



18th CITY COUNCIL

Cagayan de Oro

AGENDA



35TH REGULAR SESSION

MONDAY,

APRIL 03, 2017

AT 2:30 P.M.

SESSION HALL

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

FILED





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



March 31, 2017

THE HONORABLE MEMBERS

CITY COUNCIL
CAGAYAN DE ORO CITY

Gentlemen/Mesdames:

Please be informed that the **35TH Regular Session of the 18TH City Council** of Cagayan de Oro will be on **Monday, April 03, 2017 at 2:30 PM.** at the Session Hall.

Thank you very much.

Very truly yours,

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

THE HONORABLE MEMBERS

CITY COUNCIL
CAGAYAN DE ORO CITY

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

First District

Second District

HON. ZALDY O. OCON
CITY COUNCILOR

HON. NADYA B. 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. M. GAN, JR.
CITY COUNCILOR

HON. GEORGE S. GOKING
CITY COUNCILOR

HON. TEODULFO E. LAO, JR.
CITY COUNCILOR

HON. ANNIE Y. DABA
CITY COUNCILOR

HON. SUZETTE G. MAGTAJAS-DABA
CITY COUNCILOR

HON. REUBEN R. DABA
CITY COUNCILOR

HON. ENRICO D. SALCEDO
CITY COUNCILOR

Ex-officio Members

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

**AGENDA OF THE 35TH REGULAR SESSION OF THE 18TH CITY COUNCIL
(SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO ON
MONDAY, 03 APRIL 2017**

Order of Business

- A. CALL TO ORDER BY THE HONORABLE CHAIRMAN AND PRESIDING OFFICER
- B. INVOCATION BY **COUNCILOR YAN LAM S. LIM**
- C. SINGING OF THE LUPANG HINIRANG
- D. ROLL CALL AND DETERMINATION OF QUORUM BY THE CITY COUNCIL SECRETARY
- E. READING, CORRECTIONS, IF ANY, AND APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR SESSION ON MARCH 27, 2017
(SEE APPENDIX "A")
- F. SPECIAL REPORT/S:
 - Councilor Reuben R. Daba
 - Councilor Leon D. Gan Jr.
- G. AGENDA PROPER:

- [1.] PROPOSED ORDINANCE NO. 2017-39** – granting one (1) grade salary increase to the following personnel of the J.R. Borja General Hospital, this City, who will mandatorily retire from the service this year 2017, pursuant to Section 2, Article 13 of R.A. 7305, otherwise known as the Magna Carta of Public Health Workers; and for this purpose, appropriating the sum of ₱17,709.48 from the item: "Personal Services: Salary Savings (Vacant Position Item No.108 Nurse V) for the period February 1-13, 2017" in the 2017 Annual Budget of the said hospital to be made available for the payment of their compensation differential, to wit:

Name/Position	Retirement Date (Age 65)	Salary Grade From/To	Monthly Salary (₱) From / To		Salary Differential per month	Life & Ret. Ins.	Pag-Ibig Premium	Total Compensation Differential
a. Sunogan, Julito E Admin Aide III	07/07/17	3/7- 4/7	11,512.00	12,233.00	2,463.00	295.56	49.26	2,807.82
b. Daguit, Nena P. Admin Aide IV	07/12/17	4/4 - 5/7	12,233.00	13,211.00	2,634.00	316.08	52.68	3,002.76
c. Magtagad, Josefina E Nurse Attendant.	10/09/17	4/8 - 5/8	12,448.00	13,335.00	2,661.00	319.32	53.22	3,033.54
d. Neri, Marivic Med. Tech. II	12/26/17	15/8 -16/8	28,344.00	30,752.00	7,224.00	866.88	144.48	8,235.36
								17,079.48

(SEE APPENDIX "B")

Document/s on file:

- Endorsement dated March 7, 2017 from the City Mayor
- Certificate of Availability of Funds dated March 1, 2017
- 2nd Indorsement dated March 2, 2017 from the Chairman of Local Finance Committee
- LFC Resolution No. 018-2017
- 2nd Indorsement dated February 24, 2017 from the Chairman of Local Finance Committee
- Letter from the Dr. Evelyn C. Perez, Chief of J.R. Borja General Hospital

COMMITTEE SPONSOR/S:

- | | | |
|---|---|---|
| • COMMITTEE ON HEALTH, SANITATION & HEALTH INSURANCE | - | COUNCILOR MARIA LOURDES S. GAANE, CHAIR |
| | - | COUNCILOR REUBEN R. DABA, V-CHAIR |
| • COMMITTEE ON FINANCE, BUDGET & APPROPRIATIONS | - | COUNCILOR EDNA M. DAHINO, CHAIR |
| | - | COUNCILOR GEORGE S. GOKING, MEMBER |
| • COMMITTEE ON LAWS AND RULES | - | COUNCILOR IAN MARK Q. NACAYA, CHAIR |
| | - | COUNCILOR ZALDY O. OCON, V-CHAIR |
| | - | COUNCILOR GEORGE S. GOKING, MEMBER |

- [2.] PROPOSED ORDINANCE NO. 2017-40** – approving the pro-forma Lease Contract by and between the City Government of Cagayan de Oro and the 2017 stall awardees of Cogon, Carmen and Puerto Public Markets; and authorizing the City Mayor to enter into and sign the said lease contract.

(SEE APPENDIX "C")

Document/s on file:

- Endorsement dated March 3, 2017 from the City Mayor
- Letter dated February 22, 2017 from the CEED OIC-Manager
- Endorsement dated January 27, 2017 from City Legal Officer
- Draft Ordinance

COMMITTEE SPONSOR/S:

- | | | |
|--|---|--|
| • COMMITTEE ON ECONOMIC ENTERPRISES | - | COUNCILOR IAN MARK Q. NACAYA, CHAIR |
| | - | COUNCILOR REUBEN R. DABA, MEMBER |
| | - | COUNCILOR TEODULFO E. LAO, JR., MEMBER |
| • COMMITTEE ON LAWS AND RULES | - | COUNCILOR IAN MARK Q. NACAYA, CHAIR |
| | - | COUNCILOR ZALDY O. OCON, V-CHAIR |
| | - | COUNCILOR GEORGE S. GOKING, MEMBER |

- [3.] PROPOSED ORDINANCE NO. 2017-41** – amending Section 1 of Ordinance No. 10279-2006, covering the entrance fees and charges at the Kagay-an Resort, so as to increase the rates of entrance fees and charges provided for therein, and for other purposes.

(SEE APPENDIX "D")

Document/s on file:

- Draft Ordinance
- Ordinance No. 10279-2006]
- Letter from the City Tourism Cultural Office

COMMITTEE SPONSOR/S:

- | | | |
|--|---|-------------------------------------|
| • COMMITTEE ON TOURISM | - | COUNCILOR JAY R. PASCUAL, CHAIR |
| | - | COUNCILOR EDNA M. DAHINO, MEMBER |
| • COMMITTEE ON WAYS & MEANS | - | COUNCILOR GEORGE S. GOKING, CHAIR |
| | - | COUNCILOR ZALDY O. OCON, V-CHAIR |
| | - | COUNCILOR REUBEN R. DABA, MEMBER |
| | - | COUNCILOR TEODULFO E. LAO, JR. |
| | - | COUNCILOR EDNA M. DAHINO |
| • COMMITTEE ON LAWS AND RULES | - | COUNCILOR IAN MARK Q. NACAYA, CHAIR |
| | - | COUNCILOR ZALDY O. OCON, V-CHAIR |
| | - | COUNCILOR GEORGE S. GOKING, MEMBER |

- [4.] **PROPOSED ORDINANCE NO. 2017-42** – amending Ordinance No. 3661-93, entitled: *An Ordinance adopting the "Cagayan de Oro March" as the Official Song of the City of Cagayan de Oro*, so as to require the singing thereof in all official functions or programs of the City Government of Cagayan de Oro and its departments and offices, as well as of public schools and barangays.

(SEE APPENDIX "E")

Document/s on file:

- Endorsement dated March 9, 2017 of the City Legal Office
- Draft Ordinance
- Ordinance No. 3661-93

COMMITTEE SPONSOR/S:

- COMMITTEE ON **TOURISM**

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COUNCILOR JAY R. PASCUAL, CHAIR
COUNCILOR EDNA M. DAHINO, V-CHAIR
COUNCILOR GEORGE S. GOKING, MEMBER

- COMMITTEE ON **LAWS AND RULES**

-
-
-

COUNCILOR IAN MARK Q. NACAYA, CHAIR
COUNCILOR ZALDY O. OCON, V-CHAIR
COUNCILOR GEORGE S. GOKING, MEMBER

**MINUTES OF THE 34TH REGULAR SESSION OF THE 18TH CITY COUNCIL
(SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO
MONDAY, 27 MARCH 2017**

City Vice Mayor **RAINEIR JOAQUIN V. UY** called the session to order at exactly 3:25 P.M.

The members present were the following:

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

First District:

- City Councilor **ZALDY O. OCON**, PRESIDING OFFICER PROTEMPORE
- City Councilor **LORDAN G. SUAN**
- City Councilor **EDNA M. DAHINO**
- City Councilor **JAY R. PASCUAL**
- City Councilor **ROMEO V. CALIZO**
- City Councilor **REUBEN R. DABA**

Second District:

- City Councilor **NADYA B. EMANO- ELIPE**, ASSISTANT MINORITY FLOOR LEADER
- City Councilor **MARIA LOURDES S. GAANE**
- City Councilor **DOMETILO C. ACENAS, JR.**
- City Councilor **IAN MARK Q. NACAYA**, MAJORITY FLOOR LEADER-COALITION
- City Councilor **LEON D. M. GAN, JR.**, MINORITY FLOOR LEADER
- City Councilor **TEODULFO E. LAO, JR.**, ASSISTANT MAJORITY FLOOR LEADER- COALITION
- 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 **SUZETTE G. MAGTAJAS-DABA**

Absent:

- City Councilor **GEORGE S. GOKING**

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

A. ON MINUTES OF THE 33RD REGULAR SESSION ON MARCH 20, 2017

MOTION NO. 23023-2017

MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE 33RD REGULAR SESSION ON MARCH 20, 2017 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. & Jay R. Pascual, UNANIMOUSLY CARRIED.

MOTION NO. 23024-2017

MOTION TO APPROVE THE MINUTES OF THE 33RD REGULAR SESSION ON MARCH 20, 2017

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

B. SPECIAL REPORT/S:

- i. Councilor Nadya B. Emano-Elipe reported about persons who are mentally-challenged roaming around the city and asked concerned City Hall department to act on this by rescuing them and turn them over to their respective families, among other things.

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

- ii. Councilor Teodulfo E. Lao, Jr. reported about a news item 'Gan accuses City Council majority of passing illegal ordinances' which appeared in a local daily, among other things.

- iii. Councilor Enrico D. Salcedo recommended that Police Stations in the city be given a monthly financial assistance of ₱100,000.00 each, among other things.

Action Taken: The report was referred to the Committees on Police, Fire & Public Safety and on Finance, Budget & Appropriations for further study.

C. ON MINUTES OF THE 34TH REGULAR SESSION ON MARCH 27, 2017

RESOLUTION NO. 12652-2017

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF BARANGAY NO. 39, THIS CITY, ITS ORDINANCE NO. 03, SERIES OF 2016, COVERING ITS ANNUAL BUDGET FOR CALENDAR YEAR 2017, WITH THE INFORMATION THAT SAID ORDINANCE IS IN ORDER AND THEREFORE THE SAME MAY BE GIVEN FORCE AND EFFECT AS OF THE DATE FIXED FOR ITS EFFECTIVITY

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

RESOLUTION NO. 12653-2017

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF CUGMAN, THIS CITY, ITS ORDINANCE NO. 0001-2017, SERIES OF 2017, COVERING ITS ANNUAL BUDGET FOR CALENDAR YEAR 2017, WITH THE INFORMATION THAT SAID ORDINANCE IS IN ORDER AND THEREFORE THE SAME MAY BE GIVEN FORCE AND EFFECT AS OF THE DATE FIXED FOR ITS EFFECTIVITY

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

MOTION NO. 23025-2017

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NOS. 12652-2017 & 12653-2017**

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

ORDINANCE NO. 13212-2017

AN ORDINANCE APPROPRIATING THE SUM OF ₱104,666.90 FROM THE "CURRENT APPROPRIATION NON-OFFICE-LAND ACQUISITION/EXPROPRIATION" TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION INCLUDING DOCUMENTATION AND REGISTRATION

EXPENSES OF LOT 19-B OWNED BY MELWENDA TEJADA, WITH AN AREA OF 163 SQUARE METERS, WHICH WAS AFFECTED BY THE EXISTING SOUTH DIVERSION ROAD AND BENCHING PROJECT, LOCATED AT BARANGAY CAMAMAN-AN, THIS CITY; AND FOR THIS PURPOSE, AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE CORRESPONDING DEED OF ABSOLUTE SALE THEREOF

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

MOTION NO. 23026-2017

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13212-2017**

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

ORDINANCE NO. 13213-2017

AN ORDINANCE APPROPRIATING THE SUM OF ₱1,640,616.00 FROM THE "CURRENT APPROPRIATION NON-OFFICE-LAND ACQUISITION/EXPROPRIATION" TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION INCLUDING DOCUMENTATION AND REGISTRATION EXPENSES OF LOT NOS. 4355-B-A-1, 4355-E-1 AND 4355-B-11-B-1 OWNED BY FEDERICO DEL PUERTO, WITH A TOTAL AREA OF 266 METERS, WHICH WERE AFFECTED BY THE PROPOSED 10.00M WIDE ROAD GOING TO THE PROPOSED PATAG NATIONAL HIGH SCHOOL, LOCATED AT BARANGAY PATAG, THIS CITY; AND FOR THIS PURPOSE, AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE CORRESPONDING DEED OF ABSOLUTE SALE THEREOF

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

In favor (11):

1st District:

- Councilor Zaldy O. Ocon
- Councilor Jay R. Pascual
- Councilor Reuben R. Daba
- Councilor Edna M. Dahino
- Councilor Romeo V. Calizo

2nd District:

- Councilor Maria Lourdes S. Gaane
- Councilor Ian Mark Q. Nacaya
- Councilor Enrico D. Salcedo
- Councilor Dometilo C. Acenas, Jr.
- Councilor Teodulfo E. Lao, Jr.

Ex-Officio Member:

- Councilor Yan Lam S. Lim, *Liga Ng Mga Barangay (President)*

Against (3):

- Councilor Lordan G. Suan
- Councilor Leon D. M. Gan, Jr.
- Councilor Nadya B. Emano-Elipe

On Leave:

- Councilor Annie Y. Daba
- Councilor Suzette G. Magtajas-Daba

Absent:

- Councilor George S. Goking

MOTION NO. 23027-2017

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13213-2017**

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

ORDINANCE NO. 13214-2017

AN ORDINANCE APPROPRIATING THE SUM OF ₱244,975.62 FROM THE "CURRENT APPROPRIATION NON-OFFICE-LAND ACQUISITION/EXPROPRIATION" TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION INCLUDING DOCUMENTATION AND REGISTRATION EXPENSES OF LOT NO. 2967-E-1, COVERED UNDER TCT-80042 OWNED BY EDERLINA G. MENDEZ,

WITH AN AREA OF 187 SQUARE METERS, WHICH WAS AFFECTED BY THE EXISTING TIBASAK-MACASANDIG ROAD PROJECT, LOCATED AT BARANGAY MACASANDIG, THIS CITY; AND FOR THIS PURPOSE, AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE CORRESPONDING DEED OF ABSOLUTE SALE THEREOF

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

MOTION NO. 23028-2017

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13214-2017**

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

ORDINANCE NO. 13215-2017

AN ORDINANCE APPROVING THE APPLICATION OF PUEBLO DE ORO DEVELOPMENT CORPORATION, REPRESENTED BY CHRYSLER B. ACEBU, VP & GENERAL MANAGER, FOR DEVELOPMENT PERMIT (DP) OF PUEBLO GOLF ESTATES CLUSTER 2 ANNEX RESIDENTIAL PROJECT CONTAINING 24 LOTS (LOT ONLY) WITH AN AREA OF 15,215 SQUARE METERS, LOCATED AT BARANGAY CARMEN, THIS CITY

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

MOTION NO. 23029-2017

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13215-2017**

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

ORDINANCE NO. 13216-2017

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR TO ENTER INTO AND SIGN THE DEPOSIT PICK-UP SERVICES AGREEMENT WITH THE PHILIPPINE VETERANS BANK COVERING THE PROVISION OF DEPOSIT PICK-UP SERVICES (DAILY BASIS) WITH THE CITY TREASURER'S OFFICE AND THE ATM/PAYROLL OF THE EMPLOYEES OF THE CITY COUNCIL, UNDER THE TERMS AND CONDITIONS STATED THEREIN

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

MOTION NO. 23030-2017

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13216-2017**

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

MOTION NO. 23031-2017

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

- [7.] PROPOSED RESOLUTION NO. 2017-105 – confirming the appointment of Engr. Paquito A. Palamine as City Government Department Head II (City Equipment Depot Manager).

Note: - Certified urgent by the City Vice Mayor

- Proponents: - Councilor Nadya B. Emano-Elipe - All Members
- [11.] PROPOSED ORDINANCE NO. 2017-38 – authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Understanding with Modern Nanays of Mindanao Inc., represented by Ms. Nadine Angelica Gadia Casiño, covering the implementation of the advocacy on expanded breastfeeding program in the City.
- Proponent: - Councilor Reuben R. Daba
- [12.] PROPOSED RESOLUTION NO. 2017-107 – suspending the regular session scheduled on April 10, 2017 including Committee Meetings of the City Council from April 11 to 12, 2017 in observance of the Holy Week celebration, except in cases involving measures certified as urgent and without prejudice to the submission of documents to committee members for perusal.
- Proponents: - Councilor Teodulfo E. Lao, Jr. - All Members

RESOLUTION NO. 12654-2017

MOTION NO. 23032-2017

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RESOLUTION NO. 12655-2017

RESOLUTION ENDORSING WITH SOCIAL ACCEPTABILITY THE PROPOSED ESTABLISHMENT AND OPERATION OF A 42-METER SELF-SUPPORTING TOWER AT ZONE 8, BARANGAY BULUA, THIS CITY, BY THE GLOBE TELECOM, INC., REPRESENTED BY MR. GLEN C. BASA, SITE ACQUISITION OFFICER, SUBJECT TO THE RULES AND REGULATIONS PROVIDED FOR UNDER THE CITY CODIFIED ORDINANCE AND ORDINANCE NO. 9119-2004, AND OF OTHER GOVERNMENT AGENCIES COVERING SUCH OPERATION AND SUBMISSION BY THE BARANGAY SECRETARY OF BARANGAY BULUA OF A CERTIFICATION ATTESTING THAT THE SIGNATORIES OF THE NEIGHBOR'S CONSENT ARE ACTUAL RESIDENTS OF THE BARANGAY WHOSE PROPERTIES ARE ADJOINING THE PROPOSED TOWER

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilor Edna M. Dahino, UNANIMOUSLY CARRIED.

MOTION NO. 23033-2017

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12655-2017**

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

RESOLUTION NO. 12656-2017

RESOLUTION ENDORSING WITH SOCIAL ACCEPTABILITY THE PROPOSED ESTABLISHMENT AND OPERATION OF A 42-METER SELF-SUPPORTING TOWER AT PULI, BARANGAY CANITOAN, THIS CITY, BY THE GLOBE TELECOM, INC., REPRESENTED BY MR. GLEN BASA, SITE ACQUISITION OFFICER, SUBJECT TO THE RULES AND REGULATIONS PROVIDED FOR UNDER THE CITY CODIFIED ORDINANCE AND ORDINANCE NO. 9119-2004, AND OF OTHER GOVERNMENT AGENCIES COVERING SUCH OPERATION AND SUBMISSION BY THE BARANGAY SECRETARY OF BARANGAY CANITOAN OF A CERTIFICATION ATTESTING THAT THE SIGNATORIES OF THE NEIGHBOR'S CONSENT ARE ACTUAL RESIDENTS OF THE BARANGAY WHOSE PROPERTIES ARE ADJOINING THE PROPOSED TOWER

Moved by Councilor Teodulfo E. Lao, Jr., duly seconded by Councilor Edna M. Dahino, UNANIMOUSLY CARRIED.

MOTION NO. 23034-2017

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12656-2017**

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

RESOLUTION NO. 12657-2017

RESOLUTION EXPRESSING THE CITY'S DEEPEST SYMPATHY AND CONDOLENCES TO FORMER CITY COUNCILOR RAMON G. TABOR FOR THE DEMISE OF HIS MOTHER JOVITA GALVEZ TABOR

Proponents: - Councilor Nadya B. Emano-Elipe - All Members

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

MOTION NO. 23035-2017

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12657-2017**

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

ORDINANCE NO. 13217-2017

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF UNDERSTANDING WITH MODERN NANAYS OF MINDANAO INC., REPRESENTED BY MS. NADINE ANGELICA GADIA CASIÑO, COVERING THE IMPLEMENTATION OF THE ADVOCACY ON EXPANDED BREASTFEEDING PROGRAM IN THE CITY

Proponent: - Councilor Reuben R. Daba

Moved by Councilor Reuben R. Daba, duly seconded by Councilors Romeo V. Calizo & Edna M. Dahino, UNANIMOUSLY APPROVED.

MOTION NO. 23036-2017

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13217-2017**

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

RESOLUTION NO. 12658-2017

RESOLUTION SUSPENDING THE REGULAR SESSION SCHEDULED ON APRIL 10, 2017, INCLUDING COMMITTEE MEETINGS OF THE CITY COUNCIL FROM APRIL 11 TO 12, 2017, IN OBSERVANCE OF THE HOLY WEEK CELEBRATION, EXCEPT IN CASES INVOLVING MEASURES CERTIFIED AS URGENT AND WITHOUT PREJUDICE TO THE SUBMISSION OF DOCUMENTS TO COMMITTEE MEMBERS FOR PERUSAL

Proponents: - Councilor Teodulfo E. Lao, Jr. - All Members

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

MOTION NO. 23037-2017

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 12658-2017**

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

MOTION NO. 23038-2017

MOTION TO ADJOURN THE 34TH REGULAR SESSION OF THE 18TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO HELD ON 27 MARCH 2017

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

The session adjourned at 4:55PM., March 27, 2017.

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



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



ORDINANCE NO. 13212 - 2017

AN ORDINANCE APPROPRIATING THE SUM OF ₱104,666.90 FROM THE "CURRENT APPROPRIATION NON-OFFICE-LAND ACQUISITION/EXPROPRIATION" TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION INCLUDING DOCUMENTATION AND REGISTRATION EXPENSES OF LOT 19-B OWNED BY MELWENDA TEJADA, WITH AN AREA OF 163 SQUARE METERS, WHICH WAS AFFECTED BY THE EXISTING SOUTH DIVERSION ROAD AND BENCHING PROJECT, LOCATED AT BARANGAY CAMAMAN-AN, THIS CITY; AND FOR THIS PURPOSE, AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE CORRESPONDING DEED OF ABSOLUTE SALE THEREOF

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

SECTION 1. - The sum of ₱104,666.90 is hereby appropriated from the "Current Appropriation Non-Office-Land Acquisition/Expropriation" to be made available for the full payment of the claim for just compensation including documentation and registration expenses of Lot 19-B owned by Melwenda Tejada, with an area of 163 square meters, which was affected by the existing South Diversion road and benching project, located at Barangay Camaman-an, this City;

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

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

UNANIMOUSLY APPROVED.

Present:

1st District:

- | | |
|-----------------------------|----------------------------|
| - Councilor Zaldy O. Ocon | - Councilor Lordan G. Suan |
| - Councilor Edna M. Dahino | - Councilor Jay R. Pascual |
| - Councilor Romeo V. Calizo | - Councilor Reuben R. Daba |

2nd District:

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

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

On Leave:

- | | |
|---------------------------|--------------------------------------|
| - Councilor Annie Y. Daba | - Councilor Suzette G. Magtajas-Daba |
|---------------------------|--------------------------------------|

Absent:

- | |
|------------------------------|
| - Councilor George S. Goking |
|------------------------------|

ENACTED this 27TH day of March 2017 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

DIONNIE P. GERSANA
ASSISTANT CITY ADMINISTRATOR



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



ORDINANCE NO. 13213 - 2017

AN ORDINANCE APPROPRIATING THE SUM OF ₱1,640,616.00 FROM THE "CURRENT APPROPRIATION NON-OFFICE-LAND ACQUISITION/EXPROPRIATION" TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION INCLUDING DOCUMENTATION AND REGISTRATION EXPENSES OF LOT NOS. 4355-B-A-1, 4355-E-1 AND 4355-B-11-B-1 OWNED BY FEDERICO DEL PUERTO, WITH A TOTAL AREA OF 266 METERS, WHICH WERE AFFECTED BY THE PROPOSED 10.00M WIDE ROAD GOING TO THE PROPOSED PATAG NATIONAL HIGH SCHOOL, LOCATED AT BARANGAY PATAG, THIS CITY; AND FOR THIS PURPOSE, AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE CORRESPONDING DEED OF ABSOLUTE SALE THEREOF

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

SECTION 1. - The sum of ₱1,640,616.00 is hereby appropriated from the "Current Appropriation Non-Office-Land Acquisition/Expropriation" to be made available for the full payment of the claim for just compensation including documentation and registration expenses of Lot Nos. 4355-B-A-1, 4355-E-1 and 4355-B-11-B-1 owned by Federico del Puerto, with a total area of 266 meters, which were affected by the proposed 10.00m wide road going to the proposed Patag National High School, located at Barangay Patag, this City.

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

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

APPROVED BY MAJORITY.

In favor (11):

1st District:

- Councilor Zaldy O. Ocon
- Councilor Jay R. Pascual
- Councilor Reuben R. Daba
- Councilor Edna M. Dahino
- Councilor Romeo V. Calizo

2nd District:

- Councilor Maria Lourdes S. Gaane
- Councilor Ian Mark Q. Nacaya
- Councilor Enrico D. Salcedo
- Councilor Dometilo C. Acenas, Jr.
- Councilor Teodulfo E. Lao, Jr.

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

Against (3):

- Councilor Lordan G. Suan
- Councilor Leon D. M. Gan, Jr.
- Councilor Nadya B. Emano-Elipe

On Leave:

- Councilor Annie Y. Daba
- Councilor Suzette G. Magtajas-Daba

Absent:

- Councilor George S. Goking

ENACTED this 27TH day of March 2017 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

DIONNIE P. GERSANA
ASSISTANT CITY ADMINISTRATOR



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



ORDINANCE NO. 13214 - 2017

AN ORDINANCE APPROPRIATING THE SUM OF ₱244,975.62 FROM THE "CURRENT APPROPRIATION NON-OFFICE-LAND ACQUISITION/EXPROPRIATION" TO BE MADE AVAILABLE FOR THE FULL PAYMENT OF THE CLAIM FOR JUST COMPENSATION INCLUDING DOCUMENTATION AND REGISTRATION EXPENSES OF LOT NO. 2967-E-1, COVERED UNDER TCT-80042 OWNED BY EDERLINA G. MENDEZ, WITH AN AREA OF 187 SQUARE METERS, WHICH WAS AFFECTED BY THE EXISTING TIBASAK-MACASANDIG ROAD PROJECT, LOCATED AT BARANGAY MACASANDIG, THIS CITY; AND FOR THIS PURPOSE, AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE CORRESPONDING DEED OF ABSOLUTE SALE THEREOF

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

SECTION 1. - The sum of ₱244,975.62 is hereby appropriated from the "Current Appropriation Non-Office-Land Acquisition/Expropriation" to be made available for the full payment of the claim for just compensation including documentation and registration expenses of Lot No. 2967-E-1, covered under TCT-80042 owned by Ederlina G. Mendez, with an area of 187 square meters, which was affected by the existing Tibasak-Macasandig road project, located at Barangay Macasandig, this City.

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

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

UNANIMOUSLY APPROVED.

Present:

1st District:

- Councilor Zaldy O. Ocon
- Councilor Edna M. Dahino
- Councilor Romeo V. Calizo

- Councilor Lordan G. Suan
- Councilor Jay R. Pascual
- Councilor Reuben R. Daba

2nd District:

- Councilor Nadya B. Emano-Elipse
- Councilor Dometilo C. Acenas, Jr.
- Councilor Ian Mark Q. Nacaya
- Councilor Enrico D. Salcedo

- Councilor Maria Lourdes S. Gaane
- Councilor Leon D. M. Gan, Jr.
- Councilor Teodulfo E. Lao, Jr.

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

On Leave:

- Councilor Annie Y. Daba - Councilor Suzette G. Magtajas-Daba

Absent:

- Councilor George S. Goking

ENACTED this 27TH day of March 2017 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

DIONNIE P. GERSANA
ASSISTANT CITY ADMINISTRATOR



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



ORDINANCE NO. 13215 - 2017

AN ORDINANCE APPROVING THE APPLICATION OF PUEBLO DE ORO DEVELOPMENT CORPORATION, REPRESENTED BY CHRYSLER B. ACEBU, VP & GENERAL MANAGER, FOR DEVELOPMENT PERMIT (DP) OF PUEBLO GOLF ESTATES CLUSTER 2 ANNEX RESIDENTIAL PROJECT CONTAINING 24 LOTS (LOT ONLY) WITH AN AREA OF 15,215 SQUARE METERS, LOCATED AT BARANGAY CARMEN, THIS CITY

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

SECTION 1. - The application of Pueblo de Oro Development Corporation, represented by Chrysler B. Acebu, VP & General Manager, for Development Permit (DP) of Pueblo Golf Estates Cluster 2 Annex residential project containing 24 lots (lot only) with an area of 15,215 square meters, located at Barangay Carmen, this City is hereby approved.

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

UNANIMOUSLY APPROVED.

Present:

1ST District:

- Councilor Zaldy O. Ocon
- Councilor Edna M. Dahino
- Councilor Romeo V. Calizo
- Councilor Lordan G. Suan
- Councilor Jay R. Pascual
- Councilor Reuben R. Daba

2nd District:

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

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

On Leave:

- Councilor Annie Y. Daba
- Councilor Suzette G. Magtajas-Daba

Absent:

- Councilor George S. Goking

ENACTED this 27TH day of March 2017 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

DIONNIE P. GERSANA
ASSISTANT CITY ADMINISTRATOR



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



ORDINANCE NO. 13216 - 2017

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR TO ENTER INTO AND SIGN THE DEPOSIT PICK-UP SERVICES AGREEMENT WITH THE PHILIPPINE VETERANS BANK COVERING THE PROVISION OF DEPOSIT PICK-UP SERVICES (DAILY BASIS) WITH THE CITY TREASURER'S OFFICE AND THE ATM/PAYROLL OF THE EMPLOYEES OF THE CITY COUNCIL, UNDER THE TERMS AND CONDITIONS STATED THEREIN

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

SECTION 1. - The Honorable City Mayor is hereby authorized to enter into and sign the Deposit Pick-Up Services Agreement with the Philippine Veterans Bank covering the provision of deposit pick-up services (daily basis) with the City Treasurer's Office and the ATM/Payroll of the employees of the City Council, under the terms and conditions stated therein.

SECTION 2. - The detailed aforesated Deposit Pick-Up Services Agreement composed of ten (10) pages on file with the Records Section of the Office of the City Council shall form part and parcel of this Ordinance.

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

UNANIMOUSLY APPROVED.

Present:

1ST District:

- | | |
|-----------------------------|----------------------------|
| - Councilor Zaldy O. Ocon | - Councilor Lordan G. Suan |
| - Councilor Edna M. Dahino | - Councilor Jay R. Pascual |
| - Councilor Romeo V. Calizo | - Councilor Reuben R. Daba |

2nd District:

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

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

On Leave:

- | | |
|---------------------------|--------------------------------------|
| - Councilor Annie Y. Daba | - Councilor Suzette G. Magtajas-Daba |
|---------------------------|--------------------------------------|

Absent:

- | |
|------------------------------|
| - Councilor George S. Goking |
|------------------------------|

ENACTED this 27TH day of March 2017 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

DIONNIE P. GERSANA
ASSISTANT CITY ADMINISTRATOR



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



ORDINANCE NO. 13217 - 2017

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF UNDERSTANDING WITH MODERN NANAYS OF MINDANAO INC., REPRESENTED BY MS. NADINE ANGELICA GADIA CASIÑO, COVERING THE IMPLEMENTATION OF THE ADVOCACY ON EXPANDED BREASTFEEDING PROGRAM IN THE CITY

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

SECTION 1. - The Honorable City Mayor Oscar S. Moreno is hereby authorized to enter into and sign the Memorandum of Understanding with Modern Nanays of Mindanao Inc., represented by Ms. Nadine Angelica Gadia Casiño, covering the implementation of the Advocacy on Expanded Breastfeeding Program in the City.

SECTION 2. - The detailed aforesated Memorandum of Understanding (MOU) composed of three (3) pages on file with the Records Section of the Office of the City Council shall form part and parcel of this Ordinance.

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

UNANIMOUSLY APPROVED.

Present:

1st District:

- Councilor Zaldy O. Ocon
- Councilor Edna M. Dahino
- Councilor Reuben R. Daba
- Councilor Lordan G. Suan
- Councilor Romeo V. Calizo

2nd District:

- Councilor Nadya B. Emano-Elipse
- Councilor Dometilo C. Acenas, Jr.
- Councilor Ian Mark Q. Nacaya
- Councilor Enrico D. Salcedo
- Councilor Maria Lourdes S. Gaane
- Councilor Leon D. M. Gan, Jr.
- Councilor Teodulfo E. Lao, Jr.

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

Out of the Session Hall: - Councilor Jay R. Pascual

On Leave: - Councilor Annie Y. Daba - Councilor Suzette G. Magtajas-Daba

Absent: - Councilor George S. Goking

ENACTED this 27TH day of March 2017 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

DIONNIE P. GERSANA
ASSISTANT CITY ADMINISTRATOR

Just Compensation

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 granting one (1) grade salary increase to the following personnel of the J.R. Borja General Hospital, this city, who will mandatorily retire from the service this year 2017, pursuant to Section 2, Article 13 of R.A. 7305, otherwise known as the Magna Carta of Public Health Workers; and for this purpose, appropriating the sum of P17,709.48 from the item "Personal Services: Salary Savings (Vacant Position/ Item No.108 Nurse V) for the period February 1-3, 2017" in the 2017 Annual Budget of the said office to be made available therefor.

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 30, 2017

for inclusion

HON. IAN MARK Q. NAGAYA, Chairman

HON. ZALDY O. OCON, Vice Chairman

HON. GEORGES. 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: 2017-553

Date: 03/11/2017

Receiver: JESSAMINE

From: CMO

Subject: LFC RESOLUTION NO. 018-2017 WITH CORRESPONDING CAF NO. 28-2017, RE: RESOLUTION RECOMMENDING FAVORABLE APPROVAL TO APPROPRIATE THE AMOUNT OF Php17,079.48, TO BE TAKEN AGAINST CURRENT APPROPRIATION UNDER THE J.R. BORJA GENERAL HOSPITAL, THIS CITY, ~~AS PS-SALARY SAVINGS~~ OF VACANT POSITION UNDER ITEM NO. 108 (NURSE V) FOR THE PERIOD FEBRUARY 1-13, 2017, TO COVER PAYMENT FOR COMPENSATION DIFFERENTIAL OF THE HEREIN ATTACHED PERSONNEL, OF SAME OFFICE, WHO WILL MANDATORY RETIRE THIS YEAR, PURSUANT TO SECTION 30, RA 7305 OR MAGNA CARTA FOR PUBLIC HEALTH WORKERS.

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

Date of Meeting: MARCH 17, 2017

Recommending for Approval (Committee on Finance)

[Signature]
HON. MARIA LOURDES S. GAANE

Chairperson

[Signature]
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



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: March 10, 2017

FROM: CMO

SUBJECT MATTER: LFC RESOLUTION NO. 018-2017 WITH CORRESPONDING CAF NO. 28-2017, RE: RESOLUTION RECOMMENDING FAVORABLE APPROVAL TO APPROPRIATE THE AMOUNT OF Php17,079.48, TO BE TAKEN AGAINST CURRENT APPROPRIATION UNDER THE J.R. BORJA GENERAL HOSPITAL, THIS CITY, "PS-SALARY SAVINGS" OF VACANT POSITION UNDER ITEM NO. 108 (NURSE V) FOR THE PERIOD FEBRUARY 1-13, 2017, TO COVER PAYMENT FOR COMPENSATION DIFFERENTIAL OF THE HEREIN ATTACHED PERSONNEL, OF SAME OFFICE, WHO WILL MANDATORY RETIRE THIS YEAR, PURSUANT TO SECTION 30, RA 7305 OR MAGNA CARTA FOR PUBLIC HEALTH WORKERS.

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

Cagayan de Oro City

OFFICE OF THE CITY MAYOR

3rd Indorsement
7 March 2017

Respectfully transmitted to **The Honorable Members of the City Council** through **City Vice Mayor RAINIER JOAQUIN V. UY**, the attached Local Finance Committee Resolution No. 018- 2017 with corresponding Certificate of Availability of Funds No. 28- 2017, to wit:

re: "RESOLUTION RECOMMENDING FAVORABLE APPROVAL TO APPROPRIATE THE AMOUNT OF ₱17,079.48, TO BE TAKEN AGAINST CURRENT APPROPRIATION UNDER THE J. R. BORJA GENERAL HOSPITAL, THIS CITY "PS-SALARY SAVINGS" OF VACANT POSITION UNDER ITEM NO. 108 (NURSE V) FOR THE PERIOD FEBRUARY 1-13, 2017, TO COVER PAYMENT FOR COMPENSATION DIFFERENTIAL OF THE HEREIN ATTACHED PERSONNEL, OF SAME OFFICE, WHO WILL MANDATORILY RETIRE THIS YEAR, PURSUANT TO SECTION 30, RA 7305 OF MAGNA CARTA FOR PUBLIC HEALTH WORKERS"

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

OSCAR S. MORENO
City Mayor



Republic of the Philippines
Cagayan de Oro City

OFFICE OF THE CITY BUDGET OFFICE

CERTIFICATION

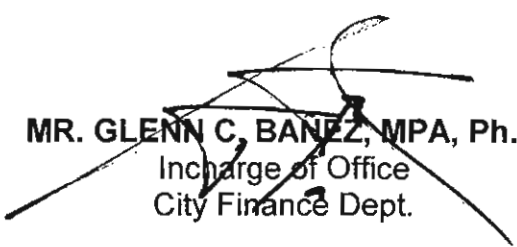
THIS IS TO CERTIFY that the amount of ₱ 17,079.48 taken from Current Appropriation Personal Services - Salary Saving, of vacant position, Item No. 108, Nurse V for the period February 1 - 13, 2017 of J.R. Borja General Hospital, this City, to cover payment for compensation differential of the following personnel of same office, who will mandatorily retire this year, pursuant to section 30, RA 7305 of Magna Carta for Public Health Workers, to wit;

Names	Designation	Date of Retirement (age 65)	Salary Grade from/ to	Monthly Rate		3 Months Salary Differential	Life and Retirement Ins.	Pag-ibig Prem.	Total Compensation Differential
Sunogan, Julito E.	Admin. Aide III	07/07/17	3/7-4/7	11,512.00	12,233.00	2,463.00	295.56	49.26	2,807.82
Daguit, Nena P.	Admin. Aide IV	07/12/17	4/4-5/7	12,233.00	13,211.00	2,634.00	316.08	52.68	3,002.76
Magtagad, Josefina E.	Nurse Attendant	10/09/17	4/8-5/8	12,448.00	13,335.00	2,661.00	319.32	53.22	3,033.54
Neri, Marivic C.	Med. Tech. II	12/26/17	15/8-18/8	28,344.00	30,752.00	7,224.00	866.88	144.48	8,235.36
								Total	17,079.48

Issued this 1st day of March, 2017, pursuant to Local Finance Committee Resolution No. 018-2017.


ATTY. PERCY G. SALAZAR
City Budget Officer
CAF - 28 - 2017


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


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



LOCAL FINANCE COMMITTEE

RESOLUTION NO. 018-2017

RESOLUTION RECOMMENDING FAVORABLE APPROVAL FOR THE ISSUANCE OF CERTIFICATE OF AVAILABILITY OF FUNDS AMOUNTING TO ₱17,079.48, TO BE TAKEN AGAINST CURRENT APPROPRIATION UNDER THE J. R. BORJA GENERAL HOSPITAL, THIS CITY "PS-SALARY SAVINGS" OF VACANT POSITION UNDER ITEM NO. 108 (NURSE V) FOR THE PERIOD FEBRUARY 1-13, 2017, TO COVER PAYMENT FOR COMPENSATION DIFFERENTIAL OF THE FOLLOWING PERSONNEL, OF SAME OFFICE, WHO WILL MANDATORY RETIRE THIS YEAR, PURSUANT TO SECTION 30, RA 7305 OF MAGNA CARTA FOR PUBLIC HEALTH WORKERS, TO WIT:

<u>Names</u>	<u>Designation</u>	<u>Date of Retirement (age 65)</u>	<u>Salary Grade From/To</u>	<u>Monthly Rate</u>		<u>3 months Salary Differential</u>	<u>Life and Retirement Ins.</u>	<u>Pag-ibig Prem.</u>	<u>Total Compensation Differential</u>
Sunogan, Julito E	Admin Aide III	07/07/17	3/7- 4/7	11,512.00	12,233.00	2,463.00	295.56	49.26	₱ 2,807.82
Daguít, Nena P.	Admin Aide IV	07/12/17	4/7- 5/7	12,233.00	13,211.00	2,634.00	316.08	52.68	3,002.76
Magtagad, Josefina E.	Nurse Attendant	10/09/17	4/8- 5/8	12,448.00	13,335.00	2,661.00	319.32	53.22	3,033.54
Neri, Marivic C.	Med. Tech. II	12/26/17	15/8- 16/8	28,344.00	30,752.00	7,224.00	866.88	144.48	8,235.36
TOTAL									₱ 17,079.48

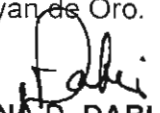
WHEREAS, it was presented to the Committee, the letter from Dra. Evelyn C. Perez, Chief of Hospital, this City, requesting to avail one-grade salary higher for the following personnel under the J.R. Borja General Hospital, this City, who will mandatory retire this year as mandated under Section 30, RA 7305 of Magna Carta for Public Health Workers, amounting to ₱17,079.48, to be taken from "PS: Salary Savings" of vacant position under Item No. 108 (Nurse V) of same office, namely:

<u>Names</u>	<u>Designation</u>	<u>Date of Retirement (age 65)</u>	<u>Salary Grade From/To</u>	<u>Monthly Rate</u>		<u>3 months Salary Differential</u>	<u>Life and Retirement Ins.</u>	<u>Pag-ibig Prem.</u>	<u>Total Compensation Differential</u>
Sunogan, Julito E	Admin Aide III	07/07/17	3/7- 4/7	11,512.00	12,233.00	2,463.00	295.56	49.26	₱ 2,807.82
Daguít, Nena P.	Admin Aide IV	07/12/17	4/7- 5/7	12,233.00	13,211.00	2,634.00	316.08	52.68	3,002.76
Magtagad, Josefina E.	Nurse Attendant	10/09/17	4/8- 5/8	12,448.00	13,335.00	2,661.00	319.32	53.22	3,033.54
Neri, Marivic C.	Med. Tech. II	12/26/17	15/8- 16/8	28,344.00	30,752.00	7,224.00	866.88	144.48	8,235.36
TOTAL									₱ 17,079.48

WHEREAS, it was also discussed to issue Certificate of Availability of Funds chargeable against current appropriation under the J. R. Borja General Hospital, this City "PS-Salary Savings" under Item # 108 (Nurse V) for the period February 1-13, 2017, to cover payment of aforementioned claim, subject for the issuance of legislative action;

WHEREFORE, with unanimous motion & duly seconded by all members present, the Committee resolved as it is hereby resolved, recommending favorable approval for the issuance of Certificate of Availability of Funds amounting to ₱17,079.48, to be taken against current appropriation under the J. R. Borja General Hospital, this City "PS-Salary Savings" of vacant position under Item No. 108 (Nurse V) for the period February 1-13, 2017, to cover payment for compensation differential of the following personnel, of same office, who will mandatory retire this year, pursuant to Section 30, RA 7305 of Magna Carta for Public Health Workers.

Done this 23rd day of February, 2017 at the City of Cagayan de Oro.


DIVINA D. DABLIO
LFC Secretary-Designate

ATTESTED:


GLENN C. BANEZ, MPA-PhD
In-charge of Office



J.R. BORJA GENERAL HOSPITAL
J.V. Serina St. Carmen Cagayan de Oro City
Misamis Oriental PHILIPPINES, 9000
Tel. No. Office: (088) 880-2001
Email address: jrborjagenhosp@gmail.com



February 21, 2017

HON. OSCAR S. MORENO

City Mayor
Cagayan de Oro City

Thru: **GLENN C. BAÑEZ, MPA, Phd**
Chairman
Local Finance Committee



Sir:

Hereunder are the list of J.R. Borja General Hospital personnel who are scheduled to have their mandatory retirement for calendar year 2017 as follows:

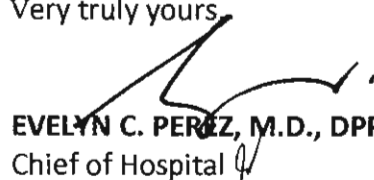
Names	Designation	Date of Retirement (age 65)	Salary Grade From/To	Monthly Rate		3 mos. Salary Differential
				From	To	
Sunogan, Julito E.	Admin Aide III	July 7, 2017	3/7 - 4/7	11,512.00	12,333.00	2,463.00
Daguit, Nena P.	Admin Aide IV	July 12, 2017	4/7 - 5/7	12,333.00	13,211.00	2,634.00
Magtagad, Josefina E.	NA	Oct. 9, 2017	4/8 - 5/8	12,448.00	13,335.00	2,661.00
Neri, Marivic C.	Med. Tech II	Dec. 26, 2017	15/8 - 16/8	28,344.00	30,752.00	7,224.00
Total						14,982.00

With this, we would like to humbly request to allow them to avail a one-salary grade higher per computation listed above, as mandated under Section 30, RA 7305 of Magna Carta for Public Health Workers. Salary difference will be charged against the salary savings of vacant position (item#108-Nurse V) amounting to **P14,982.00** of JRBGH.

Anticipating for your favorable action and approval.

Thank you.

Very truly yours,


EVELYN C. PEREZ, M.D., DPPS, MPSM
Chief of Hospital

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 pro-forma Lease Contract by and between the City Government of Cagayan de Oro and the 2017 stall awardees of Cogon, Carmen and Puerto Public Markets; and authorizing the City Mayor to enter into and sign the said lease contract.

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

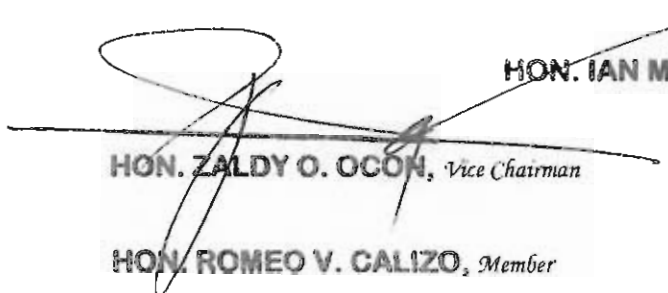
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

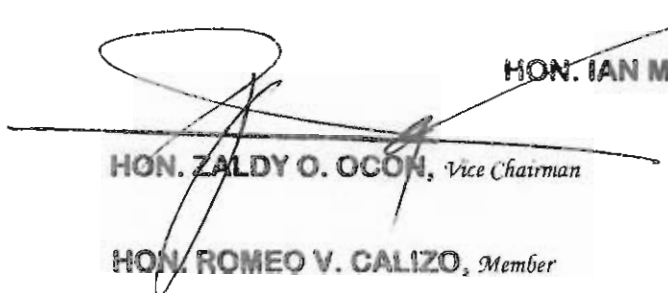
Date of Meeting: March 30, 2017

> for inclusion


HON. IAN MARK Q. NACAYA, Chairman


HON. ZALDY O. OCON, Vice Chairman


HON. GEORGE S. GOKING, Member


HON. ROMEO V. CALIZO, Member


HON. ENRICO S. SALCEDO, Member

DISSENTING+



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

Communication Number: 2017-416

Date: 01/24/2017

Receiver: JESSAMINE

From: CEED

Subject: COPY OF THE DRAFT OF LEASE OF CONTRACT ON STALLS.

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

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: MARCH 23, 2017

REFER TO THE COMMITTEE ON LAWS & RULES

HON. IAN MARK Q. NACAYA
Chairperson

HON. GEORGE S. GOKING
Vice Chairperson

HON. ENRICO D. SALCEDO
Member

HON. REUBEN R. DABA
Member

HON. TEODULFO E. LAO, JR.
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING

PROPOSED ORDINANCE NO. 2017-_____

AN ORDINANCE APPROVING THE PRO-FORMA LEASE CONTRACT BY AND BETWEEN THE CITY GOVERNMENT OF CAGAYAN DE ORO AND THE 2017 STALL AWARDEES OF COGON, CARMEN AND PUERTO PUBLIC MARKETS; AND AUTHORIZING THE CITY MAYOR TO ENTER INTO AND SIGN THE SAID LEASE CONTRACT

BE IT ORDAINED by the City Council Sangguiang Panlungsod of the City of Cagayan de Oro in session assembled that:

SECTION 1. The following pro-forma Lease Contract by and between the City Government of Cagayan de Oro and the 2017 stall awardees of Cogon, Carmen and Puerto Public Markets is hereby approved, viz:

"LEASE CONTRACT

'KNOW ALL MEN BY THESE PRESENTS:

This **CONTRACT OF LEASE** made and entered this ____ day of _____, in the City of Cagayan de Oro, by and between:

The City Government of Cagayan de Oro, a local government unit duly created and existing by virtue of Republic Act No. 521, herein represented by **Hon. OSCAR S. MORENO**, City Mayor, hereinafter known as the LESSOR.

-and-

_____, a resident of Cagayan de Oro City, with business address at _____, same City, Philippines, hereinafter known as LESSEE;

WITNESSETH

Whereas, the LESSOR is the owner of Cogon, Carmen and Puerto Public Markets including its open spaces, facilities, comfort rooms, passageways, parking areas and other rentable spaces therein suitable for advertisement and other economic enterprise endeavors;

Whereas, the LESSEE is interested to engage business in _____ Public Market;

Whereas, the LESSOR is willing to grant in lease unto the LESSEE Stall No. _____ at _____ Section of _____ Public Market;

Whereas, the LESSEE hereby agrees to lease the same from the LESSOR;

Whereas, for and in consideration of the stall rental based on the herein rates, which the LESSEE shall pay to the LESSOR, the latter does hereby deliver and transfer unto the LESSEE by way of lease, Stall No. _____ to engage business at _____ Section of _____ Public Market which shall be subject to the herein terms and conditions and other pertinent market regulations and policies as contained in the 1994 Codified Ordinance of the City of Cagayan de Oro and other subsequent laws and ordinances.

I - GENERAL PROVISIONS:

1. The possession or occupation of the stall is a mere privilege subject to existing laws and ordinances and may be withdrawn if public interest demands, and that the LESSOR,

when it deems fit and upon prior public consultation, has the right to reorganize or rearrange the location or layout of stall sections in the markets;

2. The leased space/stall has been received by the LESSEE in good condition and the LESSEE shall use the leased premises solely for commercial or business purposes and in accordance with the market section where the stall is located/assigned and shall not sell and display or store explosives, flammable, offensive and obnoxious materials or merchandize except at the food section, *lumpia* wrapper producer section and the like;
3. The stall shall be kept at all times in good, clean and sanitary condition and the LESSEE shall comply with all the rules, regulations and orders issued by proper authorities in connection with hygiene and sanitation in the market, and binds himself/herself and his/her employee(s) or worker(s) to exercise proper courtesy, ethical standards and utmost professionalism in dealing with the customer or the general public;
4. The entire leased premises shall be a **"No Smoking Zone;"**
5. No extension or expansion of the area shall be made by the LESSEE and that the LESSEE shall not occupy any space in excess of that which was awarded/leased;
6. A temporary common cold storage facilities for meat, fish and poultry products and a warehouse/"bodega" for extra stocks of fruits & vegetables, rice & corn, PR and other stalls, when warranted, shall be established the cost of which shall be chargeable against the LESSEE;
7. The LESSEE shall not cause the stall awarded to him/her to be mortgaged, sold, transferred, relinquished, sub-leased or abandoned to a third party and neither shall the LESSEE allow, permit nor tolerate another person to display products or conduct business therein. Violation of this stipulation shall authorize the LESSOR to rescind, cancel or revoke the award/lease contract and shall further authorize the LESSOR to evict the LESSEE without need of any Court Order. In addition, the LESSEE shall be disqualified to apply for another stall at any of the LESSOR's public markets.
8. Based on the prevailing daily stall rental rates of the various sections of the city's public markets, the monthly rental per stall shall be Php _____ payable within the first seven (7) calendar days of the month without need of demand. Default in payment of the rental shall be a valid ground for the revocation of the privilege to occupy a stall and upon due notice, the stall whose LESSEE has been declared in default shall revert back to the City. The LESSEE shall be declared in default if he/she fails to pay one (1) month stall rental due at the herein stipulated time;
9. The stall shall automatically be deemed vacant upon the expiration of thirty (30) days from the death of the LESSEE thereof, and thereafter be disposed of and adjudicated to qualified applicants; Provided, however, that if the LESSEE'S surviving legal spouse or if there be none, his/her legitimate son or daughter, files an application to lease the same stall before the expiration of said period, the stall shall be awarded to him or her unless he or she is deemed disqualified; and *Provided Further*, that he or she, at the time of application, is not a holder of another stall. The successor-in-interest shall likewise comply with the following requirements:
 - a.) In case of succession by the surviving legal spouse, submit an Affidavit of Waiver by all the descendants who are of legal age, or 18 years old, head of the family, not necessarily married and of sound mind; Provided, however, that he/she is an actual occupant of the subject stall and a resident of Cagayan de Oro City. In case of succession by a descendant, submit an Affidavit of Waiver to be executed by all the other legitimate heirs;
 - b.) Submit Clearance duly issued by the City Treasurer showing that the decedent has no outstanding balance on past and/or current accounts regarding the subject stall or that such outstanding balance has already been paid, settled or extinguished;
 - c.) Submit Clearance duly issued by the decedent's respective organization's President;

After compliance of the foregoing requirements and the LESSOR's approval of the succession, the successor shall cause the necessary changes and transfer in his/her name the business permit registration, licenses, and all other records or documents pertinent to the operation of the stall. However, after the expiration of the 30-day period following the date of death of the original stallholder without any of the foregoing

survivor-in-interest filing an application, the market stall award/lease contract shall be deemed cancelled, revoked or terminated and the stall shall be declared vacant and available for award to other qualified applicants.

Notwithstanding the foregoing, the relinquishment/transfer of rights and privileges shall be subject to evaluation, review and approval by the LESSOR thru the CEED Management Committee. The successor-lessee shall only assume for the unexpired term of the original lease. In addition, the successor-lessee shall cause the necessary changes of the business permit registration, etc.

10. Unless sooner cancelled or revoked for cause or reasons specified herein, the term of this Contract shall be for three (3) years which will start on _____ and shall expire on _____ and renewable every three (3) years if the LESSEE is found worthy and deserving thereof;
11. In the event of rescission, cancellation, recall and/or revocation of the right to occupy the stall, the LESSEE hereby authorizes the LESSOR through the CEED upon due notice to padlock the stall affected. The LESSEE hereby appoints the City Government as the Attorney-in-Fact to offer for public auction goods inside the stall. Proceeds of the auction sale shall be applied first to whatever obligation the LESSEE owes the City Government and the balance thereof, if any, shall be given to the LESSEE;
12. In case the LESSEE has an outstanding obligation to the LESSOR for unpaid taxes, fees and charges including penalties, interests and surcharges, he/she must first settle the said before he/she will be allowed to occupy the awarded stall. Thereafter, he/she shall be bound to the terms and conditions of the Market Stall Award herein attached as part of the Lease Contract;
13. Should the CEED be compelled to seek judicial relief against the LESSEE, the latter undertakes and obligates to pay and reimburse all litigation expenses and other damages the CEED may claim and the court would deem to be just and equitable;
14. The use of duly calibrated Clockwise or Digital Weighing Scale or device in all public markets of Cagayan de Oro is hereby prescribed and authorized in coordination with the City Treasurer's Office and other government offices. The LESSOR, thru its authorized representatives, the Department of Trade and Industry and all other pertinent national government agencies shall be allowed to test and inspect the said scale or device within reasonable hours of any business day;
15. The LESSOR through the CEED Management Committee may authorize the operation and management of the public market comfort rooms by the vendor's association which may charge a User Fee at the rates to be determined by the CEED ManCom. The proceeds thereof shall be used for the maintenance and operation of the comfort rooms and for the activities and projects of the vendor's association.
16. No sign, poster or any form of advertising necessary for the conduct of the LESSEE's business shall be installed at the stall without the prior written approval of the LESSOR. All other advertising material/s to be posted, mounted, or installed in any of the areas and premises of the public market shall only be allowed upon the execution of a separate Lease Contract between the LESSOR and the LESSEE or any other third party desiring to put up advertisement signs in the public market. In case of violation hereof, the LESSEE may be meted with administrative sanctions and hereby authorizes the LESSOR to remove, dispose and/or destroy the unauthorized advertising material/s without any prior demand or court order and at the LESSEE's expense;
17. Violation of any of the terms and conditions herein provided shall be sufficient ground for the cancellation of the LESSEE's Business Permit and Market Stall Award and shall automatically render this Lease Contract null and void;
18. This Contract of Lease shall be binding and enforceable upon signing by both parties.

II - OBLIGATIONS OF THE LESSEE:

1. Keep the stall and its immediate surroundings in good condition and comply and/or observe all existing sanitary, electrical, environmental, market rules and regulations, city ordinances and laws or those which may hereinafter be promulgated, required or

- 176 imposed by the local or national government authorities pertaining to the use and
177 habitation of the premises, including the requirement for the provision of garbage
178 receptacles and cleaning materials duly prescribed by the CEED, City Health Office,
179 CLENRO, City Veterinary Office and other government agencies;
- 180 2. Promptly and regularly pay stall rentals, as well as pertinent business permit fees,
181 licenses and taxes that may arise or are due on account of the business that will be
182 conducted within the leased premises, as provided for under national laws and local
183 ordinances;
- 184 3. Display and sell in the stall only goods, wares or merchandises authorized in the market
185 section where the stall is located;
- 186 4. Hang and display within a conspicuous area of the stall framed pictures of the LESSEE
187 as well as his/her worker/s;
- 188 5. Personally manage and conduct the operation of his/her business at the stall and be
189 physically present thereat every day. If on account of illness or other justifiable causes
190 the LESSEE shall be absent temporarily from the stall, he/she shall promptly notify the
191 CEED Manager thru the Market Supervisor of his/her absence and the reason thereof;
- 192 6. Neither allow his/her children who are infants and toddlers to stay within his/her stall
193 premises, nor permit anyone to loiter around the section where his/her stall is located.
- 194 7. Neither allow loafing within his/her stall nor the introduction of intoxicating beverages,
195 hard liquor drinks and illegal drugs within the stall;
- 196 8. Not to make any alterations and improvements or extensions ("excess") in his/her stall
197 without the written consent of the LESSOR thru the CEED. Any such alteration,
198 improvement or extension ("excess") made thereon shall become the property of the
199 LESSOR after validation by the CEED and shall be removed anytime by the LESSOR
200 without obligation to reimburse the LESSEE the cost of such alterations, improvements
201 or extensions ("excess");
- 202 9. Provide padlocks and other security devices to ensure safety of the goods and products
203 inside his/her leased stall;
- 204 10. Pay the expenses for minor repair of the stall resulting from ordinary wear and tear.
- 205 11. Pay all expenses and charges for utilities such as electricity, light and water assessed
206 for his/her leased stall including installation of individual electric and water meters
207 placed or installed in the stall, without the right to reimbursement.
- 208 12. Not to use in the leased premises electric or LPG stoves or any device except as the
209 LESSOR may allow in duly designated areas;
- 210 13. Pay for the replacement of busted bulbs/tubes including the maintenance of water and
211 electrical connection on the stall, except for those in the aisles, entrances, stairways,
212 comfort rooms, escalators, elevators and other common facilities;
- 213 14. Adhere to all other rules and policies contained in the 1994 Codified Ordinance of the
214 City of Cagayan de Oro.
- 215 15. At the LESSOR'S discretion, violation by the LESSEE of any of the herein Terms and
216 Conditions shall be sufficient cause for the former to impose upon the latter the following
217 administrative sanctions:
218
219 a. 1st Offense - Notice of Violation;
220 b. 2nd Offense - 1st Demand Letter: correction within 5 days;
221 c. 3rd Offense - 2nd Demand Letter: correction within 3 days;
222 d. 4th Offense - 3rd Demand Letter: final notice of correction within 48 hours;
223 e. 5th Offense - Advisory Letter: Requiring the LESSEE to explain within 72 hours
224 why no disciplinary action will be imposed upon him/her;
225 f. 6th Offense - Closure of Stall: suspension from engaging in business for 2 days;
226 g. 7th Offense - Closure of Stall: suspension from engaging in business for 5 days;
227 h. 8th Offense - Closure of Stall: suspension from engaging in business for 7 days;

- i. 9th Offense - Advisory Letter: Requiring the LESSEE to explain within 48 hours why the Stall will not be permanently closed and the Award and the Lease Contract will not be cancelled;
- j. 10th Offense - Closure of stall, cancellation of Award, Lease Contract, Business Permits and License and with no possibility of acquiring such others.

Nothing herein shall prevent the LESSOR from instituting the proper administrative, civil or criminal action before the proper regular courts or quasi-judicial bodies or tribunals of Cagayan de Oro City.

III - OBLIGATIONS OF THE LESSOR:

1. Maintain the peace and order inside and outside portions of the leased premises of the _____ Public Market including circumferential roads, parking areas, passageways, entrances and exits, stairways and escalators leading to and from the second floor; secure the lives, limbs and properties of the LESSEE, his/her worker/s and the general public in coordination with lawful authorities; and promote disaster preparedness through Information and Education Campaign (IEC), orientation and advocacy for sanitation and cleanliness and environmental protection;
2. Pay the expenses for major repair of facilities/properties owned by the LESSOR due to force majeure and other cause/s;
3. Thru the CEED, extend assistance and exercise its power in order to avoid unfair and harmful competition;
4. Undertake preventive and repair maintenance on the sewer and sewerage lines covering drainage lines canals;
5. Insure all the facilities within its responsibility and jurisdiction;

IN WITNESS WHEREOF, the Parties have signed these presents this _____ day of _____, in Cagayan de Oro City, Philippines.

**CITY GOVERNMENT OF
CAGAYAN DE ORO**

MARKET STALLHOLDER

By:

By:

Hon. OSCAR S. MORENO
City Mayor
LESSOR

LESSEE

_____ and _____

ACKNOWLEDGMENT

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

Before me, Notary Public for and in Cagayan de Oro City, this _____ day of _____ personally appeared Hon. OSCAR S. MORENO with Community Tax Certificate No. _____ issued on _____ issued in Cagayan de Oro City, and _____ with Community Tax Certificate No. _____ issued on _____ in Cagayan de Oro City, known to be same persons who executed the foregoing instrument and acknowledged to me that the same is their free act and voluntary deed. This instrument contains _____ () pages including the Acknowledgment.

Witness my hand and seal, on the date and at the place first above written

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Notary Public

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

SECTION 2. *Authorization.* – The City Mayor is hereby authorized to enter into and sign the Lease Contract with the 2017 Stall Awardees in the three (3) public markets in the City under the terms and conditions of the foregoing pro-forma Lease Contract.

SECTION 3. *Promulgation of Rules and Regulations, Administration and Enforcement.* - The CEED shall have the primary responsibility for the administration and enforcement of this ordinance. The CEED Management Committee shall promulgate the Implementing Rules and Regulations necessary to carry out the provisions of this Ordinance.

SECTION 4. *Separability Clause.*- If any provision hereof is declared invalid, the other provisions not affected thereby shall remain in force and effect.

SECTION 5. *Repealing Clause.*- All penal or regulatory ordinances, decrees, order or parts thereof inconsistent herewith are hereby deemed repealed or modified accordingly.

SECTION 6. *Effectivity.* - This ordinance shall take effect upon its approval.

APPROVED.

DONE in the City of Cagayan de Oro this _____ day of _____ 2017.



Republic of the Philippines
Cagayan de Oro City

OFFICE OF THE CITY MAYOR

**3rd Indorsement
03 March 2017**

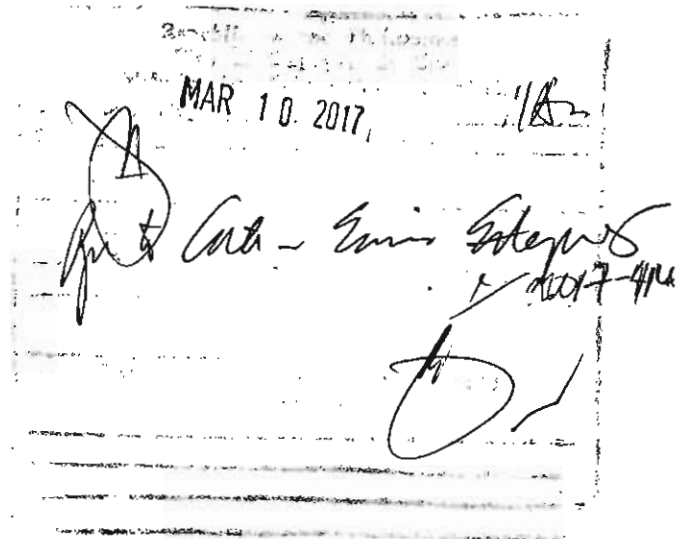
Respectfully transmitted to **THE HONORABLE MEMBERS OF THE CITY COUNCIL, THRU: HON RAINEIR JOAQUIN V. UY**, City Vice Mayor, this city, the hereto-attached draft Lease Contract of Stall Awardees of the three (3) Public Markets of the City of Cagayan de Oro, with the request for approval of the same and for the City Council to enact the necessary ordinance granting the undersigned the authority to sign and execute the Lease Contract. For your appropriate action.

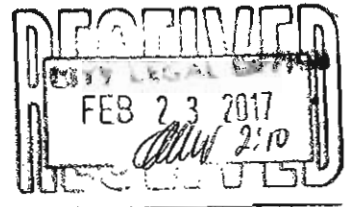

OSCAR S. MORENO
City Mayor

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

RECEIVED

DATE: 3/10/17
TIME: _____
BY: [Signature]





Republic of the Philippines
CITY ECONOMIC ENTERPRISES DEPARTMENT

Cagayan de Oro City
Tel No. 857-3220/857-4001
ceedcdo@gmail.com

2nd INDORSEMENT
22 February 2017

*Can
23 Feb 17*

*Atty. Rando Dela Cruz,
if ok with you. Kindly
draft Indorsement for
my signature.*

Respectfully transmitted to **Hon. OSCAR S. MORENO**, Mayor, this city, the herein attached draft of "Lease Contract" on Market Stalls, with other related documents, which was reviewed and corrected by the City Legal Office and was the subject of its 1st INDORSEMENT dated 27 January 2017, photocopy hereto attached as a reference, for appropriate referral with the Office of the City Council for a passage of an Ordinance thereof.

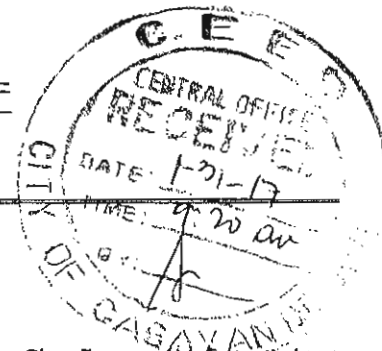
*Can
23 Feb 17*

EDUARDO P. ALIMPOS, Jr.
OIC/Manager

cc: Mrs. Ludivina P. Supremo, CEED Records Officer
file (mreybc)



Republic of the Philippines
CITY LEGAL OFFICE
Cagayan de Oro City



1st INDORSEMENT

27 January 2017

Respectfully returned to **EDUARDO P. ALIMPOS, JR.**, OIC – City Economic Enterprises Department, the herein attached draft “Lease Contract” on Stalls including pertinent documents. Kindly take notice that this Office revised the draft Lease Contract with the corresponding revisions properly underscored for your ready reference. Also, this Office recommends for your office to re-evaluate Paragraph 2 of Title II of the Lease Contract regarding the number of instances allowed for violation of the Lease Contract’s terms and conditions until proper administrative sanctions are meted because it gives the impression that the LGU tolerates or condones such violations and therefore, defeats its purpose. For your information and appropriate action.

ATTY. DONALD G. DELEGENCIA
OIC - City Legal Office

CC:/City Mayor's Office

1/31/17 15:20



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



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

DATE: JANUARY 23, 2017

FROM: CEED

SUBJECT MATTER: COPY OF THE DRAFT OF LEASE OF CONTRACT ON STALLS.

ACTION: REFER TO COMMITTEE ON ECONOMIC ENTERPRISES.

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
(SANGGUNIANG PANLUNGSOD)
18th CITY COUNCIL

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

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Ordinance amending Section 1 of Ordinance No. 10279-2006, covering the entrance fees and charges at the Kagay-an Resort, so as to increase the rates of entrance fees and charges provided for therein and for other purposes.

*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 30, 2017

for inclusion

HON. IAN MARK Q. NACAYA, Chairman

HON. ZALDY O. OCON, Vice Chairman

HON. GEORGES. GOKING, Member

HON. ROMEO V. CALIZO, Member

HON. ENRICO S. SALCEDO, Member

DISSENTING



Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY COUNCIL
(08822) 724854; (088) 857-4029; 857-4035; 857-2048



ITEM NO.

Comm. No.
From:

Received by:
Date:

Subject Matter:

Proposed Ordinance amending Section 1 of Ordinance No. 10279-2006, covering entrance fees and charges at the Kagay-an Resort, so as to increase the rates of entrance fees provided for therein and for other purposes.

* Recommended by the Committee on Tourism

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

FOR THE CITY VICE MAYOR
& PRESIDING OFFICER:

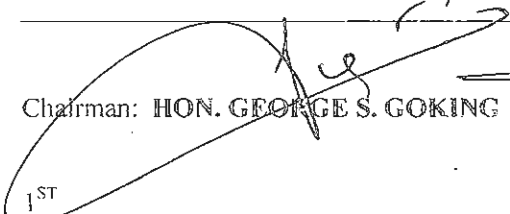
ARTURO S. DE SAN MIGUEL
City Council Secretary

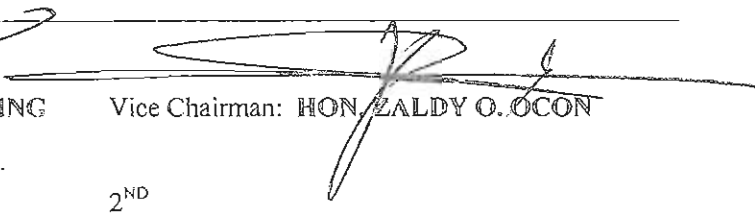
=====

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: MARCH 30, 2017 (PERUSAL)

RECOMMENDING APPROVAL (L/R)


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


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

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

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

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

DISSENTING

Member

Member



Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY COUNCIL
(08822) 724854; (088) 857-4029; 857-4035; 857-2048



ITEM NO. 2

Comm. No.
From:

Received by:
Date:

Subject Matter:

Proposed Ordinance amending Section 1 (A) of Ordinance No. 10279-2006, covering entrance fees and charges at the Kagay-an Resort, so as to increase the rates of entrance fees provided for therein and for other purposes.

* Recommended by the Committee on Tourism

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

FOR THE CITY VICE MAYOR
& PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

=====

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: January 25, 2017

Recommending approval - LR

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

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

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

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

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

DISSENTING

HON. EONA M. DAMINGO

Member

Member

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 10279-2006, COVERING ENTRANCE FEES AND CHARGES AT THE KAGAY-AN RESORT, SO AS TO INCREASE THE RATES OF ENTRANCE FEES AND CHARGES PROVIDED FOR THEREIN AND FOR OTHER PURPOSES

Whereas, the City Tourism and Cultural Affairs Office has recommended the increase of the entrance fees of the Kagay-an Resort at Taguanao, Barangay Indahag, citing as basis the current rates of establishments providing swimming pool facility;

NOW, THEREFORE:

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

SECTION 1. Section 1(A) of Ordinance No. 10279-2006, entitled: *An Ordinance Imposing Entrance Fees And Charges For The Use Of The Facilities At The Kagay-An Resort In Taguanao, Barangay Indahag, This City, At The Rates Provided For Herein*, is hereby amended to read in full as follows:

“x-x-x

‘SECTION 1. - There shall be imposed entrance fees and charges for the use of the facilities of the Kagay-an Resort in Taguanao, Barangay Indahag at the following rates:

- A. Entrance Fee
 - a. Adult..... ₱50.00 (swimming or non-swimming)
 - b. Child ₱30.00 (swimming or non-swimming)
 - c. Parking Fee ₱10.00/vehicle
- B. Use of facilities
 - a. Bamboo Huts ₱ 500.00
 - b. Circular Huts ₱ 300.00
 - c. Concrete Hut with Outlet ₱500.00
 - d. Shed (with 1 rectangular table & 6 chairs) ₱ 200/space
 - e. Gazebo ₱ 2,000.00 per 4
hours & ₱500/hr
thereafter
 - f. Table ₱30.00/table
 - g. Chair P10.00/chair
- C. Olympic Pool Exclusive use
Warmup Pool for 8 hours at
₱25,000.00 on
weekdays only

“x-x-x”

SECTION 2.– This Ordinance shall take effect after fifteen (15) days following its publication in a local newspaper of general circulation for three (3) consecutive issues.

APPROVED.



Republic of the Philippines
CAGAYAN DE ORO CITY
City Tourism Council
KAGAY-AN RESORT MANAGEMENT BOARD



March 28, 2017

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

Dear Mayor Moreno,

Mabuhay! We are very pleased to present to you our proposal for the rates/fees in Kagay-an Spring Resort to amend Ordinance Number 10279-2006, "An Ordinance Imposing Entrance Fees and Charges for the Use of the Facilities at the Kagay-an Resort in Taguanao, Barangay Indahag, this City, at the Rates Provided For Herein."

F E E S

A. Entrance fee	:	P50.00/adult (swimming or non-swimming)
	:	P30.00/child (swimming or non-swimming)
Parking Fee	:	P10.00/vehicle
B. Bamboo Huts	:	P500
Circular Huts	:	P300
Concrete Hut with outlet	:	P500
Shed	:	P200/space (with one rectangular table and 6 chairs)
Gazebo	:	P2,000.00/4 hours and P500/hour thereafter
Table	:	P30.00/table
Chair	:	P10.00/chair
C. Olympic Pool	:	Exclusive use
Warm up pool	:	for 8 hours @ P25,000.00 on weekdays only

We hope for your positive consideration to these fees/rates.

Very truly yours,

DOROTHY JEAN B. PABAYO
Over-all Chairperson
City Tourism Council

OSCAR H. CINCO
Resort Administrator
Kagayan Tropical Resort



Republic of the Philippines
CITY OF CAGAYAN DE ORO
CITY TOURISM & CULTURAL AFFAIRS OFFICE
Tel. No. 857-3164

December 07, 2016

HON. JAY R. PASCUAL

City Councilor
Chairman, Committee on Tourism
Cagayan de Oro City

Dear Hon. Pascual,

In view of the recent rehabilitation and improvement of the Kagay-an Resort in Taguanao, Barangay Indahag, this city, this office sees it practical and necessary that a reasonable increase, particularly an entrance fee increase **SHALL BE IMPOSED**, among other authorized on such fees/charges in the use of the KR, as provided under Ordinance No. 10279-2006.

In this regard, this representation would like to propose an amendment to Ordinance No.10279-2006 specifically Section1 thereof, which will then read as follows...

SECTION 1. There shall be...

B. Entrance Fees

- c. Adult.....P 50.00
- d. Children(12 years old and below).....30.00

Considering the urgency of said amendment having in sight the upcoming re-opening of the resort, it is earnestly requested that the same may be considered for further legislative action.

Along with this is the list of current rates of establishments providing swimming pool facility for comparative basis in calculating the proposed entrance fees for the Kagay-an Resort.

Anticipating for your legislative recommendation.

Thank you and more power.

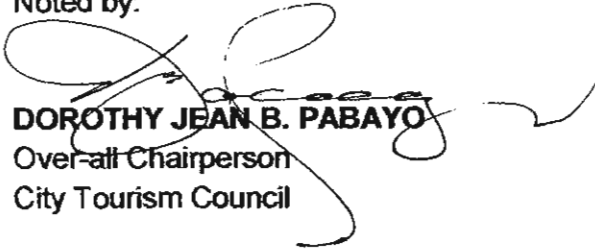
Very sincerely yours,



ELMER N. WABE

Chief Tourism Operations Officer

Noted by:



DOROTHY JEAN B. PABAYO

Over-all Chairperson

City Tourism Council



OFFICE OF THE CITY COUNCIL

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



ORDINANCE NO. 10279-2006

AN ORDINANCE IMPOSING ENTRANCE FEES AND CHARGES FOR THE USE OF THE FACILITIES AT THE KAGAY-AN RESORT IN TAGUANAŌ, BARANGAY INDAHAG, THIS CITY, AT THE RATES PROVIDED FOR HEREIN

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

SECTION 1. - There shall be imposed entrance fees and charges for the use of the facilities of the Kagay-an Resort in Taguanao, Barangay Indahag at the following rates:

A.	Entrance Fee		
a.	Adult.....	₱	5.00
b.	Children (12 years old and below)		2.00
B.	Use of facilities		
a.	Closed Cottage.....	₱	250.00 per day
b.	Covered Huts (Hut A)		100.00 per day
c.	Umbrella Huts (Hut B).....		50.00 per day
d.	Function Room.....		1,000.00 minimum of one-half day or less
			2,000.00 for one day

SECTION 2. - This Ordinance shall take effect after fifteen (15) days following its publication in a local newspaper of general circulation for three (3) consecutive issues.

UNANIMOUSLY APPROVED.

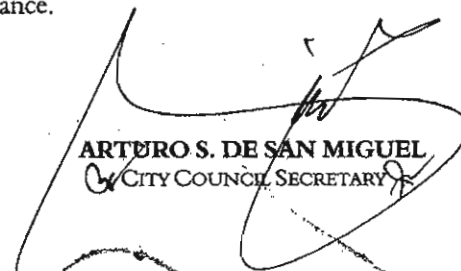
Present: - Councilor Juan Y. Sia - Councilor Annie Y. Daba
- Councilor Edgar S. Cabanlas - Councilor Ian Mark Q. Nacaya
- Councilor Alfonso C. Goking - Councilor Reynaldo N. Advincula
- Councilor Maryanne C. Enteria - Councilor Alvin R. Calingin
- Councilor Simeon V. Licayan - Councilor Alexander S. Dacer
- Councilor Jerico Goldmar P. Ebabacol
Official Time: - Councilor Jose Benjamin A. Benaldo
Absent: - Councilor Caesar Ian E. Acenas - Councilor Zaldy O. Ocon

DONE in the City of Cagayan de Oro this 4TH day of September 2006.

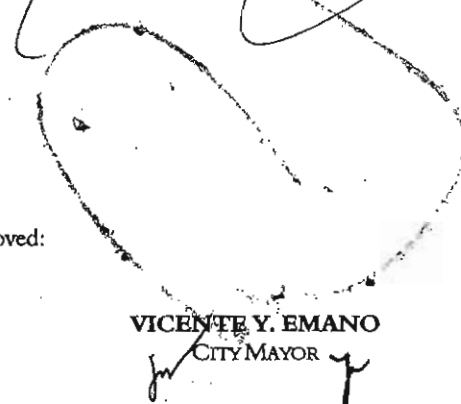
I hereby certify to the correctness of the aforesated Ordinance.

Attested as duly enacted:

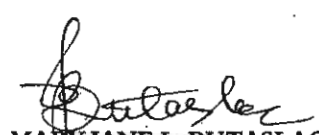

MICHELLE T. SPIERS
CITY VICE MAYOR
PRESIDING OFFICER


ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Approved:


VICENTE Y. EMANO
CITY MAYOR

Attested:


MARY JANE L. BUTASLAC
ASSISTANT CITY BUDGET OFFICER

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

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

Communication Number:

Received by:

From :

Date:

SUBJECT MATTER: Proposed Ordinance amending Ordinance No. 3661-93, entitled: An Ordinance adopting the "Cagayan de Oro March" as the official song of the City of Cagayan de Oro, so as to require the singing thereof in all official functions or programs of the City Government of Cagayan de Oro and its departments and offices, as well as in public schools and barangays.

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 30, 2017

for inclusion

HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OGON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING



Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY COUNCIL
(08822) 724854; (088) 857-4029; 857-4035; 857-2048



ITEM NO. 1

Comm. No.
From:

Received by:
Date:

Subject Matter: Opinion of the City Legal Office relative to the "Proposed Ordinance amending Ordinance No. 3661-93, entitled: An ordinance adopting the "Cagayan de Oro March" as the official song of the City of Cagayan de Oro", so as to require the singing thereof in all official functions in the City including but not limited to flag raising ceremonies, school programs, seminars and conventions", *that their office thoroughly reviewed the above-mentioned Proposed Ordinance and would like to express its reservation with respect to the propriety or validity of compelling private school and National Government Offices to sing the Cagayan de Oro March. Moreover, there is being no penalty provided in the Ordinance for the non-singing of the Cagayan de Oro March, there is certainly no compulsion on the part of said institutions to sing the Cagayan de Oro March. Thus, with respect to private schools and National Government Offices may we suggest making the singing of the Cagayan de Oro March optional be highly encouraged.*

* Introduced by Councilor Edna M. Dahino

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

FOR THE CITY VICE MAYOR
& PRESIDING OFFICER:

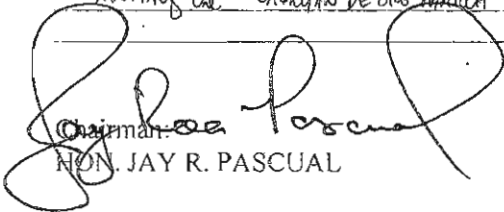
ARTURO S. DE SAN MIGUEL
City Council Secretary

=====

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: MARCH 28, 2017

RECOMMENDING FORMAL CLERK - PROPOSED ORDINANCE AMENDING ORDINANCE NO. 3661-93 -
ADOPTING the "CAGAYAN DE ORO MARCH" AS THE OFFICIAL Song of the City of CAGAYAN DE ORO


Chairman:
HON. JAY R. PASCUAL


Vice Chairman:
HON. EDNA M. DAHINO

1ST

Member: HON. SUZETTE G. MAGTAJAS-DABA

2ND

Member: HON. GEORGE S. GOKING

3RD

Member: HON. LORDAN G. SUAN

4TH

Member: HON. ANNIE Y. DABA

DISSENTING

Member

Member

1 PROPOSED ORDINANCE NO. 2017-____

2
3 AN ORDINANCE AMENDING ORDINANCE NO. 3661-93, ENTITLED: AN
4 ORDINANCE ADOPTING THE "CAGAYAN DE ORO MARCH" AS THE
5 OFFICIAL SONG OF THE CITY OF CAGAYAN DE ORO", SO AS TO
6 REQUIRE THE SINGING THEREOF IN ALL OFFICIAL FUNCTIONS OR
7 PROGRAMS OF THE CITY GOVERNMENT OF CAGAYAN DE ORO AND
8 ITS DEPARTMENTS AND OFFICES, AS WELL AS IN PUBLIC SCHOOLS
9 AND BARANGAYS

Introduced by Councilor Edna M. Dahino

10 ~~O~~*Whereas*, the Cagayan de Oro March composed by the late City Superintendent
11 of Schools Esteban Sarmiento and arranged by the late Col. Juvito Lagnada of the 4th
12 Infantry Division, Philippine Army, has been adopted as the official song of Cagayan de
13 Oro City pursuant to Ordinance No. 3661-93;

14
15 ~~O~~*Whereas*, in order to inculcate devotion and loyalty to the City among its
16 residents and promote Kagay-anon values, it is imperative that the same be regularly sung
17 in all official and semi-official gatherings of both government and private sectors in the
18 city;

19
20 **NOW, THEREFORE:**

21
22 **BE IT ORDAINED** by the City Council (*Sangguniang Panlungsod*) that:

23
24 **SECTION 1.** Ordinance No. 3661-93, entitled: *An Ordinance Adopting The*
25 *"Cagayan de Oro march" as the official song of the city of Cagayan de Oro*, is hereby amended by
26 adding therein Section 1-A, to read as follows:

27
28 **SECTION 1-A.** The singing of the Cagayan de Oro March shall be
29 required in all official functions or programs of the City Government of
30 Cagayan de Oro and its departments and offices, as well as in public
31 schools and barangays in the City. Such official programs shall include
32 but not limited to flag raising ceremonies, convocations, graduation
33 programs, sportsfests and other competitions, and sessions of local
34 legislative bodies.

35
36 Private establishments, schools/universities and organizations are
37 hereby encouraged to sing the Cagayan de Oro March in their seminars,
38 conventions and other official gatherings as they may seem fit.

39
40 **SECTION 2.** This Ordinance shall take effect upon its approval.

41
42 **APPROVED.**

Respectfully filed:

EDNA M. DAHINO
City Councilor



Republic of the Philippines
CITY OF CAGAYAN DE ORO

CITY LEGAL OFFICE

Republic of the Philippines
City of Cagayan de Oro
Office of the City Council
By: *[Signature]*
Date: *09-March-2017*
2017-4812

HON. JAY R. PASCUAL

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

— 09-March-2017
[Signature]
Date

THRU: MARIA CARLA LARRAZABAL-LICAYAN

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

Dear Hon. Pascual:

Forwarded to this Office for appropriate action, comment, and legal opinion is the herein attached copy of Motion No. 01-2017 of the Committee on Tourism, referring to his Office the Proposed Ordinance amending Ordinance No. 3661-93, entitled: An ordinance adopting the "Cagayan de Oro March" as the official song of the City of Cagayan de Oro", so as to require the singing thereof in all official functions in the City including but not limited to flag raising ceremonies, school programs, seminars and conventions.

In this connection, kindly be informed that this Office has thoroughly reviewed the above-mentioned Proposed Ordinance and would like to express its reservation with respect to the propriety or validity of compelling private schools and National Government Offices to sing the Cagayan de Oro March. Moreover, there being no penalty provided in the Ordinance for the non-singing of the Cagayan de Oro March, there is certainly no compulsion on the part of said institutions to sing the Cagayan de Oro March. Thus, with respect to private schools and National Government Offices may we suggest making the singing of the Cagayan de Oro March optional be highly encouraged, to wit:

SECTION 1-A. The signing of the Cagayan de Oro March shall be required in all official and semi-official functions of the local government and public schools in the City, including but not limited to flag raising ceremonies, school programs, seminars and conventions and sessions of the local legislative body.

It is also encourage that National Government Offices, private schools, and private institutions sing the Cagayan de Oro March in all official and semi-official functions, including but not limited to flag raising ceremonies, school programs, seminars and conventions.

For your guidance and information.

Very truly yours,

ATTY. DONALD G. DELEGENCIA
OIC, City Legal Office



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 16, 2017

From: COUN. EDNA DAHINO

Subject: PROPOSED ORDINANCE AMENDING ORDINANCE NO. 3661-93, ENTITLED:
AN ORDINANCE ADOPTING THE CAGAYAN DE ORO MARCH AS THE OFFICIAL SONG
OF THE CITY OF CAGAYAN DE ORO, SO AS TO REQUIRE THE SINGING THEREOF
IN ALL OFFICIAL FUNCTIONS IN THE CITY INCLUDING BUT NOT LIMITED TO FLAG
RAISING CEREMONIES, SCHOOL PROGRAMS, SEMINARS AND CONVENTIONS.

ACTION: REFER TO COMMITTEE ON TOURISM

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

OFFICE OF THE CITY COUNCIL
(Sangguniang Panlungsod)

On motion jointly made and jointly seconded by the members present, it was

RESOLVED, as the Sangguniang Panlungsod hereby resolves, to adopt the following:

ORDINANCE NO. 3661-93

AN ORDINANCE ADOPTING THE "CAGAYAN DE ORO MARCH" AS THE OFFICIAL SONG OF THE CITY OF CAGAYAN DE ORO

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

SECTION 1. - The "Cagayan de Oro March" composed by the late City Supt. of Schools Esteban Sarmiento and music arranged by the late Col. Juvito Lagnada of 41D, Philippine Army (PA), is hereby adopted as the Official Song of the City of Cagayan de Oro, to wit:

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 cause
Inspiration they have left for us to
serve forever free

The gold in brilliant glittering
you'll find out 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
Thy name with 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.

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

UNANIMOUSLY APPROVED. (Councilor Constantino G. Jaraula - Out during the discussion and approval of

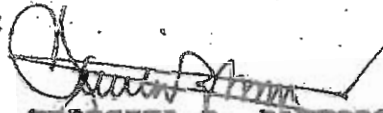
Page 2 of Ord. No. 3661-93;

Done in the City of Cagayan de Oro, this 12th day
of July, 1993.

=====


MANOLO Y. TAGARDA
City Councilor
Acting City Vice Mayor
Presiding Officer

ATTESTED:


TERESITA R. BANCORO
Board Secretary IV

For and in the name of the
Secretary to the Sanggunian

APPROVED:


ANTONIO S. SORIANO
City Vice Mayor
Acting City Mayor

ATTESTED:

dlt/est
07.21.93


SIMEON V. LIBAYAN
City Secretary