kagawad	JAY B. DONGALLO	Barangay Kagawad	RICARDO F. MABULAY
Barangay Kagawad	MIROLO D. TAGOD	Barangay Kagawad	RECHEL N. SANOPAO

Absent:

Barangay Kagawad	ALHAMBRA P. CUYNO
Barangay Kagawad	RENAN L. POLOSAN

RESOLUTION NO. 001
Series of 2018

Presented for consideration is the Annual Budget of Barangay 27, for the period of **January 01, 2018 to December 31, 2018 in the sum of Php 3,344,676.00.**

NOW THEREFORE, on motion of **Kag. MIROLO D. TAGOD** and duly seconded by **Kag. RICARDO F. MABULAY** during the Council Session, be it

RESOLVED, as it is hereby resolves, to enact the following Appropriation Ordinance, to wit:

APPROPRIATION ORDINANCE NO. 01
Series of 2018

APPROPRIATING FUNDS FOR THE PERIOD FROM JANUARY 01, 2018 TO DECEMBER 31, 2018.

Be it enacted by the Sangguniang Barangay of Barangay 27 that the Barangay Annual Budget covering period from **January 01, 2018 to December 31, 2018** with a total estimated income of **Php 3,344,767.00 as against total appropriation in the amount of Php 3,344,676.00** is hereby approved, summarized as follows:

AVAILABLE RESOURCES

I. Income

Real Property Tax – Due Component	Php	327,000.00
Real Property Tax – Equal Sharing		700,000.00
Other Taxes – Community Tax		82,746.00
Miscellaneous Internal Revenue Collection (IRA)		1,997,966.00
Government Services Fees and Other Charges		
– Clearance and Certification Fees		116,055.00
Grants – City Aid of BDE		3,000.00
– City Aid for Barangay Police		10,000.00
– City Financial Aid		108,000.00

2. Total Income

Php 3,344,767.00

A. CURRENT OPERATING EXPENDITURES		
1. PERSONAL SERVICES		
Honoraria - Barangay Officials		1,270,116.00
Year-end Bonus - Cash Gift		55,000.00
Vacation and Sick Leave Benefits - Barangay Officials		139,000.00
Other Personal Benefits		5,000.00
Year End Bonus		105,843.00
	Total	1,574,959.00
2. MAINTENANCE AND OTHER OPERATING EXPENSES		
Office Supplies Expenses		40,000.00
Other Supplies Expenses-Uniform		40,000.00
Other Supplies Expenses - Barangay Tanod		10,000.00
Telephone Expenses - Landline		3,000.00
Water Expenses		8,600.00
Electricity Expenses		96,000.00
Auditing Services		9,990.00
Training and Scholarship Expenses		40,000.00
Extraordinary and Miscellaneous Expenses		20,539.00
Insurance and Reinsurance Premiums		20,000.00
Other Maintenance and Operating Expenses - Barangay Assembly		30,000.00
Internet Expenses		15,600.00
Membership Dues and Contribution to Organization - Liga Dues		15,500.00
Other Maintenance and Operating Expenses - GAD		20,000.00
Other Supplies Expenses - Accountable Forms		1,800.00
General Services - Job Orders		303,000.00
Other Maintenance and Operating Expenses - Aid to Senior Citizens and/or Disabled Person		20,000.00
Other Minatenance and Operating Expenses - Health and Nutrition Program		15,000.00
Other Maintenance and Operating Expenses - Implementation of LCPC		10,000.00
Representation Expenses		6,500.00
Other Maintenance and Operating Expenses		6,000.00
Other Maintenance and Operating Expenses - BADAC		25,121.00
Traveling Expenses		30,000.00
Other Maintenance and Operating Expenses - Peace and Order Program		50,000.00
	Total	836,650.00
3. NON-OFFICE EXPENDITURES		
5% Local Disaster risks Reduction Management Fund		161,188.00
10% SK Fund - Youth Development Program		322,376.00
20% Development Fund		399,593.00
	Total	883,157.00
Breakdown 5% Local Disaster Risk Reduction Management Fund		
A. Pre-Disaster		
1. Training and Seminar	36,474.00	
2. Life-Saving Equipment	38,358.00	
3. Supplies and Materials/Medicines	38,000.00	
B. 30% Quick Response Fund	48,356.00	
	Total	161,188.00
Breakdown 10% SK Fund		
1. Capacity Building	44,013.00	
2. Socio-Cultural & Sports Development Program	75,000.00	
3. Cleanliness and Beautification Program	75,000.00	
4. Election Expenses	10,000.00	
5. Anti-Illegal Drugs Campaign	35,000.00	
6. Library Equipments - Books, Maps, Globes and Others	83,363.00	
	Total	322,376.00
Breakdown 20% Development Fund		
1. Flood Control - Declogging of Canals at Rivera Street, Capt. V. Roa Street, P. Mabulay Streets	149,797.00	
2. Flood Control - Declogging of Drainage at J. Rivera, Capt. V. Roa Streets, A. Luna Extension	149,796.00	
3. Rehabilitation of Barangay Multipurpose Building-Canopy	100,000.00	
	Total	399,593.00
Capital Outlay - Improvement of Material Recovery Facility		50,000.00
Total Budgetary Allocation		3,344,767.00



Republic of the Philippines
City of Cagayan de Oro
BARANGAY 27
Tel. No. 74-56-82



OFFICE OF THE BARANGAY COUNCIL

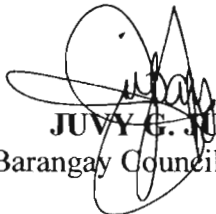
Resolution No. 001 – 2018
— Page 2 of 2—

UNANIMOUSLY CARRIED.

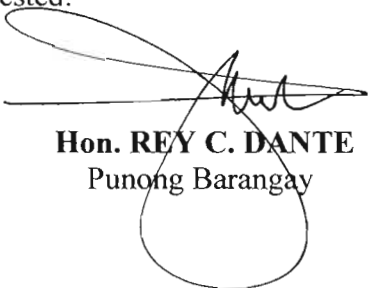
RESOLVED FURTHER, to submit copies of this resolution with the approved budget as embodied in the Appropriation Ordinance to the Sangguniang Panlungsod for review.

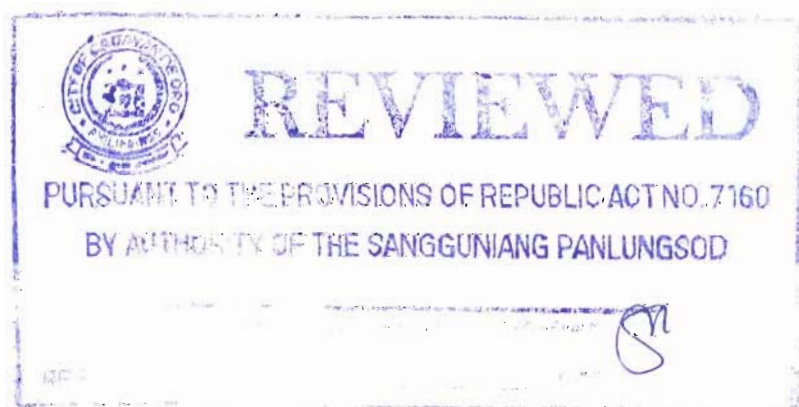
APPROVED : **January 09, 2018.**

I HEREBY CERTIFY that the foregoing Resolution No. 001 Series of 2018 embodying Appropriation Ordinance No. 01 Series of 2018, which approved the Barangay Annual Budget for the period January 01, 2018 to December 31, 2018 of Barangay 27, this City of Cagayan de Oro, was duly enacted by the Sangguniang Barangay in its Regular Session held at Barangay 27 Session Hall on January 09, 2018.


JUVY G. JUBAY
Barangay Council Secretary

Attested:


Hon. REY C. DANTE
Punong Barangay



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

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

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: C) Proposed Resolution returning to the Barangay Council of Tumpagon, this City, its Ordinance No. 01 covering its Annual Budget for Calendar Year 2018, with the information that said Ordinance is in order and therefore the same may be given force and effect as of the date fixed for its effectivity.

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

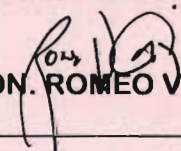
Date of Meeting: March 9, 2018

for inclusion


HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*


HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING



Communication Number: 2018-1456

Date: 02/28/2018
Receiver: JESSAMINE

From: CBO
Subject: ANNUAL BUDGET FOR CY 2018 OF BARANGAY TUMPAGON, CDO

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

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 2/17/18

Unanimously approved

HON. YAN LAM LIM
Chairperson

HON. ENRICO D. SALCEDO
Member

HON. MARIA LOURDES S. GAANE
Member

HON. TEODULFO E. LAO, JR.
Vice Chairperson

HON. JAY R. PASCUAL
Member

HON. NADYA EMANO-ELIPE
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING



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



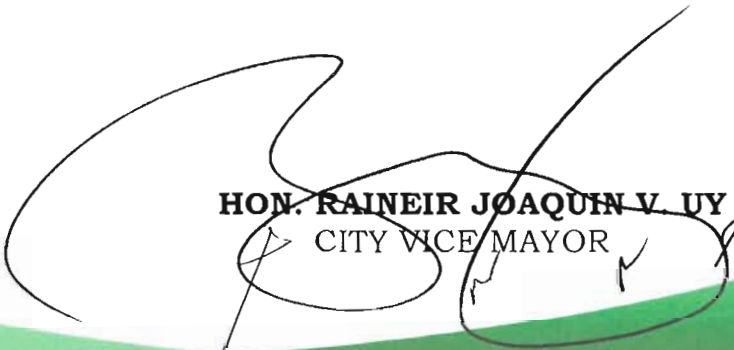
2F Legislative Building
City Hall Compound,
Burgos St., Brgy. 2,
Cagayan de Oro City

DATE: February 28, 2018,

FROM: CBO

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

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


HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

Republic of the Philippines
City of Cagayan de Oro

OFFICE OF THE CITY BUDGET OFFICER

The Honorable Members
City Council
Cagayan de Oro City

Gentlemen/Ladies:

Respectfully forwarding the herein Annual Budget CY 2018 of Barangay Tumpagon with an Estimated Income of 3,762,177.00 as against Expenditures of same amount.

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

Thank you.

Very truly yours,

ATTY. PERCY G. SALAZAR

City Budget Officer

CYNTHIA A. SY PIECCO
ASST. CITY BUDGET OFFICER

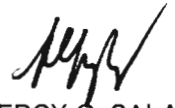
TECHNICAL REVIEW ANALYSIS SHEET
LGU: Barangay Tumpagon
CY 2018 Annual Budget General Fund

Approp. Items By Object of Expenditures	A m o u n t	City Budget Office Specific Findings	CBO Recommendation
1. Net available resources for Appropriation Less: Total Appropriations Unappropriated Balance	P 3,762,177.00 3,762,177.00 P -	Total appropriations did not exceed total income.	For Approval.
2. Appropriations for Personal Services a. Total Annual Regular Income actually realized from local sources during the next preceding (CY 2016) P 2,808,446.69 b. 55% thereof (Legal limitation for PS) 1,544,645.68 c. Amount appropriated for PS 1,485,233.00 d. Waived PS(Cash Gift/V&S Leave Benefit) 315,800.00 e. Net P.S. subject to limitation 1,169,433.00 h. Still Allowable or (Deficiency) 375,212.68	P 1,485,233.00	Total Personal Services did not exceed the 55% limitation. Rates in accordance w/ LBC No. 113 dated January 05, 2017 (proportionate application)	For Approval.
3. 20% Development Fund a. Amount of IRA 2,487,608.00 b. 20% thereof 507,522.00 c. Amount Appropriated 507,522.00	507,522.00	Appropriation for 20% Development Fund is also provided in accordance with Sec. 287 LGC as implemented by DBM-DILG Joint Memorandum Circular No. 2011-1Series of 2012 dated April 13, 2011.	For Approval.
4. Reserved For: A. Sangguniang Kabataan (Sec. 329 LGC) a. Total Income (Gen. Fund) 3,243,668.00 b. 10% thereof 344,367.00 c. Amount Appropriated 344,367.00 B. LDRRMF-Calamity Fund (Sec. 324 (d)) a. Total est. revenue fr. regular sources 3,243,668.00 b. 5% thereof 162,183.00 c. Amount Appropriated 162,183.00	344,367.00 162,183.00	Appropriations for the Sangguniang Kabataan activities pursuant to the 426(b) of RA 7160. Appropriation provided in compliance with Sec. 324 (d) of LGC as amended by Sec. 21 of RA No. 10121. Provision for basic services are also provided pursuant to Sec. 17(b) of RA 7160 (LGC) and Sec. 2.3.1 of LBM No.66 dated July 02-2012.	For Approval. For Approval.
5. Basic Services: Health & Nutrition Services, Administration and Legislative Services, etc.			For Approval.
6. Other Appropriations: Maint. & Other Oprtg. Expenditures Capital Outlay: Equipment - Infrastructure Projects - Others - Non-Office/Special Project	1,262,872.00 - - -	That in all cases, disbursements of appropriations shall be subject to availability of funds and all accounting and auditing rules & regulations. Compliance to all existing laws, administrative rules and regulations shall be the responsibility of the Barangay.	

General Findings/Observations:

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

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

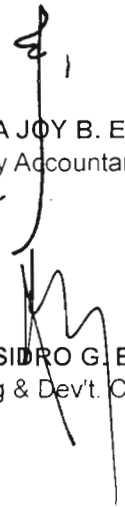

ATTY. PERCY G. SALAZAR
City Budget Officer 

LOCAL FINANCE COMMITTEE:


RAMON ANTONIO R. MENDOZA
Acting City Treasurer
City Finance Department


ATTY. PERCY G. SALAZAR
City Budget Officer 


ATTY. BEDA JOY B. ELOT, CPA
City Accountant


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


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

Republic of the Philippines
City of Cagayan de Oro
BARANGAY TUMPAGON

OFFICE OF THE SANGGUNIANG BARANGAY

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

PRESENT:

Punong Barangay	CECILIO M. DAGSAAN
Barangay Kagawad	RICO P. GAPOL
Barangay Kagawad	KLAVER JADE T. BUHIA
Barangay Kagawad	ARMANDO O. ALINGGOM
Barangay Kagawad	ZALDY F. CAGMAT
Barangay Kagawad	BENIDO C. ALINGGOM
Barangay Kagawad	JIGIER M. ALINGGOM
Barangay Kagawad	DIOSDADO B. DAGSAAN
Barangay Treasurer	ROLITA M. BUHIA
Barangay Secretary	MARIO L. TUMAGAD
IP Representative	ROGELIA A. LANDONG

RESOLUTION NO. 1
SERIES OF 2018

Presented for consideration is the Annual Budget of the Barangay Tumpagon for the period
January 1, 2018 to December 31, 2018 in the sum of P 3,758,117.00

NOW THEREFORE, on motion of Kagawad Diosdado B. Dagsaan duly seconded by all
Kagawad present.

APPROPRIATION ORDINANCE NO. 01

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

Be it enacted by the Sanggunian Barangay of Tumpagon that the Barangay Annual Budget
covering the period from January 1, 2018 to December 31, 2018 with a total estimated
income of P 3,758,117.00.

1	Income	
	Real Property Tax Due Component	P 52,000.00
	Real Property Tax Equal Sharing	700,000.00
	Clearance & Certification Fees	1,200.00
	Community Tax	2,860.00
	Miscellaneous	
	Grants	
	Internal Revenue Allotment (IRA)	2,487,608.00
	City Aid for BDC	3,000.00
	City Aid for Brgy. Police	10,000.00
	City Financial Aid	108,000.00
	10% SK Fund CY 2016	20,000.00
	20% Development Fund CY 2016	10,000.00
	Net Funds Free CY 2016	367,509.00
	Total Income	P 3,762,177.00

APPROPRIATION

A: CURRENT OPERATION EXPENDITURES

1 Personal Services

Honoraria	P 1,114,433.00
Year End Bonus - Cash Gift	55,000.00
Mid - Year Bonus	85,400.00
Year End Bonus	85,400.00
Vacation & Sick Leave Benefits	90,000.00
Productivity Enhancement Incentive	55,000.00
Sub Total	<u>P 1,485,233.00</u>

2 Maintenance & Other Operating Expenses

Auditing Services	12,438.00
Training & Scholarship Expenses	30,000.00
Office Supplies Expenses	15,000.00
Other Supplies Expenses	51,573.00
Insurance/Reinsurance Premium	15,000.00
Extraordinary & Miscellaneous Expenses	13,000.00
Cultural and Athletic Expenses	93,184.00
Fuel, Oil & Lubricant Expenses	50,000.00
Electricity Expenses	20,000.00
Membership Dues- Liga ng Barangay	15,500.00
Other Supplies Expenses- Brgy. Police	10,000.00
Other Maintenance & Operating Expenses-Aid to Senior Citizen & Dis-abled Person	25,000.00
Other Maintenance & Other Operating Expenses-Barangay Assembly	10,000.00
Other Maintenance & Other Operating Expenses-LCPC	10,000.00
General Services- Job Order	604,800.00
Travel Expenses	100,000.00
Other Maintenance & Other Operating Expenses	17,877.00
Repair & Maintenance-Land Transport Equipment	20,000.00
Representation Expenses	6,500.00
Other Maintenance & Operating Expenses-Peace & Order Program	108,000.00
Other Maintenance & Operating Expenses-MASA-MASID	26,000.00
Other Maintenance & Operating Expenses- GAD Program	9,000.00
Sub Total	<u>P 1,262,872.00</u>

3 Non-Office Expenditures

5%	Local Disaster Risk Reduction and Management Fund (Calamity Fund)	P 162,183.00
10%	SK FUND -- Youth Development Programs	P 324,367.00
10%	SK FUND -- CY 2016	P 20,000.00
20%	Development Fund	497,522.00
20%	Development Fund CY 2016	10,000.00
	Sub Total	<u>P 1,014,072.00</u>

Breakdown of 20% DF

Rehabilitation of Public Stage	300,000.00
Rehabilitation of Daycare Center	45,000.00
Rehabilitation of Covered Court	133,000.00
Rehabilitation of Enbankment & Re-gravelling of Roads	29,522.00
Sub Total	<u>507,522.00</u>

Breakdown of 5% LDRRMF

Quick Response Fund	48,655.00
Purchase of Calamity Related Supplies & Equipments	113,528.00
Sub Total	162,183.00

Breakdown of 10% SK Fund

Election Expenses	10,000.00
Other Maintenance & Operating Expenses	81,797.00
Cultural & Athletic Program	232,570.00
Training & Scholarship Expenses	20,000.00
Sub Total	344,367.00

TOTAL BUDGETARY APPROPRIATIONS	P 3,758,117.00
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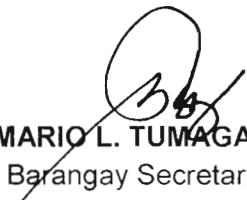
This Appropriation Ordinance shall take effect on January 1, 2018

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

APPROVED JANUARY 8, 2018.

I hereby certify that the foregoing Resolution No. 01 embodying Appropriation Ordinance No. 1, both series of 2018, which approved the Barangay Annual Budget for the period January 1, 2018 to December 31, 2018 of Barangay Tumpagon, City of Cagayan de Oro, was duly enacted by the Sangguniang Barangay in its regular session held at Barangay Session Hall on January 8, 2018.

ATTESTED:


MARIO L. TUMAGAD
Barangay Secretary


CECILIO M. DAGSAAN
Punong Barangay

