18th CITY COUNCIL
Cagayan de Oro

AGENDA

89th Regular Session
Monday / July 16, 2018
2:30 PM
Session Hall

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

CAGAYAN DE ORO MARCH

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

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

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

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

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

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

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

July 13, 2018

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

Gentlemen and Ladies:

Please be informed that the **89th Regular Session** of the 18th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro will be on **Monday, 16 July 2018 at 2:30 PM** at the Session Hall, Legislative Bldg., City Hall, this City.

Thank you very much.

Very truly yours,

ARTURO S. DE SAN MIGUEL
CITY SECRETARY

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

HON. RAINEIR JOAQUIN V. UY CITY VICE MAYOR	
First District	*Second District*
HON. ZALDY O. OCON CITY COUNCILOR	**HON. NADYA EMANO-ELIPE** CITY COUNCILOR
HON. LORDAN G. SUAN CITY COUNCILOR	**HON. MARIA LOURDES S. GAANE** CITY COUNCILOR
HON. EDNA M. DAHINO CITY COUNCILOR	**HON. DOMETILO C. ACENAS JR.** CITY COUNCILOR
HON. JAY R. PASCUAL CITY COUNCILOR	**HON. IAN MARK Q. NACAYA** CITY COUNCILOR
HON. ROMEO V. CALIZO CITY COUNCILOR	**HON. LEON D. GAN JR.** CITY COUNCILOR
HON. GEORGE S. GOKING CITY COUNCILOR	**HON. TEODULFO E. LAO JR.** CITY COUNCILOR
HON. ANNIE Y. DABA CITY COUNCILOR	**HON. SUZETTE G. MAGTAJAS-DABA** CITY COUNCILOR
HON. REUBEN R. DABA CITY COUNCILOR	**HON. ENRICO D. SALCEDO** CITY COUNCILOR
Ex-Officio Members	
HON. YAN LAM S. LIM CITY COUNCILOR LIGA NG MGA BARANGAY PRESIDENT	**HON. JOHN MICHAEL L. SENO** CITY COUNCILOR CITY SK FEDERATION PRESIDENT

AGENDA OF THE 89TH REGULAR SESSION OF THE 18TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO ON MONDAY, 16 JULY 2018

Order of Business

A. CALL TO ORDER BY THE HONORABLE CHAIR AND PRESIDING OFFICER

B. INVOCATION BY HONORABLE CITY COUNCILOR IAN MARK Q. NACAYA

C. SINGING OF THE NATIONAL ANTHEM

D. SINGING OF THE CAGAYAN DE ORO MARCH

E. ROLL CALL AND DETERMINATION OF QUORUM BY THE CITY SECRETARY

F. READING, CORRECTIONS, IF ANY, AND APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR SESSION ON JULY 9, 2018
(SEE APPENDIX "A" / Pages 1-37)

G. SPECIAL REPORT

(1) COUNCILOR GEORGE S. GOKING

H. AGENDA PROPER:

1) PROPOSED ORDINANCE NO. 2018-99 - imposing additional administrative penalties as specified herein on hospitals or medical clinics in Cagayan de Oro City whose official, medical practitioner or employee refuses to administer appropriate initial medical treatment and support in emergency cases in violation of R.A. No. 8344.
(SEE APPENDIX "B" / Pages 38-46)

Author: Councilor Lourdes S. Gaane

Document/s on file:
- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated October 20, 2018*
- *Letter of the City Legal Office dated September 17, 2017*
- *Draft Ordinance*

COMMITTEE SPONSOR/S:

COMMITTEE ON **HEALTH, SANITATION AND HEALTH INSURANCE**	-	COUNCILOR MARIA LOURDES S. GAANE, CHAIRPERSON
	-	COUNCILOR JAY R. PASCUAL, MEMBER
	-	COUNCILOR GEORGE S. GOKING, MEMBER
COMMITTEE ON **LAWS AND RULES**	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR ROMEO V. CALIZO, MEMBER
	-	COUNCILOR ENRICO D. SALCEDO, MEMBER

2) PROPOSED ORDINANCE NO. 2018-100 - authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement (MOA) with the Department of Agriculture – Regional Field Office 10, represented

by Regional Executive Director Carlene C. Collado, CPA, covering the grant to the City of One (1) Unit Spring Development for use in Barangay Besigan, this City, under the terms and conditions stated therein.
(SEE APPENDIX "C" / Pages 47-55)

Document/s on file:
- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated July 5, 2018*
- *Letter of the City Mayor Oscar S. Moreno dated May 7, 2018*
- *Letter of the City Legal Office dated April 27, 2018*
- *Draft* MOA

COMMITTEE SPONSOR/S:

COMMITTEE ON **AGRICULTURE & FISHERIES**	-	COUNCILOR ANNIE Y. DABA, CHAIRPERSON
	-	COUNCILOR ENRICO D. SALCEDO, MEMBER
	-	COUNCILOR LORDAN G. SUAN, MEMBER
	-	COUNCILOR SUZETTE G. MAGTAJAS-DABA, MEMBER
	-	COUNCILOR TEODULFO E. LAO, JR., MEMBER
COMMITTEE ON **LAWS AND RULES**	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR ROMEO V. CALIZO, MEMBER
	-	COUNCILOR ENRICO D. SALCEDO, MEMBER

3) PROPOSED ORDINANCE NO. 2018-101 - authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Understanding (MOA) with the Department of Health - Regional Office X (DOH ROX), represented by Regional Director Nimfa B. Torrizo, MD, MPH, covering the implementation of the Medical Assistance Program for indigent and poor patients of the J.R. Borja General Hospital, under the terms and conditions stated therein.
(SEE APPENDIX "D" / Pages 56-65)

Document/s on file:
- *Endorsement of the City Vice Mayor Raineir Joaquin V. Uy dated July 5, 2018*
- *Endorsement of the City Mayor Oscar S. Moreno dated July 9, 2018*
- *Letter of the City Legal Office dated July 06, 2018*
- *Endorsements of the JR Borja General Hospital dated May 23, 2018, May 8, 2018*
- *Draft* MOA

COMMITTEE SPONSOR/S:

COMMITTEE ON **HEALTH, SANITATION AND HEALTH INSURANCE**	-	COUNCILOR MARIA LOURDES S. GAANE, CHAIRPERSON
COMMITTEE ON **LAWS AND RULES**	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR ROMEO V. CALIZO, MEMBER
	-	COUNCILOR ENRICO D. SALCEDO, MEMBER

4) PROPOSED ORDINANCE NO. 2018-102 - authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Understanding (MOU) with the Philippine Business for Education (PBeD), represented by its President Mr. Meliton B. Salazar, covering the implementation of the latter's Education and Youth Employability Project in the City of Cagayan de Oro, under the terms and conditions stated therein.
(SEE APPENDIX "E" / Pages 66-76)

Document/s on file:
- *Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated July 5, 2018*
- *Letter of the City Mayor Oscar S. Moreno dated June 13, 2018*
- *Endorsement of Local School Board dated June 20, 2018*
- *Draft* MOU

COMMITTEE SPONSOR/S:

COMMITTEE ON **EDUCATION**	-	COUNCILOR SUZETTE G. MAGTAJAS-DABA, CHAIRPERSON

- COUNCILOR MARIA LOURDES S. GAANE, MEMBER
- COUNCILOR ROMEO V. CALIZO, MEMBER

COMMITTEE ON **LAWS AND RULES**
- COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
- COUNCILOR ROMEO V. CALIZO, MEMBER
- COUNCILOR ENRICO D. SALCEDO, MEMBER

5) PROPOSED ORDINANCE NO. 2018-103 - appropriating the sum of ₱18,120.81 from the item: "Personal Services: Salary Savings of the unfilled vacant position under item #24 (Engineer IV) for the period January 1-11, 2018" in the 2018 Annual Budget of the Office of the Building Official, this City, to be made available for the payment of the unpaid salary of Mr. Reynold Echeveria, Electrical Inspector II of said office for the period December 1- 28, 2017.
(SEE APPENDIX "F" / Pages 77-83)

Document/s on file:
- *Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated June 19, 2018*
- *Letter of the City Mayor Oscar S. Moreno dated June 13, 2018*
- *Certificate of Availability of Funds (CAF) dated June 8, 2018*
- *Letter of the OIC-City Building Official dated May 22, 2018*
- *Computation*
- *Application for Leave*

COMMITTEE SPONSOR/S:

COMMITTEE ON **FINANCE, BUDGET AND APPROPRIATIONS**
- COUNCILOR EDNA M. DAHINO, CHAIRPERSON
- COUNCILOR GEORGE S. GOKING, MEMBER

COMMITTEE ON **LAWS AND RULES**
- COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
- COUNCILOR ROMEO V. CALIZO, MEMBER
- COUNCILOR ENRICO D. SALCEDO, MEMBER

6) PROPOSED ORDINANCE NO. 2018-104 - reclassifying the land use from "agricultural" to "residential" of Lot Nos. 3161-A and 3161-C, all of Psd-10-006186 under TCT No. T-143166 and TCT No. T-143167, respectively, with a total area of 14.1134 hectares, owned by Sps. Celestino and Martina Mercado, located in Barangay Pagatpat, this City, to be used as site of the proposed Resettlement Project of the City.
(SEE APPENDIX "G" / Pages 84-95)

Document/s on file:
- *Indorsement of the City Vice Mayor Raineir Joaquin V. Uy dated July 02, 2018*
- *Letter of CHUDD dated June 19, 2018*
- *Endorsement of CPDO dated February 5, 2018*
- *Endorsement of National Irrigation Administration (NIA) dated March 8, 2018*
- *Field Verification Report of NIA (not covered by irrigation project)*
- *Letter of Department of Agrarian Reform dated February 12, 2018*
- *Certification issued by the City Agriculture Office dated March 1, 2018*
- *Certification of Inspection/Verification issued by Philippine Coconut Authority*
- *Zoning Certifications issued by the CPDO dated January 24, 2018*
- *Zoning Map*
- *Certification from the City Engineer's Office dated June 6, 2018*
- *Extra-Judicial Settlement of Estate with Absolute Sale*

COMMITTEE SPONSOR/S:

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

COMMITTEE ON **LAWS AND RULES**
- COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
- COUNCILOR ROMEO V. CALIZO, MEMBER
- COUNCILOR ENRICO D. SALCEDO, MEMBER

7) PROPOSED ORDINANCE NO. 2018-105 - approving the application for Simple Subdivision Project of the City Government of Cagayan de Oro, represented by Honorable City Mayor Oscar S. Moreno, covering the Puntod Socialized Housing Project under Lot 1817, Cad 237 with an area of 5,551 square meters, containing 50 lots, located in Barangay Puntod, this City, subject to the herein conditions as recommended by the City Planning and Development Office (CPDO).
(SEE APPENDIX "H" / Pages 96-107)

Document/s on file:
- *Endorsement of City Vice Mayor Raineir Joaquin V. Uy dated July 05, 2018*
- *Endorsement of the City Housing Board dated June 28, 2018*
- *Endorsement of the City Planning and Development Office dated June 13, 2018*
- *Final Recommendation for Subdivision Approval*
- *Application for Approval of a Simple Subdivision*
- *Technical Evaluation by the City Engineer's Office dated June 7, 2018*
- *Transfer Certificate of Title (TCT # T-185083)*
- *Subdivision Plan/Technical Description*
- *Endorsement of the Task Force for the Emancipation of Piso-Piso Beneficiaries*

COMMITTEE SPONSOR/S:

COMMITTEE ON **SUBDIVISION AND LANDED ESTATE**	-	COUNCILOR DOMETILO C. ACENAS, JR., CHAIRPERSON
		COUNCILOR REUBEN R. DABA, MEMBER
COMMITTEE ON **LAWS AND RULES**	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR ROMEO V. CALIZO, MEMBER
	-	COUNCILOR ENRICO D. SALCEDO, MEMBER

8) PROPOSED ORDINANCE NO. 2018-106 - approving the application for Simple Subdivision Project of the Hrs. of Dominador Tancongco, represented by Sps. Cromwell and Vilma Dagcuta, covering Lot 24, Block 10, Psd-25027 with an area of 370 square meters, containing 2 lots, located in Barangay Nazareth, this city, subject to the herein conditions as recommended by the City Planning and Development Office.
(SEE APPENDIX "I" / Pages 108-116)

Document/s on file:
- *Endorsement of City Vice Mayor Raineir Joaquin V. Uy dated July 05, 2018*
- *Endorsement of the City Housing Board dated May 03, 2018*
- *Endorsement of the City Planning and Development Office dated March 22, 2018*
- *Final Recommendation for Subdivision Approval*
- *Application for Approval of a Simple Subdivision*
- *Investigation/Verification Report of the City Engineer's Office dated October 25, 2017*
- *Real Property Official Receipt*
- *Transfer Certificate of Title (TCT # T-2693)*
- *Subdivision Sketch Plan*

COMMITTEE SPONSOR/S:

COMMITTEE ON **SUBDIVISION AND LANDED ESTATE**	-	COUNCILOR DOMETILO C. ACENAS, JR., CHAIRPERSON
	-	COUNCILOR REUBEN R. DABA, MEMBER
COMMITTEE ON **LAWS AND RULES**	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR ROMEO V. CALIZO, MEMBER
	-	COUNCILOR ENRICO D. SALCEDO, MEMBER

9) PROPOSED ORDINANCE NO. 2018-107 - approving the application for Simple Subdivision Project of Ms. Manzueta M. Bollozos, covering Lot 9 and Lot 11 , Block 8, Psd-10-045262 with an area of 377 square meters, containing 2 lots, located in Barangay Carmen, this City, subject to the herein conditions as recommended by the City Planning and Development Office
(SEE APPENDIX "J" / Pages 117-128)

Document/s on file:
- *Endorsement of City Vice Mayor Raineir Joaquin V. Uy dated July 05, 2018*
- *Endorsement of the City Housing Board dated June 28, 2018*
- *Endorsement of the City Planning and Development Office dated May 29, 2018*
- *Final Recommendation for Subdivision Approval*
- *Application for Approval of a Simple Subdivision*
- *Investigation/Verification Report of the City Engineer's Office dated April 18, 2018*
- *Real Property Official Receipt*
- *Transfer Certificate of Title* (TCT # T-207122)
- *Special Power of Attorney*
- *Subdivision Sketch Plan*

COMMITTEE SPONSOR/S:

COMMITTEE ON **SUBDIVISION AND LANDED ESTATE**	-	COUNCILOR DOMETILO C. ACENAS, JR., CHAIRPERSON
	-	COUNCILOR REUBEN R. DABA, MEMBER
COMMITTEE ON **LAWS AND RULES**	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR ROMEO V. CALIZO, MEMBER
	-	COUNCILOR ENRICO D. SALCEDO, MEMBER

10) PROPOSED RESOLUTION NO. 2018-161 - endorsing with social acceptability the installation and operation of a Cell Site Tower at Upper Zone 5, Tin-ao, Barangay Agusan, this City, by the Smart Communications, Incorporated, represented by Mr. Reginer Drio, Site Acquisition Officer of EGB/Huawe/Smart; subject to the rules and regulations provided for under the City Codified Ordinance and City Ordinance No. 9119-2004, and of other government agencies covering such operation, and submission by the Barangay Secretary of Barangay Agusan of a certification attesting that the signatories of the neighbor's consent are actual residents of the barangay whose properties are adjoining the tower.
(SEE APPENDIX "K" / Pages 129-149)

Document/s on file:
- *Endorsement of City Vice Mayor Raineir Joaquin V. Uy dated June 19, 2018*
- *Endorsement of the* CLENRO *dated May 29, 2018*
- *Environmental Clearance issued by* CLENRO
- *Inspection and Fielf Verification Report*
- *Letter of Mr. Reginer Drio, Site Acquisition Officer, EGB/Huawe/Smart*
- *Confirmation of Lease/Authority to Install for Smart Cellsite*
- *Transfer of Certificate of Title* (T-4049)
- *Declaration of Real Property/Real Property Tax Clearance*
- *Consolidated Decision issued by* NTC-Quezon City
- *Special Permit on Zoning of* CPDO
- *Radiofrequency Radiation Evaluation of* FDA-DOH
- *Height Clearance Permit issued by Civil Aviation Authority of the Phils.*
- *Certificate of Social Acceptability issued by Barangay Council of Agusan*
- *Minutes of the Public Hearing on January 5, 2018 with List of Attendees*
- *Neighbors' Consent / Vicinity Map*
- *Barangay Resolution No 002 s 2018 (interposing no objection)*

COMMITTEE SPONSOR/S:

COMMITTEE OF THE **WHOLE**

COMMITTEE ON **LAWS AND RULES**	-	COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
	-	COUNCILOR ROMEO V. CALIZO, MEMBER
	-	COUNCILOR ENRICO D. SALCEDO, MEMBER

11) PROPOSED RESOLUTION NO. 2018-162 – endorsing with social acceptability the installation and operation of a Cell Site Tower at Zone 4, Kisol, Barangay Pagatpat, this city, by the Smart Communications, Incorporated, represented by Mr. Reginer Drio, Site Acquisition Officer of EGB/Huawe/Smart; subject to the rules and regulations provided for under the City Codified Ordinance and City Ordinance No. 9119-2004, and of other government agencies covering such

operation, and submission by the Barangay Secretary of Barangay Pagatpat of a certification attesting that the signatories of the neighbor's consent are actual residents of the barangay whose properties are adjoining the tower.
(SEE APPENDIX "L" / 150-171)

Document/s on file:
- *Endorsement of City Vice Mayor Raineir Joaquin V. Uy dated June 19, 2018*
- *Endorsement of the* CLENRO *dated May 29, 2018*
- *Environmental Clearance issued by* CLENRO
- *Inspection and Fielf Verification Report*
- *Letter of Mr. Reginer Drio, Site Acquisition Officer,* EGB/Huawe/Smart
- *Confirmation of Lease/Authority to Install for Smart Cellsite*
- *Transfer of Certificate of Title* (T-4049) / *Declaration of Real Property/Real Property Tax Clearance*
- *Consolidated Decision issued by* NTC-Quezon City
- *Special Permit on Zoning of* CPDO / *Radiofrequency Radiation Evaluation of* FDA-DOH
- *Height Clearance Permit issued by Civil Aviation Authority of the Phils.*
- *Certificate of Social Acceptability issued by Barangay Council of Pagatpat*
- *Minutes of the Public Hearing on January 9, 2018 with List of Attendees*
- *Neighbors' Consent / Vicinity Map*
- *Barangay Resolution No 001 Series of 2018 of Pagatpat (interposing no objection)*

COMMITTEE SPONSOR/S:
COMMITTEE OF THE **WHOLE**
COMMITTEE ON **LAWS AND RULES** - COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
- COUNCILOR ROMEO V. CALIZO, MEMBER
- COUNCILOR ENRICO D. SALCEDO, MEMBER

12) PROPOSED RESOLUTION NO. 2018-163 – interposing no objection to the application (renewal) of Ororama Bingo Arcade, Incorporated, represented by Ms. Genevieve See, to operate a traditional bingo and electronic bingo at Ororama Supercenter, J.R. Borja Street, Barangay No. 39, Cagayan de Oro City; P*rovided*, That all the requirements, rules and regulations covering the operation thereof are complied with.
(SEE APPENDIX "M" / Pages 172-178)

Document/s on file:
- *Letter of Ms. Genevieve See dated July 4, 2018*
- *Letter of Mr. Ramon Stephen R. Villaflor of* PAGCOR
- SEC *Certificate of Incorporation* (H200200188)
- RCB *Clearance* (OR#3680363A)
- *Certifications issued by the City Mayor Office*

COMMITTEE SPONSOR/S:
COMMITTEE OF THE **WHOLE**
COMMITTEE ON **LAWS AND RULES** - COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
- COUNCILOR ROMEO V. CALIZO, MEMBER
- COUNCILOR ENRICO D. SALCEDO, MEMBER

13) PROPOSED RESOLUTION NO. 2018-164 – expressing the City's desire and interest to forge a Sister City Relation or Twinning Agreement with the City of Verona, Veneto Region, Italy, with the end in view of promoting mutual understanding and goodwill as well as technical exchange and cooperation on the various dimensions of local governance.
(SEE APPENDIX "N" / Pages 179-188)

Proponent: City Vice Mayor Raineir Joaquin V. Uy

COMMITTEE SPONSOR/S:
COMMITTEE ON **LAWS AND RULES** - COUNCILOR IAN MARK Q. NACAYA, CHAIRPERSON
- COUNCILOR ROMEO V. CALIZO, MEMBER
- COUNCILOR ENRICO D. SALCEDO, MEMBER

MINUTES OF THE 88TH REGULAR SESSION OF THE 18TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO ON MONDAY, 9 JULY 2018

City Vice Mayor **RAINEIR JOAQUIN V. UY**, Presiding Officer, called the session to order at exactly 3:55 P.M.

The members present were the following:

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

First District:
- City Councilor **LORDAN G. SUAN**
- City Councilor **EDNA M. DAHINO**
- City Councilor **GEORGE S. GOKING**
- City Councilor **ROMEO V. CALIZO**
- City Councilor **ANNIE Y. DABA**
- City Councilor **REUBEN R. DABA**

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

On Official Business:
- City Councilor **YAN LAM S. LIM,** PRESIDENT, LIGA NG MGA BARANGAY
- City Councilor **JOHN MICHAEL L. SENO,** PRESIDENT, SK FEDERATION

Absent:
- City Councilor **ZALDY O. OCON**
- City Councilor **NADYA EMANO-ELIPE**
- City Councilor **JAY R. PASCUAL**

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

A. ON MINUTES OF THE 87TH REGULAR SESSION ON JUNE 25, 2018

MOTION NO. 23735-2018

MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE 87TH REGULAR SESSION ON JULY 2, 2018, AND TO CONSIDER THE FURNISHING OF THE COPIES THEREOF TO EACH MEMBER AS THE READING ITSELF

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

MOTION NO. 23736-2018

MOTION TO APPROVE THE MINUTES OF THE 87TH REGULAR SESSION ON JULY 2, 2018

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

B. ON SPECIAL REPORT

i. Councilor Ian Mark Q. Nacaya reported about the proposal of a multi-sectoral group that the city Government impose environmental services fees in view of the urgent need to protect the city's watershed, among other things.

APPENDIX "A" / PAGE 1

Action taken: *The report was referred to the Committees on Planning and Development, on Environment, on Finance, on Trade and Commerce and on Subdivision for further study*

ii. Councilor Teodulfo E. Lao, Jr. proposed for the passage of a resolution requesting the City Mayor to immediately convene the Traffic Management Board in view of the worsening traffic problem of the city.

Action taken: *The body adopted Resolution No.* 13018-2018

C. ON MINUTES OF THE 88TH REGULAR SESSION ON JULY 9, 2018

ORDINANCE NO. 13456-2018

AN ORDINANCE APPROPRIATING THE SUM OF ₱5,554.04 FROM THE ITEM: "PERSONAL SERVICES: SALARY SAVINGS OF ITEM #5 (ADMINISTRATIVE AIDE III, VACATED BY MR. KEVIN U. LIM FOR THE PERIOD JANUARY 1-16, 2018" IN THE 2018 ANNUAL BUDGET OF THE CITY PROSECUTOR'S OFFICE, THIS CITY, TO BE MADE AVAILABLE FOR THE PAYMENT OF HIS UNPAID SALARY FOR THE PERIOD DECEMBER 1-11, 2017 DUE TO HIS TRANSFER TO OTHER GOVERNMENT AGENCY

Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino, Annie Y. Daba & George S. Goking, UNANIMOUSLY CARRIED.

MOTION NO. 23737-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13456-2018**

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

ORDINANCE NO. 13457-2018

AN ORDINANCE PROVIDING FOR THE CITY CODE PURSUING A PUBLIC-PRIVATE PARTNERSHIP FOR THE PEOPLE'S INITIATIVE FOR LOCAL GOVERNMENTS (P4) APPROACH TOWARDS DEVELOPMENT, PROVIDING FOR THE PROCEDURE FOR SELECTING A PRIVATE SECTOR PROPONENT, ADOPTING A CONTRACT MANAGEMENT FRAMEWORK, AND FOR OTHER PURPOSES

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

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

MOTION NO. 23738-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13457-2018**

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

ORDINANCE NO. 13458-2018

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

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

MOTION NO. 23739-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **ORDINANCE NO. 13458-2018**

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

RESOLUTION NO. 13011-2018

RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF BARANGAY TUBURAN, THIS CITY, ITS ORDINANCE NO. 001, SERIES OF 2018, COVERING ITS ANNUAL BUDGET FOR CALENDAR YEAR 2018, WITH THE INFORMATION THAT SAID ORDINANCE IS IN ORDER AND THEREFORE THE SAME MAY BE GIVEN FORCE AND EFFECT AS OF THE DATE FIXED FOR ITS EFFECTIVITY

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

MOTION NO. 23740-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13011-2018**

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

RESOLUTION NO. 13012-2018

RESOLUTION DECLARING PORTION OF THE ACCRETION AREA, BARANGAY MACABALAN, THIS CITY, AS CALAMITY AREA DUE TO THE FIRE THAT OCCURRED THEREAT ON JANUARY 7, 2018 PER FINAL DISASTER REPORT SUBMITTED BY THE CITY SOCIAL WELFARE & DEVELOPMENT DEPARTMENT AND THE FIRE INCIDENT CERTIFICATION ISSUED BY THE OFFICE OF THE DISTRICT FIRE MARSHAL

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

MOTION NO. 23741-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13012-2018**

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

RESOLUTION NO. 13013-2018

RESOLUTION REQUESTING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO RECONSTITUTE THE WOMEN'S DEVELOPMENT COUNCIL OF CAGAYAN DE ORO CITY PURSUANT TO ORDINANCE NO. 6764-99

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

MOTION NO. 23742-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13013-2018**

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

RESOLUTION NO. 13014-2018

RESOLUTION AFFIRMING THE INTEREST OF THE LOCAL GOVERNMENT UNIT, AND AUTHORIZING THE HONORABLE CITY MAYOR OSCAR S. MORENO TO APPLY, NEGOTIATE, AVAIL THE GRANT FINANCING FROM THE INTEGRATED NATURAL RESOURCES AND ENVIRONMENTAL MANAGEMENT PROJECT (INREMP) OF THE

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) THRU THE MUNICIPAL DEVELOPMENT FUND OFFICE (MDFO), AND TO UNDERTAKE OTHER ACTS NECESSARY FOR THE EFFECTIVE IMPLEMENTATION OF THE CONSTRUCTION OF SPILLWAY AT SITIO LAGUILAY, BARANGAY BALUBAL, CAGAYAN DE ORO CITY

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

MOTION NO. 23743-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13014-2018**

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

MOTION NO. 23744-2018

MOTION TO INCLUDE THE FOLLOWING, AS ITEMS:

8) **PROPOSED RESOLUTION NO. 2018-156** – earnestly requesting President Rodrigo R. Duterte through Mr. Christopher Lawrence "Bong" T. Go, Special Assistant to the President, to extend the appointment of Mr. Oscar S. Salcedo as Regional Director of the Land Transportation Office-Regional Office No. 10 in view of his outstanding and exemplary performance especially for streamlining the issuance of driver's license and vehicle registration, and for ridding the said office of corruption.

Proponent: Councilor Teodulfo E. Lao, Jr. and all members

9) **A.** **PROPOSED RESOLUTION NO. 2018-157** - commending and congratulating Mr. Emman M. Parangue (4*th* P*lacer*), graduate of Capitol University, for having placed in the Top Ten of the 2018 Nurse Licensure Examination, thereby giving honor and pride to the City.

B. **PROPOSED RESOLUTION NO. 2018-158** – commending Dr. Fidela B. Ansale, Dean of the College of Nursing, and the faculty and staff of Capitol University for producing one (1) of the Top 10 passers in the 2018 Nurse Licensure Examination.

Proponent: Councilor Ian Mark Q. Nacaya

10) **PROPOSED RESOLUTION NO. 2018-159** – requesting His Honor City Mayor Oscar S. Moreno to immediately convene the Traffic Management Board pursuant to Section 198 of Ordinance No. 10551-2007, in view of the worsening traffic problem in the city.

Proponent: Councilor Teodulfo E. Lao, Jr.

11) **PROPOSED RESOLUTION NO. 2018-160** – urging the Director of the Cagayan de Oro City Police Office and the station commanders of concerned police precincts to look into the thievery of cable wires of streetlights along Puntod-Kauswagan Bridge and other parts of the city, per report of the Maintenance Division of the City Engineering Office.

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

RESOLUTION NO. 13015-2018

RESOLUTION EARNESTLY REQUESTING PRESIDENT RODRIGO R. DUTERTE THROUGH MR. CHRISTOPHER LAWRENCE "BONG" T. GO, SPECIAL ASSISTANT TO THE PRESIDENT, TO EXTEND THE APPOINTMENT OF MR. OSCAR S. SALCEDO AS REGIONAL DIRECTOR OF THE LAND TRANSPORTATION OFFICE-REGIONAL OFFICE NO. 10 IN VIEW OF HIS OUTSTANDING AND EXEMPLARY PERFORMANCE ESPECIALLY FOR STREAMLINING THE ISSUANCE OF DRIVER'S LICENSE AND VEHICLE REGISTRATION, AND FOR RIDDING THE SAID OFFICE OF CORRUPTION

Proponent: Councilor Teodulfo E. Lao, Jr. and all members

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

MOTION NO. 23745-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13015-2018**

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

RESOLUTION NO. 13016-2018

RESOLUTION COMMENDING AND CONGRATULATING MR. EMMAN M. PARANGUE (4TH PLACER), GRADUATE OF CAPITOL UNIVERSITY, FOR HAVING PLACED IN THE TOP TEN OF THE 2018 NURSE LICENSURE EXAMINATION, THEREBY GIVING HONOR AND PRIDE TO THE CITY

Proponent: *Councilor Ian Mark Q. Nacaya*

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

RESOLUTION NO. 13017-2018

RESOLUTION COMMENDING DR. FIDELA B. ANSALE, DEAN OF THE COLLEGE OF NURSING, AND THE FACULTY AND STAFF OF CAPITOL UNIVERSITY FOR PRODUCING ONE (1) OF THE TOP 10 PASSERS IN THE 2018 NURSE LICENSURE EXAMINATION

Proponent: *Councilor Ian Mark Q. Nacaya*

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

MOTION NO. 23746-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13016-2018 & 13017-2018**

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

RESOLUTION NO. 13018-2018

RESOLUTION REQUESTING HIS HONOR CITY MAYOR OSCAR S. MORENO TO IMMEDIATELY CONVENE THE TRAFFIC MANAGEMENT BOARD PURSUANT TO SECTION 198 OF ORDINANCE NO. 10551-2007 (TRAFFIC CODE), IN VIEW OF THE WORSENING TRAFFIC PROBLEM IN THE CITY

Proponent: *Councilor Teodulfo E. Lao, Jr.*

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

MOTION NO. 23747-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13018-2018**

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

RESOLUTION NO. 13019-2018

RESOLUTION URGING THE DIRECTOR OF THE CAGAYAN DE ORO CITY POLICE OFFICE AND THE STATION COMMANDERS OF CONCERNED POLICE PRECINCTS TO LOOK INTO THE THIEVERY OF CABLE WIRES OF STREETLIGHTS ALONG PUNTOD-KAUSWAGAN BRIDGE AND OTHER PARTS OF THE CITY, PER REPORT OF THE MAINTENANCE DIVISION OF THE CITY ENGINEERING OFFICE

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

MOTION NO. 23748-2018

MOTION TO DISPENSE WITH THE SECOND AND FINAL READING OF **RESOLUTION NO. 13019-2018 13020-2018**

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

MOTION NO. 23749-2018

MOTION TO REFER TO THE COMMITTEES ON POLICE, FIRE AND PUBLIC SAFETY AND ON PUBLIC WORKS THE OBSERVATIONS BY THE MEMBERS OF THIS BODY THAT SOME STREETLIGHTS OF THE CITY ARE NOT TURNED OFF DURING DAYTIME, AS WELL AS THE REPORT ON THIEVERY OF CABLE WIRES ALONG PUNTOD-KAUSWAGAN BRIDGE, FOR APPROPRIATE ACTION

Moved by Councilor Leon D. Gan, Jr., duly seconded by Councilors Teodulfo E. Lao, Jr., Edna M. Dahino & Reuben R. Daba, UNANIMOUSLY CARRIED.

MOTION NO. 23750-2018

MOTION TO ADJOURN THE 88TH REGULAR SESSION OF THE 18TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO HELD ON JULY 9, 2018

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

The session adjourned at 4:45 PM, July 9, 2018.

I hereby certify to the correctness of the foregoing Minutes.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as correct:

RAINEIR JOAQUIN V. UY
CITY VICE MAYOR
PRESIDING OFFICER

ORDINANCE NO. 13456-2018

AN ORDINANCE APPROPRIATING THE SUM OF ₱5,554.04 FROM THE ITEM: "PERSONAL SERVICES: SALARY SAVINGS OF ITEM #5 (ADMINISTRATIVE AIDE III, VACATED BY MR. KEVIN U. LIM FOR THE PERIOD JANUARY 1-16, 2018" IN THE 2018 ANNUAL BUDGET OF THE CITY PROSECUTOR'S OFFICE, THIS CITY, TO BE MADE AVAILABLE FOR THE PAYMENT OF HIS UNPAID SALARY FOR THE PERIOD DECEMBER 1-11, 2017 DUE TO THIS TRANSFER TO OTHER GOVERNMENT AGENCY

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

SECTION 1. - The sum of ₱5,554.04 is hereby appropriated from the item: "Personal Services: Salary Savings of Item #5 (Administrative Aide III vacated by Mr. Kevin U. Lim for the period January 1-16, 2018)" in the 2018 Annual Budget of the City Prosecutor's Office, this City, to be made available for the payment of his unpaid salary for the period December 1-11, 2017 due to his transfer to other Government Agency.

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

UNANIMOUSLY APPROVED.

Present:	*1st District:*	- Councilor Lordan G. Suan	- Councilor Edna M. Dahino
		- Councilor Romeo V. Calizo	- Councilor Reuben R. Daba
		- Councilor Annie Y. Daba	- Councilor George S. Goking
	2nd District:	- Councilor Maria Lourdes S. Gaane	- Councilor Dometilo C. Acenas, Jr.
		- Councilor Suzette G. Magtajas-Daba	- Councilor Ian Mark Q. Nacaya
		- Councilor Leon D. Gan, Jr.	- Councilor Enrico D. Salcedo
		- Councilor Teodulfo E. Lao, Jr.	
On Official Business:		- Councilor Yan Lam S. Lim *(President, Liga ng mga Barangay)*	
		- Councilor John Michael L. Seno *(President, City SK Federation)*	
Absent:		- Councilor Zaldy O. Ocon	- Councilor Nadya B. Emano-Elipe
		- Councilor Jay R. Pascual	

ENACTED this 9th day of July 2018 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

Attested:

OSCAR S. MORENO
CITY MAYOR

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

ORDINANCE NO. 13457-2018

AN ORDINANCE PROVIDING FOR THE CITY CODE PURSUING A PUBLIC-PRIVATE PARTNERSHIP FOR THE PEOPLE'S INITIATIVE FOR LOCAL GOVERNMENTS (P4) APPROACH TOWARDS DEVELOPMENT, PROVIDING FOR THE PROCEDURE FOR SELECTING A PRIVATE SECTOR PROPONENT, ADOPTING A CONTRACT MANAGEMENT FRAMEWORK, AND FOR OTHER PURPOSES

Whereas, under Section 20, Article II for the 1987 Constitution, the "State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments";

Whereas, the private sector participates in infrastructure, development and social service-related projects of the state and the local government units (LGUs) through what is popularly known as Public-Private Partnerships (PPPs);

Whereas, the Department of Interior and Local Government (DILG) Legal Opinion No. 8, S.2014 declared that "there is no specific statute on PPP nor guidelines on joint ventures for local governments" and the a "duly enacted legislation (PPP Code) must be complied with in undertaking (its) PPP projects";

Whereas, according to the Department of Justice (DOJ) Opinion No. 18, S. 2012, "xxx local governments may enact their own Public-Private Partnership (PPP) Code or omnibus ordinance outlining, among others, all applicable modalities, xxx A local government, through enabling ordinance, is free to act to address local concerns, even without an enabling ordinance, provided no statute will be infringed";

Whereas, in Legal Opinion No. 10, s. 2014, the DILG affirmed the above-quoted DOJ Opinion and further said that, "the LGUs' discretion xxx is consistent with the state policy of local autonomy and is in line with the operative principle of decentralization and the national goal of propelling social and economic growth and development through the active participation of the private sector";

Whereas, in furtherance of and consistent with the local autonomy, fiscal autonomy, the principle of subsidiarity, public good and welfare, general welfare, and full autonomy over propriety powers, the city is free, provided no statute is violated, to adopt its definition of a PPP undertaking and prescribe the requirements, procedures and conditions for City PPPs, and incorporate these in an operative framework; and

Whereas, having a framework in ordinance form will ensure and facilitate consistency, integrity, reliability, sustainability, and transparency, and enforceability:

NOW, THEREFORE, on motion of Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Edna M. Dahino & George S. Goking,

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

CHAPTER 1
BASIC PRINCIPLES AND DEFINITIONS

SECTION 1. Short Title. - This Ordinance shall be known and cited as the "City of Cagayan de Oro P4 Code".

SECTION 2. Declaration of Policy. – (a) It is hereby declared as a policy that the City of Cagayan de Oro shall advance the public good and general welfare, and promote the interest of the community and the City within the framework of sustainable and integrated development, and effective constructive engagement and meaningful people's participation in local governance.

(b) P4 shall be pursued by the City consistent with and in furtherance of the mission and vision of the City, which state that:

- **Mission**: To best serve all stakeholders through the empowerment of the citizenry; humane, efficient, and transparent participatory governance; the delivery of services that respond to stakeholders needs; compassionate adherence to the rules of law; and the transformation of Cagayan de Oro as the prime city of convergence of the south.
- **Vision**: The strategic and prime development hub of the south, a city managed through good governance, with an empowered citizenry that thrives in a highly competitive economy, and a sustainable environment that nurtures its diversity and multi-cultural heritage towards a resilient, progressive, and inclusive future.

SECTION 3. Operative Principles. – The accomplishment of the stated policy shall be guided by the following principles:

a) The City, pursuant to section 1,2 and 5, Article X of the 1987 Constitution, is a territorial and political subdivision which enjoys local autonomy and fiscal autonomy, Under Section 3, Article X of the 1987 Constitution, local autonomy means a more responsive and accountable local government structure instituted through a system of decentralization. Fiscal autonomy means that local government have the power to create their own sources of revenue in addition to their equitable share in the national taxes released by the national government, as well as the power to allocate their resources in accordance with their own priorities.
b) The general welfare and the public good shall always be promoted and that transparency, public accountability and social accountability mechanisms and approaches shall be integrated in P4 from inception to implementation.
c) The City exists and operates in its governmental and propriety capacities thereby making the City an agent of, and is therefore accountable to, the State and its community. The role of the City both as regulator of a business and implementer of a proprietary undertaking must be clearly delineated.
d) The City must develop into a self-reliant community, and as such, is in a better position to address and resolve matters that are local in scope. The City is under the supervision of the President and under the qualified control of congress.
e) Under section 18 of the Republic Act No. 7160 of the local government Code of 1991 (1991 LGC), the City may acquire, develop, lease, encumber, alienate, or otherwise dispose of real or personal property held by them in their proprietary capacity and to apply their resources and assets for productive, developmental, or welfare purposes.
f) Under Section 22(c) of the 1991 LGC, no contract maybe entered into by the City Mayor on behalf of the City without prior authorization by the Sangguniang Panlungsod. The participation of the Sanggunian is indispensable in the adoption and implementation of the P4 arrangement.
g) Under Section 22 (d) of the 1991LGC, the City enjoys full autonomy in the exercise of its propriety function and shall exercise the power expressly granted, those necessary implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, those not otherwise prohibited by law and those which are essential to the promotion of the general welfare.

h) Under Section 25 (b) of the 1991 LGC, the City may collaborate or cooperate with other local governments, national government agencies, government-owned and controlled corporations, government instrumentalities and government corporate entities for the implementation of local project.
i) Under the charter of the City, Section 16, 17, 19 and 129 of 1991 LGC and other statutes, the City has been given the responsibility and mandate to exercise devolved and delegated power.
j) The City, under section 106 of 1991 LGC, is mandated to draw up and implement a comprehensive multi-sectoral development plan.
k) P4 shall be pursued by the City consistent with its infrastructure, development. Investment. Environmental and governance framework embodied in relevant policies, plans, ordinances and codes.
l) The City, as a partner in a P4 arrangement, may provide, equity, subsidy or guarantee and use local funds, and the usage thereof for a P4 project shall be considered for public use and purpose.
m) Under Section 34,35 and 36 of the 1991 LGC and in the exercise of its powers, the City may enter into joint ventures and such other cooperative arrangements with people's and non-governmental organizations (PO and NGOs) to engage in the delivery of certain basic services, capability-building and livelihood projects, and to develop local enterprises designed to improve productivity and income, diversity agriculture, spur rural industrialization, promote ecological balance, and enhance the economic and social well-being of the people; provide assistance, financial or otherwise, so such POs and NGOs for economic, socially-oriented, environmental, or cultural projects to be implemented within its territorial jurisdiction.
n) The City, under Section 3 (1) of the 1991 LGC, is duty-bound to ensure the active participation of the private sector in local governance.
o) The right of the people to information on matters of public concern is guaranteed under section 7, Article III of the 1987 Constitution. Furthermore, it is the policy of the State to allow full public disclosure of all its transactions involving public interest such as LGUP4 under Section 28, Article II of the 1987 Constitution.
p) The people's right to effective and reasonable participation and public trust provision under Section 16, Article XIII and Section 1, Article XI, respectively, of the 1987 Constitution guarantee and empower civil society organizations (CSOs) to have effective and meaningful participation in the regulation and management of P4 projects.

SECTION 4. Rationale for P4. – P4 shall be promoted to provide more, better, affordable and timely services to the community. In pursuing P4, the City shall be guided by the following reasons and drivers:

(a) P4 shall be undertaken in furtherance of the City development and physical framework plan.
(b) P4 is an essential part of the overall infrastructure reform policy of the City. By encouraging performance-based incentives whenever possible, introducing competition in and for the market, and by involving users and stakeholders in the decision-making process, infrastructure and regulatory reform shall be achieved.
(c) P4 should be adopted to address a pressing and urgent or critical public need. This is under the principle of "Additionality," the increased economic benefits to consumer welfare of having needed public services and infrastructure accessible now because of the P4, rather than having to wait until the City could provide the public services much later. P4 would also encourage the accelerated implementation of local projects.
(d) P4 can be adopted to avoid costs and public borrowing. By contracting with the private sector to undertake a new infrastructure project, scarce city capital budgets can be directed to other priority sectors such as social services, education, and health care.

(e) P4 allows for technology transfer, and improved efficiency and quality of service. These could be valuable contribution of the private sector in local governance.
(f) P4 should be feasible and affordable, demonstrating the need for the project, broad level project costs estimation, and indicative commercial viability. The assessment of affordability shall be the cornerstone for all P4 projects, to both the City and the general public.
(g) P4 Project should be bankable. High participation costs, unreasonable risk transfer of lengthy and complex contract negotiations must be avoided. A cost recovery pricing policy attractive to the private sector must be in place; Provided, that the same will not be disadvantageous to the government and the public interest.
(h) P4 Projects should provide value-for-money and good economic value as far as practicable, including allocation of risks to the party best able to control, manage, mitigate or insure these risks, and maximization of the benefits of private sector efficiency, expertise, flexibility and innovation.
(i) P4 Projects must provide economic and social benefits and should be evaluated on this basis rather than on purely financial considerations. The City remains responsible for services provided to the public, without necessarily being responsible for corresponding investment.
(j) P4 Projects must give consideration for empowerment of Filipino citizens as a strategy for economic growth sustainability and must thus provide for the participation of local investors to the furthest extent practicable given the nature of the project. The City shall also ensure the hiring and employment of local labor in the P4 venture.
(k) Procurement of P4 Projects must be competitive and must be undertaken through open competitive bidding that is legitimate, fair and honest. In the field of government contract law, competitiveness requires, not only bidding upon a common standard, a common basis, upon the same thing, the same subject matter, the same undertaking, but also that it be legitimate, fair and honest; and not designed to injure or defraud government, where competitive bidding cannot be applied, a competitive process ensuring both transparency and economically efficient outcome must be employed.
(l) The regulation of the P4 shall be pursuant to the P4 contract and exercised by the appropriate regulatory authority. A duly executed and legal P4 Contract shall be respected and not impaired, and shall be binding on the successor administration pursuant to the provision on corporate succession. Procedures, activities and steps duly undertaken by the City and Sangguniang Panlungsod pursuant to this ordinance shall be continued by the successor administration. Any amendment or revision to this ordinance by the next Administration shall not in any way prejudice vested and contractual rights of the City and the Private Sector Proponents ("PSPs") to the substance agreement signed, certification issued and procedures undertaken.
(m) To provide efficient public service, the City must ensure, through stronger performance management and guidance, proper implementation of P4 contracts that will result in value for money, on-time delivery of quality services to the public, achievement of government policy goals, all within sustainable and integrated development.

SECTION 5. Definition of terms. – As used in this Code, the following terms shall mean:

a.) Build-Operate-Transfer Law Scheme – Under Republic Act No. 6957 as amended by RA No. 7718 (BOT Law), the following are the BOT Law variants:

(i) Build-And-Transfer (BT) – A contractual arrangement whereby the Private Sector Proponent (PSP) undertakes the financing and construction of a given infrastructure or development facility, and after its completion, turns it over to the City, which shall pay the PSP, on an agreed schedule, its total investment expended on the project, plus Reasonable Rate of Return thereon.

(ii) Build-Lease-and-Transfer (BLT)- A contractual arrangement PSP is authorized to finance and construct and infrastructure or development facility and upon its completion, turns it over to the City on a lease arrangement for a fixed period, after which ownership of the facility is automatically transferred to the City.

(iii) Build-Operate-and-Transfer (BOT) – A contractual arrangement whereby the PSP undertakes the construction, including financing, of a given infrastructure facility, and the operation and maintenance thereof. The PSP operates the facility over a fixed term, during which it is allowed to charge facility users appropriate tolls, fees, rentals and charges not exceeding those proposed in its bid, or as negotiated and incorporated in the contract, to enable the PSP to recover its investment, and its operating and maintenance expenses in the project. The PSP transfers the facility to the City at the end of the fixed term, which shall not exceed fifty (50) years. This build, operate and transfer contractual arrangement shall include a supply-and-operate scheme, which is a contractual arrangement whereby the supplier of equipment and machinery for a given infrastructure facility, if the interest of the City so requires, operates the facility, providing, in the process, technology transfer and training to Filipino nationals.

(iv) Build-Owned-and-Operate (BOO) – A contractual arrangement whereby a PSP is authorized to finance, construct, own, operate and maintain an infrastructure or development facility form which the PSP is allowed to recover its total investment, operating and maintenance costs plus a reasonable return thereon by collecting tolls fees, rentals or other charges from facility users. Under this project, the proponent who owns the assets of the facility may assign its operation and maintenance to a facility operator. The divestiture or disposition of the asset or facility shall be subject to relevant rules of the Commission on audit (COA).

(v) Build-Transfer-and-Operate (BTO) – a contractual arrangement whereby the City contracts out the construction of an infrastructure facility to a PSP such that the contractor builds the facility on a turnkey basis, assuming cost overruns, delays, and specified performance risks. Once the facility is commissioned satisfactorily, title is transferred to the City. The PSP, however, operates the facility on behalf of the City under an agreement.

(vi) Contract-Add-and-Operate (CAO) – A contractual arrangement whereby the PSP adds to existing infrastructure facility which it is renting from the City and operates the expended project over an agreed franchise period. There may or may not be a transfer arrangement with regard to the added facility provided by the PSP.

(vii) Develop-Operate-and Transfer (DOT) – A contractual arrangement whereby favorable conditions external to a new infrastructure project to be built by a PSP are integrated into the arrangement by giving that entity the right to develop adjoining property, and thus, enjoy some of the benefits the investment creates, such as higher property or rent values.

(viii) Rehabilitate-Operate-and-Transfer (ROT) – A contractual arrangement whereby an existing facility is turned over to the PSP to refurbish, operate and maintain for a franchise period, at the expiry of which the legal title to the facility is turned over to the City}.

(ix) Rehabilitate-Owned-and-Operate (ROO) – A contractual arrangement whereby an existing facility is turned over to the PSP to refurbish and operate, with no time limitation imposed on ownership. As long as the operator is not in violation of its franchise, it can continue to operate the facility in perpetuity.

b.) **Competitive Challenge or Swiss challenge** – An alternative selection process wherein third parties or challengers shall be invited to submit comparative proposals to an unsolicited

proposal. Accordingly, the PSP who submitted the unsolicited proposal, or the original proponent, is accorded the right to match any superior offers given by a comparative PSP.

c.) **Competitive Negotiations** – Refers to a process where the City negotiated with eligible and qualified PSPs and awards the project to the PSP which offers the best combination of quality and price.

d.) **Competitive Selection or Bidding or Open Competition** – Refers to a method of selection or procurement initiated and solicited by the City, based on transparent criteria, which is open to participation by any interested party.

e.) **Concession** – A contractual arrangement whereby the financing and construction of a new facility and or/or rehabilitation of an existing facility is undertaken by the PSP after turnover thereof to it, and includes the operations, maintenance, management and improvement, if any, of the facility for a fixed term during which the PSP generally provides services directly to facility users and is allowed to charge and collect the approved tolls, fees, tariffs, rentals or charges from them. The City may receive a concession or franchise fee during the term of the contract and/or other consideration for the transfer, operation or use of any facility. There may be a transfer of ownership of the asset or facility after the concession period has ended subject to rules of the COA.

f.) **Corporatization**. – Refers to transformation of a wholly – or majority-owned subsidiary of or quasi-municipal corporation established by the City into one that has the structure and attributes of a private corporation, such as a board of directors, officers, and shareholders, and having its registered with the Securities and Exchange Commission as a stock corporation. The process involves the establishment of a distinct legal identity for the company under which the City's role is clearly identified as owner; segregation of the company under which the City's role is clearly identified as owner; segregation of the company's assets, finances and operations from other City operations; and development of a commercial orientation and managerial independence while remaining accountable to the government or electorate.

g.) **Cost Sharing** - This shall refer to the City portion of capital expenses associated with the establishment of an infrastructure development facility such as the provision of access infrastructure, right-of-way and any partial financing of the project.

h.) **Credit Enhancement** – This shall refer to direct and indirect support to a development facility by the PSP and/or City, the provision of which is contingent upon the occurrence of certain events and/or risks, as stipulated in the P4 contract. Credit enhancements are allocated to the party that is best able to manage and assume the consequences of the risk involved. Credit enhancements may include but are not limited to government guarantees on the performance or the obligation of the City under its contract with the PSP, subject to existing laws on indirect guarantees. Indirect guarantees shall refer to an agreement whereby the City assumes full or partial responsibility for or assists in maintaining the financial standing of the PSP or project company in order that the PSP/project company avoids defaulting on the project loans, subject to fulfillment of the PSP/Project company of its undertaking and obligations under the P4 contract.

i.) **Developmental Project** – City Projects normally financed and operated by the City, but which will now to be wholly or partly financed, constructed and/or operated by the PSP; projects that will advance and promote the general welfare and public goods; projects and activities that will be responsive to the needs of the communities; projects that will raise revenues for the City; projects in furtherance of devolution, deconcentration and decentralization; and other infrastructure, social-related and developmental projects as may be authorized by the City.

j.) **Direct City Equity** – Refers to the subscription by the City of shares of stock or other securities convertible to shares of stock of the special purpose vehicle or single purpose project company, whether such subscription will be paid by money or assets.

k.) **Direct City Guarantee** – Refers to an agreement whereby the City guarantees to assume responsibility for the repayment of debt direct incurred by the PSP in implementing the project in case of a loan default.

l.) **Direct City Subsidy** – Refer to an agreement whereby the City shall: a) defray, pay or shoulder a portion of the P4 project cost or the expenses and costs in operating and maintaining the project; b) condone or postpone any payments due from the PSP; c) contribute any property during the term of the contractual arrangement; and/or d) waive charges or fees relative to the business permits or licenses that are to be obtained for the construction of the project, all without receiving payments or value from the PSP or operator for such payment, contribution or support.

m.) **Divestment or Disposition** – Refers to the manner or scheme of taking away, depriving, withdrawing of title to a property owned by the City and vesting ownership thereof to a PSP.

n.) **Feasibility or Project Study (FS)** – A study, full or pre-feasibility study or business case prepared by the City in a competitive selection or a PSP when submitting an unsolicited proposal, containing or indicating a needs analysis, affordability assessment, preliminary risk assessment, value for money assessment, stakeholder assessment, human resource assessment, bankability assessment, legal viability assessment, P4 mode selection, market testing if relevant, indicative transaction implementation plan, and draft P4 contract. The study may be supported by the results of the appropriate "willingness-and-ability-to-pay" survey. The Project Study can be a feasibility study, pre-feasibility study or business case.

o.) **Franchise** – Refers to the right or privilege affected with public interest which is conferred upon a PSP, under such terms and condition as the City may impose, in the interest of public welfare, security and safety.

p.) **Gratuitous Donation** – A donation made by a PSP to the City whose cause is pure liberality on the part of the former and does not require from the latter any additional action other than utilizing the thing donated for the purpose agreed upon, or impose any obligation, burden, charge or future services, benefits, or concessions, or other form of grant, in order to be valid.

q.) **Joint Venture (JV)** – A contractual arrangement whereby a PSP or a group of PSPs on one hand, and the City, on the other hand, contribute money/capital, services, assets (including equipment, land, intellectual property or anything of value), or a combination of any or all of the foregoing. The City shall be a minority equity or shareholder while the PSP shall be majority equity or shareholder. Each party shall be entitled to dividends, income and revenues and will bear the corresponding losses and obligation in proportion to its share. Parties to a JV share risks to jointly undertake an investment activity in order to accomplish a specific, limited or special goal or purpose with the end view of facilitating private sector initiative in a particular industry or sector, and eventually transferring ownership of the investment activity to the PSP under competitive market conditions. It involves a community or pooling of interests in the performance of the service, function business or activity, with each party having a right to direct and govern the policy in connection therewith, and with a view of sharing both profits and losses, subject to agreement by parties.

r.) **Lease or Affermage** – A contractual arrangement providing for operation, maintenance, and management services by the PSP, including working capital and/or improvements to an existing infrastructure or development facility leased by the PSP from the City for a fixed term. Under a lease, the PSP retains revenue collected from the customers and makes a specified

lease payment to the City. Under an affermage, the parties share revenue from customers wherein the PSP pays the contracting authority an affermage fee, which varies according to demand and customer tariffs, and retains the remaining revenue. The City may provide a purchase option at the end of the lease period subject to rules of the COA.

s.) **Limited Negotiations** – Refers to a process whereby the City negotiates with the PSP in instances when there is only one eligible qualified PSP in a competitive selection process, under Stage 2 of the competitive challenge process, or when there is prior completed competitive process.

t.) **Management Contract** – A contract arrangement involving the management or provision by the PSP of operation and maintenance or related services to an existing infrastructure or development facility owned or operated by the City. The PSP maybe compensated by the City using the funds of the latter; or the PSP may collect tolls/fees/rental and charges which shall be turned over to the City and shall be compensated in the form of a fixed fee, a share in the revenues and/or performance-based management or service fee during the contract term.

u.) **Negotiated Projects**. – Refer to instances where the desired project is the result of an unsolicited proposal from a PSP or where the City has failed to identify an eligible PSP for a desired P4 activity when there is only one qualified bidder after subjecting the same to a competitive selection or bidding.

v.) **New Technology** – Refers to having at least one of the following attributes:

i. A recognized process, design, methodology or engineering concept which has demonstrated its ability to significantly reduce implementation of construction costs, accelerate project execution, improve safety, enhance project performance, extend economic life, reduce costs of facility maintenance and operations, or reduce negative environmental impact or social/economic disturbances or disruptions during either the project implementation/construction phase or the operation phase; or

ii. A process for which the project member proponent or any member of the proponent joint venture/consortium possesses exclusive right, either-world-wide or regionally; or

iii. A design, methodology or engineering concept for which the proponent or a member of the proponent consortium or association possesses intellectual Property rights.

iv. Onerous Donation – A donation made by a PSP to a City which subjects the latter to obligations, burdens, charges or future services, benefits, or concessions, or other form of grant, equal or greater in value than that of the thing donated by the donor-PSP.

v. Private Sector Proponent (PSP) – Refers to the private sector entity which shall have contractual responsibility for the project and which shall have an adequate track record in the concerned industry, as well as technical capability and financial base consisting of equity and firm commitments from reputable financial institutions, to provide, upon award, sufficient credit lines to cover the total estimated costs of the project to implement the said project.

vi. Public-Private Partnership for the People initiative for Local Government (P4) – At the policy level, an P4 is a developmental, innovative, change and partnership strategy aimed at promoting the general welfare, inclusive growth and better quality of life of Filipinos.

At a project level, an P4 is legally enforceable contract where each party assumes specified functions, bears certain risks, provides contribution or renders some obligation, and earn benefits and revenues from the P4 arrangement. Specifically, it is a form of legally enforceable contract between the City and a PSP, and in certain cases, with requiring new investments from the PSP and transferring key risks to the PSP in which requiring new investments from the PSP and transferring key risks to the PSP in which payments are made in exchange for performance, for the purpose of delivering a service provided or intended to be provided by the City. P4 shall also include dispositions of an asset, project owned, or entity created by the City to a PSP; procurement of a service; donations to the City; incorporation of a subsidiary with PSP equity; assumption by a PSP of a proprietary function of the City; grant of a concession or franchise to a PSP by the City; or usage by the PSP of public property owned or possessed by the City.

w.) **P4 Contract** – Refers to the agreement between the City and a PSP that govern an P4 project

x.) **Reasonable Rate of Return (RRPR)** – Refers to the rate of return that a PSP shall be entitled to, as determined by the P4 Regulatory Authority taking into account, among others, the prevailing cost of a capital (equity and borrowings) in the domestic and international markets, risks being assumed by the PSP and the level of City undertakings and contributions extended for the project.

y.) **Rehabilitate-Lease-and-Transfer (RLT)** – A contractual arrangement whereby an existing facility is turned over to the PSP to refurbish and operate, and upon its completion, turns its over to the City on a lease arrangement for a fixed period, after which ownership of the facility is automatically transferred to the City.

z.) **Rehabilitate-Transfer (RT)** – A contractual arrangement whereby an existing facility is turned over to the PSP to refurbish and operate, and after its completion, turns it over to City, which shall pay the PSP, on agreed schedule, its total investment expended on the project, plus a reasonable rate of return thereon.

aa.) **Rehabilitate- Transfer-and-Operate (RTO)** – A contractual arrangement whereby an existing facility is turned over to the PSP to refurbish and operate, Once the facility is commissioned satisfactorily, titled is transferred to the City. The PSP, however, operates the facility in behalf of the City under an agreement.

bb.)**Service Contact** – A contractual arrangement whereby the PSP shall provide a particular service to the City involving the City's proprietary authority or to entities or corporation created by the City. The PSP shall be entitled to be paid a fee per unit of work done during the term of the contract; or compensated by the City using the funds of the latter; or the PSP may collect tolls/fees/rentals and charges which shall be turned over to the City and shall be compensated in the form of share in the revenues.

cc.) **Subsidiary with PSP Equity** – A corporation or quasi-municipal corporation incorporated by a City and registered as a stock corporation under the corporation code where majority of the shares are held by a City and where a PSP is or PSPs are minority shareholder(s) which acquire their shares through an initial public offering or other competitive means.

dd.)**Unsolicited Proposal** – Refers to project proposals submitted by a PSP to the City to undertake Development Projects without a formal solicitation issued by the City whereby the negotiated terms shall be subjected to comparative proposals.

ee.) **Value for Money (VfM)** – Refers to the concept that over the whole-life of a project finance-P4 project, government's total expenditures (i.e., its payments to the PSP), adjusted for the risks that have been transferred to the PSP, will be less, on a Net Present Value (NPV) basis, than if the government will perform the services itself, VfM considers monetary and non-monetary

factors such as: (i) risk transfer; (ii) reduced whole life costs; (iii) speed of implementation; and (iv) quality and reliability of service.

ff.) **Viability Gap Funding (VGF)** – Refers to an explicit subsidy that is performance-driven (i.e., based on private party achieving measurable outputs) and targeted to socio-economically disadvantaged users or groups of users; or any financial support in the form of grants or assistance, any time or deferred, to infrastructure projects undertaken through P4 with a view to make them commercially viable.

SECTION 6. Rules of Interpretation – This Code and the provisions hereof shall be liberally interpreted to accomplish the policy and the objectives set forth in Section 2,3 and 4 hereof.

SECTION 7. Authorities. –

a. This Code is being adopted pursuant to the City's constitutional and statutory authorities enumerated under section 3 hereof; and when not inconsistent with the relevant laws aforementioned, shall govern the adoption and implementation of the P4 Modalities.

b. In pursuing BOT Law variants, the City shall comply with BOT Law and its implementing rules and regulations.

c. In entering into Management and service Contract where city funds are used, the City/shall comply with Republic Act 9184 or the Government Reform Act (GPRA) and its implementing Rules and Regulations.

d. For Dispositions, COA Circular No. 89-296 (January 27, 1989) shall govern.

e. For Corporatization, the incorporation of the corporation must be done in accordance with the Corporation Code of the Philippines.

f. For Local Concessions, Leases and Affermage, Rehabilitate-and-Transfer, Rehabilitate-Lease-and-Transfer, and Rehabilitate-Transfer-and-Operate, Management and Service Contract where City funds are not used to procure the services of the PSP, and donations, the City's policies or ordinances will be the governing instrument.

g. For Joint Ventures, Section 35 of the 1991 LGC and Article 62 of the Implementing Rules and Regulations of the 1991 LGC shall be the governing law, and law on Partnerships of the Civil Code of the Philippines shall apply suppletorily.

h. For Leases and Affermage, and Donations, the Law on Leases of the Civil Code of the Philippines may be referred to.

CHAPTER 2
P4 PROJECTS AND P4 MODALITIES

SECTION 8. P4 Projects. –

a. The City, through the appropriate and the viable P4 mode, may undertake Development Projects, including but not limited to, singly or with other related components, energy and power, renewable energy, waste-to-energy, roads, bridges, causeways, waterways, highways, ports wharfs, terminals, airports, canals, dams, desilting, dredging, mining and exploration

hydropower projects, water supply and distribution, sewerage, irrigation, drainage, water conservation such as impoundment areas and rainwater harvesting, telecommunications, railroad and railways, short-haul transit services such as monorail, guided bus, bus services and trams, intermodal and multi-modal transit systems, transport system, traffic control and management, parking facilities, reclamation projects, platform settlements, industrial estates or townships, central business and industrial park development, hotels and resorts, socialized housing, non-conventional low-cost housing, settlement/resettlement and relocation facilities, residential subdivisions, parks and open space development/redevelopment, pocket parks, public art, libraries, heritage conservation, government buildings sustainable/green public buildings, sports facilities, wellness establishments, eco-tourism, wellness tourism and agri/agro-tourism, public markets, commercial buildings, slaughterhouses, storage buildings, warehouses, cold storage, solid waste management, sanitary landfills, meeting and convention centers, information technology networks and database infrastructure, education-related, classrooms, health facilities, hospitals, social services-related, prisons, agricultural-related, post-harvest facilities, environmental management and protection, climate change adaptation, disaster risk reduction, among other development projects.

b. The determination of the appropriateness and viability of the P4 mode shall be specified, explained and justified in the feasibility or project study weighing all the relevant value drivers and reasons for pursuing an P4 Project.

c. Parties to P4 arrangement shall undertake an activity in order to accomplish either an integrated or multi-use arrangement or specific goal or purpose with the end view of serving the public good or generating revenues.

d. No P4 Projects shall bear the name of any past or incumbent local official.

SECTION 9. List of P4 Priority Projects. - The City shall identify priority development projects that may be undertaken under any of the P4 Modalities defined under Section 10 hereof.

SECTION 10. P4 Modalities. - In undertaking a specific P4 Project, the City may adopt and pursue any of the following LGU P4 Modalities defined hereof.

a) Build-and-Transfer (BT;
b) Build-Lease-and-Transfer (BLT);
c) Build-Operate-and-Transfer (BOT);
d) Build-Own-and Operate (BOO);
e) Build-Transfer-and-Operate (BTO);
f) Contract-Add-and-Operate (CAO);
g) Develop-Operate-and-Transfer (DOT);
h) Rehabilitate-Operate-and-Transfer (ROT);
i) Rehabilitate-Own-and-Operate (ROO);
j) Rehabilitate-Lease-and-Transfer (RTL);
k) Rehabilitate-and-Transfer (RT);
l) Rehabilitate-Transfer-and-Operate (RTO);
m) Concession Agreement;
n) Joint Venture (VJ);
o) Lease or Affermage;
p) Management Contract using City Funds;
q) Management Contract without City Funds;
r) Service Contract using City Funds;

s) Service Contract without using City Funds;
t) Divestment or Disposition;
u) Corporatization;
v) Incorporation of a Subsidiary with PSP equity;
w) Onerous Donations;
x) Gratuitous Donations;
y) Any other modality akin to any of the above or features thereof which falls under the alternative definition of an P4 under Section 5(u) hereof.

SECTION 11. General Requirements. – These are the general requirements for the City in entering into P4:

(a) Undertaking an P4 a Development Project must be premised on any or all of the reasons and drivers mentioned in Section 4 hereof.

(b) The list pf projects to be implemented by the City under of the BOT Law variants shall be submitted for confirmation to the City Development Council for projects costing above Twenty up to Fifty Million Pesos; above Fifty Million Pesos up to Two Million Pesos to the regional development council; and those above Two Hundred Million to the investment coordination committee of the National Economic and Development Authority (NEDA)

(c) Projects included in the List of Priority Projects shall not be eligible for unsolicited proposals under any of the BOT Law variants, unless involving a new concept or technology; provided, that for any of the other P4 Modalities, unsolicited proposals may be accepted even if the projects is included in the List of Priority Projects or whether the same features a new concept or technology or not.

(d) The prohibition for extending Direct City Guarantee, Direct City Subsidy and Direct City Equity only applies to unsolicited proposals for BOT Law variants under the BOT Law.

(e) For BOT Law variants that will be subjected to bidding, Concession Arrangements, Leases or Affermage, Management and Service Contracts, and Joint Ventures, the City may provide Direct City Guarantee, Direct City Subsidy, Direct City Equity or Viability Gap Funding, provided that city can use a portion of its general fund, its development fund comprising its annual share in the Internal Revenue Allotment, and/or its equitable share in the proceeds of the utilization and development of national wealth found within its territory for the purpose; provided further, that any amount used for subsidy or equity for an P4 project shall be deemed for development purposes and for the direct benefits of the inhabitants (pursuant to Sections (287 and 294 of the 1991 LGC, respectively).

(f) For all P4 Modalities, the City may provide Credit Enhancements and Cost-sharing schemes.

(g) Official Development Assistance (ODA) as defined in R.A. 8182, otherwise known as the ODA Act of 1996, as amended by R.A. 8555, may be availed for an (4) Projects where there is difficulty in sourcing funds; provided, that ODA financing shall not exceed 50% of the project costs, with the balance to be provided by the PSP.

(h) Any subsidy to the constituent that will be extended by the City must be targeted, transparent and efficiently administered.

(i) Each P4 Modality adopted for a specific P4 project must specifically provide and adopt a tariff-mechanism such as but not limited to cash-needs, price cap, revenue cap, rate of return, hybrid of the foregoing, or any other appropriate scheme.

(j) For negotiated contracts for BOT Law variants for the public utility projects which are monopolies, the rate of return on rate case shall be determined by existing laws, which in no case shall exceed twelve per centum (12%).

(k) In case of a project requiring a franchise or license to operate, the winning PSP shall automatically be granted by the City franchise or license or permit to operate and maintain the facility, including the collection of tolls, fees, rentals, and other charges in accordance with the schedules stipulated in the approved P4 contract. In case a JV Company is formed, the franchise, concession or license shall be automatically granted to the JV Company. Upon the signing of the JV Agreement by the Mayor pursuant to the authority given by the Sangguniang Panlungsod, the franchise, concession or license is deemed awarded to the winning PSP, in case of a contractual JV, or the JV company. The original franchise period as stipulated in the contract agreement may be extended, as may be authorized by the City provided that the total franchise period shall not exceed fifty (50) years.

(l) The City shall have the option or allow the formation of a special purpose vehicle or single purpose project company to implement the P4 project as may be appropriate under the chosen P4 Modality.

(m) In participating in LGU P4, the city may, subject to Section 16, 17,18,19 and 20 of the 1991 LGC, exercise police power, perform devolved powers, power to apply and generate resources, expropriate and reclassify and enact or integrate zoning ordinances.

(n) The City shall prescribe and impose Procurement Ethics to be followed by the City and all bidders based on the principles of honesty, integrity, probity, diligence, fairness, trust, respect and consistency for all PSPs and bidders.

(o) In a JV or appropriate modality, the co-ventures or parties to a JV shall contribute money, capital, services, personnel, assets including equipment, land, intellectual property or anything of value, or a combination of any or all of the foregoing to the JV arrangement. The contribution of the City shall be subject to third party independent valuation. Further:

i) The City may allocate a portion of its Internal Revenue Allotment, real property tax, development of its national wealth, Special Education Fund when the JV projects is education related, Calamity Fund when the JV projects is calamity- or reconstruction-related and special funds, if appropriate, as its contribution or share in the JV activity. These may be the actual or current funds, or future or monetized value of these funds of the City.

ii) The City may contract a loan, avail of Official Development Assistance, secure grants, issued bonds, debentures, securities, collaterals, and notes the proceeds of which can earmarked for the JV activity.

iii) On the part of the City, in addition to the foregoing contributions, it may extend goodwill, free carry, grant a franchise, concession, usufruct, right-of-way, equity, subsidy or guarantee, provide cost sharing and credit enhancement mechanisms, exercise police power, give tax incentives or tax holidays, perform devolved powers, expropriate and reclassify and enact or integrate zoning ordinances.

iv) The City shall be minority equity or shareholder while the PSP shall be the majority equity or shareholder, except in the case where fifty percent (50%) of the outstanding capital stock or contribution is owned or made by the City. A reasonable percentage of the equity to be provided by the PSP should come from its own resources and not borrowed.

v) Notwithstanding having only, a minority share or equity, the written consent of the City may be obtained, based on the JVA, prior to any divestment of any asset or facility dissolution, transfer or sale of share of equity on the part of the PSP, purchases or transaction beyond prescribed thresholds, or other activities which may affect the rights and stake in the Project of the City.

vi) Any cost avoidance or substantial savings that will be made by the City because of and directly attribute to the JV activity may be factored in the computation of the respective shares of the City and the PSP.

vii) For the utilization and development of natural resources located within its jurisdiction, the City shall be entitled to an equitable share which may come in the form of a portion of the benefits, revenues and profits thereof.

viii) The share of each JV party shall be set as fixed or determinable percentages or values either based on an overall or across-the-board assignment of contributions, revenues, profits, losses, risks and functions; or on specific assignment of contributions and functions to each JV party, provided that the agreed percentage share is maintained and that joint governance is ensured where the City shall have representation in the governing structure based on its proportionate share at the minimum.

ix) Subject to the terms of the competitive selection process and agreement of the parties, the City may be entitled to a share greater that its contribution or equity.

x) Each party shall be entitled to dividends, profits, income and revenues and will bear the corresponding risks, losses and obligations in proportion to its share, either based on gross or net revenues or income, unless the parties agree that the City will have a greater share in the dividends, profits, income and revenues and/or bear lower risk and percentage loss than what it contributes to the JV arrangement.

xi) For as long as the City is involved in the JV undertaking, the PSP shall not sell/transfer its interest in the JV Company without the express written consent of the City.

xii) The Share or equity of the City in the JV arrangement may be advanced, in full or in part, by the PSP where the PSP shall be paid from the future revenues due to the City either by set-off or actual payment.

xiii) The JV activity may, subject to the terms of the competitive selection process, include the divestment, disposition or transfer of ownership of the JV activity, equity, asset or project to the PSP or JV partner. The divestment or disposition may take place at the end of the JV period or before the term ends.

(p) Procurement made by the City using public funds shall be subject to the GRPA and its Revised Implementing Rules and Regulations. Procurement made by the PSP using private funds shall not be covered by said statute.

(q) The revenues funds, expenditures and contributions of the City shall be subject to the audit examination by the COA. Revenues, Funds, expenditures and contributions of the PSP shall be subject to audit by a private auditing firm.

(r) Any subsidiary, guarantee, equity or contingent liability assumed or given by the City must reflected, disclosed and recognized in the annual appropriations of the City.

SECTION 12. Government-to-Government Joint P4 Undertakings. – The City by mutual agreement in a government-to-government arrangement with other local governments, national government agencies government-owned and controlled corporations, government instrumentalities and government corporate entities, may implement P4 Projects located within the City's territory or those projects that will benefit the City and its community even if the project site is outside the City's territory; provided, that the collaborating or partner government entity jointly undertakes with the City the selection of the PSP using the appropriate P4 Modality.

CHAPTER 3
P4 PROCEDURES AND P4 CONTRACT

SECTION 13. P4 Procedures – The following procedures shall apply:

a) For BOT law variants. The City must comply with the procedure set forth in the BOT law and its implementing Rules and Regulations.

b) For Management and Service Contract where City funds will be used, the City shall comply with Republic Act No. 9184 or the Government Procurement Reform Act and its Implementing Rules and Regulations.

c) For Concessions, Lease or Affermage, and Management and Service Contracts where public Funds are not used to procure the services of the PSP, competitive selection, limited negotiations, competitive negotiations or competitive challenge as defined herein may be utilized to select the PSP.

d) For onerous donations, competitive negotiations or competitive challenge as defined herein may be utilized to select the PSP. For gratuitous donations, the competitive processes mention herein need not be followed. However, the deed of donation must be made known to the public.

e) For Joint Ventures, Rehabilitate-Transfer, Rehabilitate-Lease-Transfer and Rehabilitate-Transfer-and-Operate, competitive selection, limited negotiations or competitive challenge as defined herein may be utilized to select the PSP/JV partner.

f) For Divestment or Disposition of a property, COA Circular No. 89-296 (January 27, 1989) shall be applicable.

g) For the incorporation of a subsidiary with equity from the PSP, the Corporation Code shall be followed.

h) For the Divestiture of a subsidiary or corporation incorporated by the City under Corporatization, the sale may be pursued via a public offering or through a public auction or other relevant schemes under COA Circular No. 89-296 (January 27, 1989).

i) If the City opts to select a PSP using either Competitive Selection or Competitive Challenge, the City in the Competitive Selective and Competitive Negotiations, and the PSP in the competitive challenge approach must prepare and submit a Feasibility or Project Study. The cost of preparing the feasibility study, or Project Study may be reimbursed by the winning PSP to the City under the Competitive Selection mode.

j) All recommendations of the P4 Selection Committee shall be submitted to the City Mayor for consideration and approval.

k) All P4 contracts must be signed by the City Mayor with prior authorization by the Sanggunian Panlungsod through a resolution. The terms and provisions of the P4 contract must be approved or confirmed by the Sanggunian Panlungsod through an ordinance.

l) During the consideration of the draft P4 Contract by the Sanggunian Panlungsod a public consultation/hearing shall be conducted explaining the P4 Project, P4 Contract, accountability mechanisms built into the P4 arrangement, the benefits and costs of the P4 Project, among relevant matters.

m) After the signing of the P4 Contract by the City Mayor, the P4-SC shall issue the Notice of Award to the PSP. After the required condition precedents are complied with the winning PSP, the City Mayor, upon the recommendation of the P4-Sc, shall issue the Notice to Proceed.

n) While the P4 Contract is already valid, perfected and enforceable, it may be submitted for judicial, executive or administrative confirmation from the courts or appropriate government institutions.

SECTION 14. P4 Selection Committee. –

a) There is hereby created a P4 Selection Committee (P4-SC) for purposes of selecting a PSP for a specific P4 Project. The P4-SC, to be constituted and covered by the City Mayor, shall be composed of the following:

(i) Chairperson – At least a third ranking officer of the City;

(ii) Secretary – City Legal Officer;

(iii) The City Treasurer;

(iv) The City Planning and Development Officer

(v) One (1) representative from and selected by the Sanggunian Panlungsod designated in an appropriate resolution; and

(vi) Two (2) representatives from and chosen by accredited CSOs, POs, and NGOs who are members of the City Development Council/Regional Economic and Development Board.

A quorum of the P4-SC shall be composed of a simple majority of all voting members. The chairperson shall vote only in case of lie.

The P4-SC with the approval of the City Mayor may invite provisional non-voting members from the national government agencies, regulatory agencies, NEDA, DILG, and the private section to observe in the proceedings of the P4-SC; and form a support staff composed of employees and staff of the City.

b) The P4-SC shall be responsible for all aspects of the pre-selection and selection process, including, among others, the preparation of the Feasibility or Project Study and Selection/tender documents; determination of the minimum designs, performance standards/specifications, economic parameters, and reasonable rate of return or tariff-setting mechanism appropriate to the P4 Modality; drafting or evaluation of the P4 contract; publication of the invitation to apply for eligibility and submission of proposals or comparative proposals; defining the eligibility requirements, appropriate form and amount of proposal securities, and schedules of the selection and challenge processes; pre-qualification of prospective PSPs, bidders or challengers; conduct of pre-selection conferences and issuance

of supplemental notices; interpretation of the rules regarding the selection process; conduct of the selection or challenge process; evaluation of the legal, financial and technical aspects of the proposals; resolution of disputes between PSPs and challengers; defining the appeals mechanisms; and recommendation for the acceptance of the proposal and/or for the award of the contract.

SECTION 15. Competitive Selection. –

a. The Competitive selection procedure shall consist of the following steps; advertisement, issuance of instructions and tender documents, conduct of pre-bid conferences eligibility screening of prospective bidders, receipt and opening of bids, posting of proposal securities, evaluation of bids, post-qualification, and award of contract.

b. The City Mayor shall approve the tender documents and the draft P4 Contract before they are issued to the prospective PSPs/bidders.

SECTION 16. Limited Negotiations. – Where the City;

(a) fails to identity an eligible PSP for a desired P4 activity when there is only one qualified bidder after subjecting the same to a competitive selection or competitive selection or bidding; or

(b) considers a project or activity either through competitive selection or competitive challenge where an indispensable or integral component thereof has already been Subjected to a competitive process by the appropriate administrative agency, government instrumentally or government-owned-and-controlled corporation which gives the PSP offerer a vested and exclusive right over that component without which, the P4 Project cannot be implemented as envisioned,

Limited Negotiations may take place. The negotiations will cover all the technical and financial aspects of the P4 Project or activity; provided, that the minimum designs, performance standards/specifications and economic parameters stated in the Feasibility or Project study and terms of Reference are complied with. The City Mayor shall approve the terms of the Limited Negotiations prior to the award of the contract to the PSP. Under the 2nd instance, the City shall publish a notice to the public prior to the start of the negotiations, and if pursued under Competitive Challenge, the 3rd Stage defined below may be dispensed with.

SECTION 17. Competitive Negotiations. – For concession arrangements, leases or affermage, management and service contracts where public funds are not used to procure the services of the PSP, and onerous donations and the City invites two or more qualified PSPs, to enter into negotiations for an P4 project, unless there is only one qualified offeror with a unique specialization, informing all the qualified PSPs that there is more than one offeror and simultaneous negotiations are being conducted and that the P4 contract shall be awarded to the PSP which offers the best combination of quality and price based on the feasibility or project study prepared by the City. Prior to the start of the negotiations with the identified PSPs, the City hall publish the announcement.

SECTION 18. Competitive Challenge. – The Competitive Challenge process shall be divided into three stages. D876zcescribed as;

Stage one/Unsolicited Proposal – The Steps are:

(i) A PSP submits an unsolicited proposal accomplished by a Feasibility or Project Study and draft P4 contract to the City for a Project P4 Project.

(ii) The P4-SC shall make a determination of the completeness of the unsolicited proposal, the eligibility of the PSP, the necessity of the proposed project, the consistency of the terms of the draft P4 contract with this Ordinance, and the appropriateness of the proposed P4 modality.

(iii) Upon completion of the initial evaluation, the City Mayor, upon recommendation of the P4-SC shall either issue a certificate of acceptance or non-acceptance of the proposal for purposes of detailed negotiations. Upon the issuance of the certificate of acceptance, the PSP is ipso facto conferred original proponent status and no other proposal for the same project may be subjected to the competitive challenge process.

(iv) If there is more than one unsolicited proposal submitted for the same P4 Project, the City Mayor, upon recommendation of the P4-SC, may reject all proposals and pursue competitive selection, or accept the unsolicited proposal that is complete and provides the greater advantage and benefits to the community and revenues to the City.

Stage Two/ Detailed Negotiations – The Steps are:

(i) The parties shall negotiate and agree to the terms and conditions of the P4 Project concerning its technical and financial aspects.

(ii) Once negotiations are successful, the Parties shall issue a joint certification stating that an agreement has been reached and specifying the eligibility of the PSP and the technical and financial aspects of the P4 Project as agreed upon.

(iii) The issuance of the certification commences the activities for the solicitation for comparative proposals.

(iv) However, should negotiations not result to an agreement acceptable to both parties, the City shall have the option to reject the proposal by informing the PSP in writing stating the grounds for rejection and thereafter may accept a new proposal from other PSPs decided to pursue the proposed activity through other P4 Modalities or subject the P4 to a Competitive Selection.

Stage Three/Competitive or Swiss Challenge Proper – The steps are:

(i) The P4-SC shall prepare the tender documents. The eligibility criteria used in determining the eligibility of the PSP shall be the same as those stated in the tender documents, Proprietary information shall, however, be respected and protected, and treated with confidentiality. As such, it shall not form part of the tender and related documents.

(ii) The City Mayor shall approve all tender documents including the draft contract before the publication of the invitation for competitive proposals.

(iii) The P4-SC shall publish the invitation for comparative proposals.

(iv) The PSP or Original Proponent shall post the proposal security at the date of the first day of the publication of the invitation for comparative proposals in the amount and form stated in the tender documents.

(v) In the evaluation of proposals, the best offer shall be determined to include the original proposal of the PSP. If the City determines that an offer made by a comparative PSP or challenger other than the negotiated terms with original proponent is superior or more advantageous to the City than the original proposal, the PSP who submitted the original proposal shall be given the right to match such superior or more advantageous offer. Should no matching offer be received within the stated period, the P4 Project shall be awarded to the comparative PSP submitting the most advantageous proposal. If a matching offer is received with the prescribed period, the P4 Project shall be awarded to the original proponent. If no comparative proposal is received by the City, the P4 Project shall be immediately awarded to the original and proponent.

(vi) In the event that the Original Proponent is not able to match the superior offer of the challenger, the winning challenger shall reimburse, within 30 days from issuance of the notice of award, the original proponent the cost of preparing the project study, provided, that this reimbursement arrangement and the cost of preparing of the project study are expressly stated in the terms of reference for the competitive challenge, and that the P4-SC has determined that the cost is reasonable.

SECTION 19. Schedules and Timelines. – The City Mayor through an executive order, upon the recommendation of the P4-SC, shall have the authority to adopt and prescribe the appropriate schedules and timelines for each PSP selection process: provided, that the periods are reasonable and will not undermine free competition, transparency and accountability.

SECTION 20. P4 Contract. –

a) The P4 shall be signed by the City Mayor on behalf of the City (with the prior authorization or ratification by the Sanggunian Panlungsod) approving all terms of the P4 Contract, and the duly authorized representative of the PSP.

b) The direct and ultimate beneficiary of any P4 Contract shall be the constituents of the City. Representatives of accredited CSOs, NGOs, and POs may sign the P4 Contract as monitoring entity or witness.

c) The principal P4 Contract shall describe the P4 Project, the rights, function, obligations and responsibilities of and risks assumed by each contracting party, dispute mechanisms and all other provisions enumerated under Section 5 (v) hereof. Whenever appropriate, the P4 Contract shall contain the Preambulatory Clauses or Whereas Clauses, Party Clause, Rules of Interpretation, Nature of the P4 Term of the Project, Contract Objective, Performance Bonds, Key Performance Indicators, Risk Allocation, Rights, Payment to PSE or PSP, Tariff Scheme, Subsidy or Support Mechanism, Insurance Requirements Delay Provisions, Force Majeure, Governmental Action, Government and Public Sector Entity (PSE) Warranties, PSP Warranties, Change in the Law, Regulatory Regime, Variations, Termination, Indemnification, Intellectual Property, Claims, Financial security, Dispute Resolution, Step-in-Rights, Changes in the composition of the

PSP/Service Provider, Partnership Management, compliance with all Laws, Personnel, Conditions Precedent, among others.

d) The other ancillary contracts may include insurance contracts; loan agreement; bonds; guarantee arrangements; equity arrangement; operations and maintenance contract; and engineering, procurement and construction (EPC) contracts.

e) The City Mayor shall not proceed with the award and signing of the contract if there are material deviations from the parameters and terms and conditions set forth in the proposal/tender documents that tend to increase the financial exposure, liabilities and risks of the City or any other factors that would cause disadvantage to government and any deviation that will cause prejudice to losing PSPs;

f) Neither party shall unilaterally rescind or amend an P4 Contract. Any amendment to the P4 Contract, which is effected will not violate the policy on competition and fairness and does not materially affect the substance of the P4 Contract, after award and signing contract shall undergo approval by the City Mayor, with prior authorization by the Sanggunian Panlungsod. Non-compliance with the corresponding approval process stated shall render the amendment null and void. Any form of amendment may be allowed after the P4 contract has been executed, provided that, the right to amend is accorded to all bidders and challengers and specified in the tender documents, and such right is stipulated in the P4 contract. Any amendment must be approved by the Sanggunian Panlungsod through an ordinance by two thirds (2/3) vote of the members present, there being a quorum.

g) All laws and ordinances are read deemed to form part of the P4 Contract, Regulation and Contract Management.

h) The gist of the P4 Contract shall be annotated at the back of the title of the property over which the P4 projects is located.

i) An P4 Contract, upon the favorable action of the Sanggunian Panlungsod through an ordinance by two third (2/3) vote of the members presents, there being a quorum, may be the subject of a plebiscite funded by local funds pursuant to a referendum under Section 126 of the 1991 LGC.

CHAPTER 4
REGULATION AND CONTRACT MANAGEMENT

SECTION 21. P4 Regulatory Authority's Mandate. – The P4 Regulatory Authority (P4-RA) created under this Code shall be asked with performing contract management functions, such as partnership management (i.e., corporate governance, communication and information sharing, and dispute resolution), performance or service delivery management (i.e., risk management and performance management), and contract administration (i.e. variation management, contract maintenance and financial administration), for all P4 arrangements entered into by the City, Aside from these, the P4-RA shall be reasonable for setting and monitoring the tariff, and administering the subsidy pursuant to the P4 contract.

SECTION 22. Composition of the P4 Regulatory Authority. – (a) The membership of the P4-RA shall be composed of the following:

(i) Chairperson – The City Mayor or the City Administrator if so designated by the City;
(ii) Vice-chairperson – Vice Mayor or a member of the Sanggunian Panlungsod to be chosen by the Sanggunian as evidenced by an appropriate resolution];
(iii) Two (2) representatives of the Sanggunian Panlungsod belonging to two (2) distinct registered political parties to which the City Mayor does not belong, and to be chosen on the basis of proportional representation of all parties represented in the Sanggunian Panlungsod;
(iv) City Legal Officer;
(v) City Treasurer;
(vi) City Planning and Development Officer; and
(vii) Two (2) representatives from the chosen by the accredited CSOs POs and NGOs who are members of the City Development Council. These representatives shall not be same representatives in the P4-SC.

b) For project covered by government-to-government joint P4 undertakings, the collaborating or partner government entity shall have one (1) representative in the P4-RA provided that such representative shall only sit in meetings of the P4-RA or portions thereof, and have a vote only on matters directly affecting the P4 project covered by such joint P4 undertaking. For this purpose, government-to-government joint P4 undertakings means such mutual agreement entered into by the City with other local government agencies, government-owned and – controlled corporations, government instrumentalities and government corporate entities, for the implementation of P4 projects that will benefit the City and its community even if the project site is outside the City's territory.

c) The P4-RA may appoint a contract manager for the P4 project depending on the P4 contract value, complexity and associated risks, the contract manager shall have the necessary management skills and technical knowledge of the goods, services or works to be provided under the P4 contract. The P4 shall determine the manner and source of payment for the contract manager's compensation, provided that if a regular employee of the City is appointed as contract manager, he/she not receive additional compensation for such appointment. The contract manager shall have a vote on matters directly affecting the P4 project that he/she managing.

d) A quorum of the P4-RA shall be composed of a simple majority of all voting members. The Chairperson shall vote only ibn case of a tie.

e) The P4-RA with the approval of the City Mayor may invite third party experts to attends its meetings to act as advisors and observers. Such third party experts may represent national government agencies the NEDA, the P4 Center, the DILG, private sector, CSOs, POs, and NGOs.

f) The P4-RA may form a support staff composed of employees and personnel of the City. The P4-RA may also engage consultants hired pursuant to law.

SECTION 23. Contract Management Manual. – (a) The City Legal officer, City Treasurer and City Planning Development Officer and one of the CSO representatives of the P4-RA acting as the P4-RA Manual Committee (P4-RA-MC), shall jointly prepare a contract management manual for each executive P4 contact, which shall serve as a guide to the City and its personnel in

ensuring a consistent, high quality contract monitoring process that is specific for such P4 contract.

b) The contract management manual (a) shall be submitted to the P4-RA approval within twenty-one (21) days from the execution of P4 contract, provided that, for outstanding P4 contracts concluded prior to the effectivity of this Code, the contract management manual shall be submitted to the P4-RA within one hundred and twenty days (120) from the effectivity of this Code of the provisions of this Code shall apply *mutatis mutandis*.

c) The P4-RA may accept, reject, or order the revision of the contract management manual at any time during the life of the P4 project, provided that any revision subsequent to the first acceptance of the contract management manual at the inception of the P4 project shall require written notice to the PSP and opportunity to be heard.

d) If the contract management manual has not been approved by the P4-RA within seven (7) days from its submission as provided in paragraph (b), the same shall be deemed issued and approved by the P4-RA for all purposes.

e) The P4-RA shall evaluate each contract management manual quarterly, which shall be amended as may be necessary. Any amendment to the contract management manual shall be affective upon the approval of the P4-RA.

f) The P4-RA, all throughout the life of the P4 Contract, shall present, make available and explain, before and after any material action is taken, all relevant information regarding the implementation of the P4 Contract, the submissions of the PSP and actions taken by the P4-RA, to the City Development Council.

SECTION 24. Contents of the Contract Management Manual. – Each contract management manual should include the following information:

(a) A description of the P4 project and its history;
(b) A summary of the key terms of the P4 contract;
(c) Roles and responsibilities of each member of the P4-RA and other City personnel and contractors, as applicable, who are involved in the P4 project;
(d) Roles and responsibilities of key personnel of the PSP;
(e) Details of the post award conference;
(f) Partnership management procedures;
(g) Performance or service delivery management;
(h) Contract administration; and
(i) Project closeout procedures.

SECTION 25. Post-Award Conference. –

a) Immediately after the P4 contract is awarded, the P4-RA Chairperson shall call a post-award conference to ensure that the City and PSP have a clear and mutual understanding of parties. Notice of the post-award conference shall be sent by the P4-RA Chairperson at least five (5) working days before the scheduled date thereof.

b) The post-award conference shall be attended by the members of the P4-RA, such employees contractors of the City involved in the management of the P4 contract, and key personnel of the PSP.

c) The P4-RA Chairperson shall preside at the post-award conference, and shall appoint a secretary of the conference from the city personnel present.

d) The minutes of the conference shall be sent participant within five (5) days of the adjournment of the conference.

SECTION 26. Personnel and Training Requirements. –

(a) The contract management manual shall identify the City personnel involved in contract management, the specific roles and responsibilities of each, and the skills and technical knowledge required to perform their functions.

(b) Independent contractor may engage in the absence of the qualified City personnel, provided that, except in the case of contract managers engaged in accordance with section 8(c), contractors may only be engaged for a period not exceeding three (3) years from the effective date of the P4 contract. Such contractor shall:

i. Have at least two (2) understudies; and
ii. provide a training program for City personnel in his field of specialization, with such training being done regularly during regular office hours.

(c) During the contract life, the City personnel shall undergo such continuous training on contract monitoring to ensure that the City is equipped to monitor reliably the PSP's performance over the entire life of the P4 contract.

SECTION 27. Partnership Management. – Each contract management manual shall identify processes to ensure accountability and manage the relationship between the City and the PSP, and shall describe:

a) Each party's governance structure, including the overall system of institutional structures, operating rules, compliance mechanism and accountability procedures;

b) Guidelines on communication and information sharing between the City and PSP, including reporting requirements, frequency and purpose of regular meetings, record-keeping of all exchanges, and the acceptable modes of correspondence between them; and

c) The process for resolving disputes between the parties, identifying, among others, the different levels of dispute resolution, offices and officials involved, timetable for resolving such disputes, and possible actions to compel a party to adequately comply with contractual terms.

SECTION 28. Performance or Service Delivery. – The contrary management manual shall identify measures to ensure that the services or good provided by the PSP are in accordance with the standards and prices agreed in the P4 contract. Such measure shall include:

(a) An identification of risks under the P4 contract, the timetable for resolving such risks when they arise, contingency plans that ensure immediate resumption of services in the event of an interruption of service delivery by the PSP, and penalties for failing or refusing to resolve them, provided that a separate risk mitigation plan shall be developed and

periodically reviewed and updated throughout the life of the contracts with the significant risks;

(b) Clear and demonstrable key performance indicators that demonstrate evidence of poor, satisfactory or non-performance by the PSP, taking into consideration the cost and value obtained, performance and customer satisfaction, delivery improvement, delivery capability, benefits realized and relationship strength and responsiveness;

(c) A performance management plan and performance monitoring system that will be used by the City to monitor affordability, service delivery, value for money, quality, and performance improvement, which shall in all cases include;

(i) A timetable and start and end date for each performance component, including milestones with accompanying timeframes, dependencies, required or desired outcomes, and acceptable performance levels;

(ii) Requirements and standards to be used to monitor PSP performance;

(iii) procedures and guidelines for measuring customer satisfaction and mechanisms to solicit end user feedback;

(iv) submission of regular, accurate and timely reports by the PSP, City personnel or the contract manager, as applicable, to the P4-RA detailing performance monitoring efforts and the types of information that should be included in such reports;

(v) City access to PSP records to allow City personnel to verify the information that the PSP reports to them and to ensure that the funds are expended properly;

(vi) Random inspection of PSP records and on-sire monitoring visits; and

(vii) Regular meetings with the PSP to review progress, discuss problems and consider necessary changes; and

(d) A performance review and corrective actions system that apply to non-compliance or breach of contract, and penalties for non-performance and bonuses for good performance.

SECTION 29. Contract Administration. – The contract management manual shall lay down a contract administration system, which shall include:

(a) System and procedures for variation management, the roles and responsibilities of City personnel, and reportorial requirements for each event of proposed or successful contract variation;

(b) A system for contract maintenance, identifying key contract deliverables and schedules, as well as trigger events; and

(c) System and procedure for financial administration, including an estimate of the resources that the City will devote thereto, systems and procedures to make and receive financial payments, and rules for keeping records of financial transactions in accordance with the requirements of the contract.

SECTION 30. Closeout Procedures. – Formal, written closeout procedures shall be included in contract management plan to ensure that all goods and services have been delivered satisfactory, all properties are disposed accordingly, all City properties are returned, and all amounts due under the P4 contract have been paid.

SECTION 31. Post-Contract Review. – A post-contract review shall be conducted at the end of a contract period, which shall include a post-contract analysis, evaluation and reporting of the P4 projects, that PSP's performance, and the City's contract management system. The post-contract review shall likewise include a financial audit of the entire P4 project and determination of lessons learned. City policies and procedures shall be updated where required. Notwithstanding the requirement herein, if the P4 contract is subject to renewal or extension, the post-contract review shall be conducted within a reasonable time before the deadline for such renewal or extension.

SECTION 32. Document Control. – The P4-RA shall act as the administrator of documents and correspondence relating to the P4 project and P4 contract. The contract management manual shall:

(a) Identify the documents and correspondence that must be retained by the P4-RA;

(b) Require that all such documents be kept in both electronic and paper format during contract life or such longer period as may be required under applicable law; and

(c) Lay down the protocol for document storage, logging, accountability, disclosure and access by the parties and the public.

CHAPTER 5
ACCOUNTABILITY, INFORMATION, EDUCATION AND MONITORING

SECTION 33. Code of Conduct. – before commencing their functions, each member of the P4-SC and P4-RA and the contract manager shall sign a Code of Conduct, which shall guide each member in the performance of their duties as such.

Such Code of Conduct shall require each member to, among others;

(a) Act at all times in accordance with relevant legislation and regulations;

(b) Act at all times with fidelity, honestly, integrity and in the best interests of the City and its constituents;

(c) Recognize the public's right to access to information in accordance with law;

(d) Not misuse his or her position and privileges of a member of the P4-SC and P4-RA whether or not such will prejudice the interest of the public, the PSP, or any third person;

(e) To take the utmost care in ensuring reasonable protection of the records of each P4 project, and to not disclose any confidential and proprietary information to persons without a need to know such information, or in violation of any no-disclosure requirements under law or contract;

(f) Carry out his or her duties with the skill and care expected from a person of knowledge and experience, and to exercise prudent judgement;

(g) Forthwith report to the appropriate authorities any act of negligence, fraud, corruption, misuse of government funds, failure or refusal to perform duties, or any other act which may constitute a crime or offense, or which is prejudicial to the public interest, in the selection of the PSP and implementation of an P4 contract;

(h) Forthwith declare my personal or business interest that he or she or any of his or her relatives within the fourth degree of affinity or consanguinity, may have in any business of a PSP, in which case, the official or representative shall no longer be a member of the P4-SC and P4-RA;

(i) Forthwith declare any conflict of interest, insofar as the P4 concerned, that he or she may have or will have in which case, the official or representative shall no longer be a member of the P4-SC and P4-RA;

(j) Not vote or act in a particular way on any matter in consideration of any offer, promise, gift or present, from a member of the public, government, a political party, social group or CSO, PO, NGO, or any stakeholder or potential stakeholder;

(k) Not receive any gift or anything else of value which is or may be viewed as aimed at influencing or directing his or her vote or actions; and

(l) To disclose immediately to the P4-SC or LGU PR-RA as the case maybe, any attempted inducement that may be construed as aimed at influencing or directing his or her acts as a member of the P4 SC and P4-RA.

SECTION 34. Disciplinary action. - violation of this code and the code of conduct insofar as the City elective officials are concerned shall constitute a ground for disciplinary action or amount to loss of confidence under the 1991 LGC and relevant laws, and with regards local appointive officials, such violation shall render them administratively liable. Officials may also be rendered criminally liable under applicable laws and ordinance, Representatives of the PSP shall be held liable for damages, offenses and crimes depending on the nature of their participation and involvement in the unlawful act or omission.

SECTION 35. Liability. – The City and its officials in undertaking an P4 project, selecting a PSP and implementing a P4 projects, shall not be exempt from liability for death or injury to persons or damage to property. Failure to respect a duly –executed P4 contract by successor officials shall render them liable without prejudice to the application of Alternative Dispute Resolution mechanisms under Section 42 hereof.

SECTION 36. Social Accountability. – The City shall ensure, promote and eliminate all obstacles to social accountability and allow and enhance constructive engagement between citizens' groups, academe, consumers, rate-payers, general public, City, national government agencies, regulatory agencies, and PSP.

SECTION 37. Transparency and Right to Information. – The LGU PR contract, feasibility or project studies, bidding documents, term of reference, result of the PSP selection process, Code of conduct, contract management manual, minutes of the post-award conference, P4-RA and P4-RA-MC, and other relevant documents and instruments shall be posted in two conspicuous places of the City and uploaded in a dedicated website of the P4-RA which can be freely accessed by the public. The City shall also implement a strategic communication plan address to all stakeholders.

SECTION 38. Capability-Building Program. –

a) The City shall design and implement a continuing education and capability-building program on P4 for its officials, and the members of the LGU P4-RA.

b) The city shall also undertake a comprehensive and sustained education and governance campaign aimed to informing all stakeholders and CSOs, POs and NGOs about P4 ventures of the City and allowing them to participate in the overall P4 program of the City. The program shall include strategic and annual evaluation and planning sessions, workshop, seminars, focus-group discussions on P4, market opportunities, projects, management of contracts and regulation of the P4 and other P4-related topics.

c) The City may tap consultants to assist them in implementing P4 and in building capability for P4.

SECTION 39. Monitoring and Governance Audit Program. – The City, in order to ensure transparency and accountability, shall encourage CSOs, POs, NGOs and civic aggrupations to establish an P4 monitoring, evaluation and governance audit body functionally and fiscally independent from the City and other government institutions.

SECTION 40. Technical and financial assistance. – DILG, Department of Finance, Department of Budget and Management, NEDA AND PPP Center may extend technical and financial assistance to the City and such assistance may be embodied in a memorandum of understanding or agreement.

CHAPTER 6
FINAL PROVISIONS

SECTION 41. Appropriations. – To carry out the provisions of this code, there shall be allocated so much amount as maybe determined by the City Mayor through the Local Finance Committee. Thereafter, such amount as may be necessary for the continuous implementation of this Code shall be included in the annual budget of the City.

SECTION 42. Alternative Dispute Resolution. – All P4 contracts of the City shall include a provision on the use of Alternative Dispute resolution (ADR) mechanisms in resolving disputes arising from the P4 contract. All controversies in connection with P4 undertaking and projects of the City shall likewise be addressed using ADR.

SECTION 43. Implementing Rules. – While this Code and the provisions hereof are already operative upon the Code's effectivity, the City may issue the appropriate and relevant rules and regulation for the proper implementation of the Code or its provisions, including the issuance of relevant mechanisms to insure competition, manuals, guidelines, sample contracts and bid documents, P4 indexes and comparators, and performance scorecards.

SECTION 44. Confirmation of Executed P4 Contracts and Procedures Commenced. –

a) P4 contracts entered into prior to the enactment of this P4 Code in strict compliance with the provisions hereof are hereby confirmed.

b) P4 contracts entered into prior to the enactment of this P4 Code without strictly complying with the applicable procedures set forth herein for the selection of the PSP shall be considered as negotiated agreements under Stage Two of Section 17 which must be subjected to competitive challenge; provided that, after publication and no expression of interest is submitted by an interested qualified party at the designated time, the subject P4 contract shall be deemed perfected, and vested and contractual rights shall continue to subsist and operate.

c) P4 contracts entered into prior to the enactment of this P4 Code may be amended; provided, that the terms of the original P4 contract allow for amendments, or the amendments do not tend to increase the financial exposure, liabilities and risks of the City or any other factors that would cause disadvantage to the City and any deviation that will cause prejudice to losing PSPs; provided further, that the amendments are approved by the City Mayor with prior authorization from the Sangguniang Panlungsod through the enactment of an ordinance.

d) Procedures and steps commenced and undertaken for the selection of, and statuses and rights conferred on a PSP prior to the effectivity of this Ordinance shall be operative, confirmed and recognized, and shall henceforth be continued under this ordinance.

SECTION 45. Application of other PPP/P4 Laws and Regulations. – Whenever relevant and appropriate as determined by the City and in the absence of a specific provision to the contrary, upon recommendation of the P4-SC and P4-RA as the case may be, the BOT Law, the GPRA, Executive Order No. 301 (26 July 1987), COA Circular NO. 89-296 (January 27, 1989), and their applicable rules and regulations, and the JV Guidelines adopted by the NEDA, either the 2008 or 2013 versions, shall apply in a suppletory manner.

SECTION 46. Authority of the Component LGUs -

a. The authority of component LGUs to enact their respective P4 ordinances, and to implement P4 projects is hereby recognized by the City.

b. The City encourages the component LGUs on their own or in partnership with other LGUs and national government agencies, government-owned and controlled corporations, government instrumentalities, state universities and colleges and government financial institutions to pursue P4 as a development strategy and implement P4 projects that shall serve the general welfare and the public good.

SECTION 47. Severability. – If, for any reason, any section or provision of this Code or any part thereof, or the application of such section, provision or portion is declared invalid or unconstitutional, the remainder thereof shall not be affected by such declaration.

SECTION 48. Repealing Clause. –

a) All ordinances and resolutions or parts thereof inconsistent with the provisions of this Code are hereby repealed accordingly.

b) This Ordinance takes precedence and thus hereby modifies the relevant procedures and approval processes in other ordinances of the City relating to the implementation of P4 projects or the modalities provided herein.

SECTION 49. Effectivity. – This Code shall take effect after fifteen (15) days after its posting in two conspicuous places within the City.

UNANIMOUSLY APPROVED.

AUTHORS: CITY COUNCILOR GEORGE S. GOKING
CITY VICE MAYOR RAINEIR JOAQUIN V. UY
CITY COUNCILOR IAN MARK Q. NACAYA

Present:	*1st District:*	- Councilor Lordan G. Suan	- Councilor Edna M. Dahino
		- Councilor Romeo V. Calizo	- Councilor Reuben R. Daba
		- Councilor Annie Y. Daba	- Councilor George S. Goking
	2nd District:	- Councilor Maria Lourdes S. Gaane	- Councilor Dometilo C. Acenas, Jr.
		- Councilor Suzette G. Magtajas-Daba	- Councilor Ian Mark Q. Nacaya
		- Councilor Leon D. Gan, Jr.	- Councilor Enrico D. Salcedo
		- Councilor Teodulfo E. Lao, Jr.	
On Official Business:		- Councilor Yan Lam S. Lim *(President, Liga ng mga Barangay)*	
		- Councilor John Michael L. Seno *(President, City SK Federation)*	
Absent:		- Councilor Zaldy O. Ocon	- Councilor Nadya B. Emano-Elipe
		- Councilor Jay R. Pascual	

ENACTED this 9th day of July 2018 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

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

ORDINANCE NO. 13458-2018

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

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

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

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

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

UNANIMOUSLY APPROVED.

Present:	*1st District:*	- Councilor Lordan G. Suan	- Councilor Edna M. Dahino
		- Councilor Romeo V. Calizo	- Councilor Reuben R. Daba
		- Councilor Annie Y. Daba	- Councilor George S. Goking
	2nd District:	- Councilor Maria Lourdes S. Gaane	- Councilor Dometilo C. Acenas, Jr.
		- Councilor Suzette G. Magtajas-Daba	- Councilor Ian Mark Q. Nacaya
		- Councilor Leon D. Gan, Jr.	- Councilor Enrico D. Salcedo
		- Councilor Teodulfo E. Lao, Jr.	
On Official Business:		- Councilor Yan Lam S. Lim *(President, Liga ng mga Barangay)*	
		- Councilor John Michael L. Seno *(President, City SK Federation)*	
Absent:		- Councilor Zaldy O. Ocon	- Councilor Nadya B. Emano-Elipe
		- Councilor Jay R. Pascual	

ENACTED this 9th day of July 2018 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

Attested:

OSCAR S. MORENO
CITY MAYOR

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

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

Communication Number: **Received by:**

From : **Date:**

SUBJECT MATTER: Proposed Ordinance imposing additional penalty of suspension, non-renewal, or revocation of the business permit/license of the hospital or medical clinic in Cagayan de Oro City whose official, medical practitioner or employee refuses to administer appropriate initial medical treatment and support in emergency cases in violation of R.A. No. 8344. (*Author: Councilor Maria Lourdes S. Gaane*)

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 12, 2018

for inclusion

HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING

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

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

DATE: OCTOBER 20, 2017

FROM: COUN. L. GAANE

SUBJECT MATTER: PROPOSED ORDINANCE PROVIDING ADDITIONAL PENALTIES FOR THE REFUSAL OF HOSPITALS AND MEDICAL CLINICS TO ADMINISTER APPROPRIATE INITIAL MEDICAL TREATMENT AND SUPPORT IN EMERGENCY OR SERIOUS CASES IN CAGAYAN DE ORO CITY.

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
CITY OF CAGAYAN DE ORO

OFFICE OF THE CITY COUNCIL

(08822) 724854; (088) 857-1029; 857-4035; 857-2048

Communication Number: 1114-2017

Date: Sept.7, 2017
Receiver:

FROM: CLENRO

SUBJECT MATTER: Proposed Ordinance Providing additional penalties for the refusal of hospitals and medical clinics to administer appropriate initial medical treatment and support in emergency or serious cases in Cagayan de Oro City.

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

FOR THE VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL

City Council Secretary

==========

COMMITTEE REPORT AND RECOMMENDATION
Date of Meeting: 10/30/17

Refer to committee on Laws & Rules

Hon. MARIA LOURDES S. GAANE
Chairman

Hon. REUBEN R. DABA
Vice Chairman

Hon. GEORGE S. GOKING
1st Member

Hon. JAY R. PASCUAL
2nd Member

Hon. ZALDY O. OCON
3rd Member

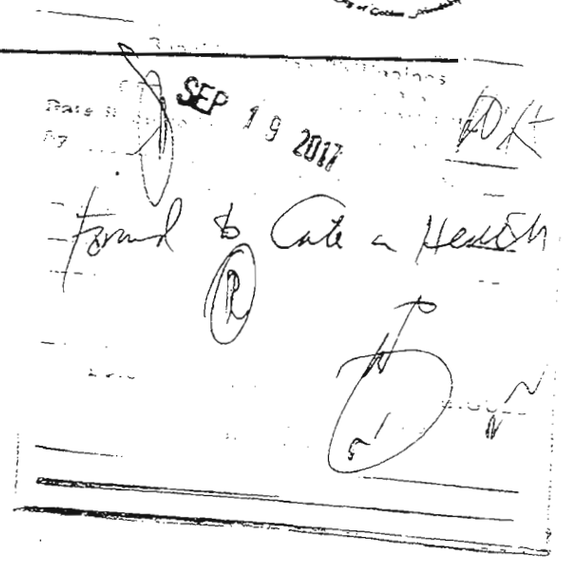
Hon. SUZETTE M. DABA
4th Member

Ex-Officio Member

Ex-Officio Member

DISSENTING

Republic of the Philippines
CITY GOVERNMENT OF CAGAYAN DE ORO
City Hall, Cagayan de Oro City
CITY LEGAL OFFICE



September 14, 2017

MARIETTA A. PALAGBAS
Local Legislative Staff Officer V
Chief, Executive Committees Division

Dear Ms. Palagbas:

GREETINGS!

This is in response to your letter dated September 8, 2017 seeking for review and legal opinion for (3) three proposed ordinances namely (1) An Ordinance providing additional penalties for the refusal of hospitals and medical clinics to administer appropriate initial medical treatment and support in emergency or serious cases in Cagayan de Oro City." (2) *An Ordinance strengthening the implementation of the Senior Citizens Law of 1992 and for other purposes (3) An Ordinance Implementing a Comprehensive Anti-Vaping Ordinance of Cagayan de Oro, prohibiting the use, sale, distribution, and advertisement of Electronic Cigarettes in certain places within the City, and for other purposes.*

In this connection, kindly be informed that this Office has thoroughly reviewed the mentioned proposed ordinances and would like to state the following observations and recommendations on the various sections of the proposed ordinances:

A. ***FOR ORDINANCE 1 AND 2:*** (1) An Ordinance providing additional penalties for the refusal of hospitals and medical clinics to administer appropriate initial medical treatment and support in emergency or serious cases in Cagayan de Oro City." (2) *An Ordinance strengthening the implementation of the Senior Citizens Law of 1992 and for other purposes*

1. The penalty clause in Ordinance 1 and 2 provides for the non-renewal, suspension or revocation of the business permits/licenses of any erring establishments in the territorial jurisdiction of Cagayan de Oro City.

   This is a valid exercise of police power. SECTION 16 of the Local Government Code of 1991 provides for the General Welfare clause[1], which empowers the local government to regulate commerce for the general welfare.

   However, it should be emphasized that closing down of business should be in accordance with procedural due process. Notice and hearing should be made prior to closure.

2. The Office would like to respectfully direct your attention to Section 3 of the Enhanced No Deposit Ordinance of 2017. The reference to Section 5 of R.A. 8344 is erroneous, as this should relate to the punished acts by the ordinance. The proper section to be referred to should be Section 4[2] as this is the section amended to encapsulate the penalty clauses.

---

[1] RA 7160. SEC. 16. *General Welfare.* - Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

[2] RA 8344. "SEC. 4. Any official, medical practitioner or employee of the hospital or medical clinic who violates the provisions of this Act shall, upon conviction by final judgment, be punished by imprisonment of not less than six (6) months and one (1) day but not more than two (2) years and four (4) months, or a fine of not less than Twenty thousand pesos (P20,000.00), but not more than One hundred thousand pesos (P100,000.00) or both, at the discretion of the court: Provided, however, That if such violation was committed pursuant to an established policy of the hospital or clinic or upon instruction of its management, the director or officer of such hospital or clinic responsible for the formulation and implementation of such policy shall, upon conviction by final judgment, suffer imprisonment of four (4) to six (6) years, or a fine of not less than One hundred thousand pesos (P100,000.00), but not more than Five hundred thousand pesos (P500,000.00) or both, at the discretion of the court."

B. **FOR ORDINANCE 3:** *An Ordinance Implementing a Comprehensive Anti-Vaping Ordinance of Cagayan de Oro, prohibiting the use, sale, distribution, and advertisement of Electronic Cigarettes in certain places within the City, and for other purposes.*

Except for some points of observation provided below, the Office finds the proposed Ordinance to be in legal order and within the powers of the local government unit.

1. As to the set of penalties, the option to pay a fine or donate blood may expose said provision to constitutional infirmity. Though it is public notice that some local government units have employed such measure, it is prudent for the Honorable Council to reconsider.

   Section 10 of the said ordinance seems to provide options for the violator namely to pay *a fine or donate blood voluntarily*.

   Considering the event that the violator has no means to pay the fine, blood donation is no longer considered voluntary but a forced bodily extraction. Furthermore, if the person is not qualified to donate blood and could not afford the fine, what would be the alternative? This is a gap in the law that the Office respectful directs the Honorable Council to review.

   Part of blood donation process is the testing of the donee's health and asking questions which are generally private matters. This imposed testing might violate the right to privacy, bodily integrity, and to some extent, the right against self-incrimination for those who cannot afford the fine.

   Furthermore, there are certain persons whose adhered religion prohibits the extraction of blood. It is prudent that this fact be considered in this policy. Implementing such policy would violate their constitutional right to freedom of religion as well – one of the highest rights enshrined and protected by our fundamental law.

In sum, it is respectfully suggested that a third option be provided such as *community service or another less intrusive penalty at the option of the violator* to remove clouds of doubt as to the reasonableness and constitutionality of the penalty.

For your guidance and information.

Prepared by:

Atty. ERNESTO B. NERI
City Legal Team

Reviewed by:

ATTY. DONALD G. DELEGENCIA
Officer – in – charge
City Legal Office
Cagayan de Oro City

ROPOSED ORDINANCE NO. 2018-____

AN ORDINANCE IMPOSING ADDITIONAL ADMINISTRATIVE PENALTIES AS SPECIFIED HEREIN ON HOSPITALS OR MEDICAL CLINICS IN CAGAYAN DE ORO CITY WHOSE OFFICIAL, MEDICAL PRACTITIONER OR EMPLOYEE REFUSES TO ADMINISTER APPROPRIATE INITIAL MEDICAL TREATMENT AND SUPPORT IN EMERGENCY CASES IN VIOLATION OF R.A. NO. 8344

INTRODUCED BY COUNCILOR MARIA LOURDES S. GAANE

Whereas, Section 10 in the Declaration of Principles and State Policies of the Constitution provides: "The State shall provide social justice in all phases of national development";

Whereas, Section 15 of Article II of the Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them;

Whereas, Article XIII, Section 11 of the Constitution further provides that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women and children;

Whereas, R.A. No. 8344 penalizes the refusal of hospitals and medical clinics to administer appropriate initial medical treatment and support in emergency or serious cases;

Whereas, it is imperative to strengthen the implementation of RA 8344 in Cagayan de Oro City;

NOW, THEREFORE:

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

SECTION 1. Title. – This Ordinance shall be known and cited as the "**Enhanced No Deposit Ordinance of 2018**".

SECTION 2. Adoption. – As far as practicable, the pertinent provisions of R.A. 8344, entitled: "*An Act Penalizing the Refusal of Hospitals and Medical Clinics to Administer Appropriate Initial Medical Treatment and Support in Emergency or Serious Cases, Amending for the Purpose Batas Pambansa Bilang 702, Otherwise Known as "An Act Prohibiting the Demand of Deposits or Advance Payments for the Confinement or Treatment of Patients in Hospitals and Medical Clinics in Certain Cases*", are hereby adopted by reference.

SECTION 3. Penalties. – Any official, medical practitioner or employee of the hospital or medical clinic in Cagayan de Oro City who violates the provisions of RA 8344 by failing to administer appropriate initial medical treatment and support in emergency or serious cases shall be penalized in the manner prescribed by Section 4 of RA 8344.

In addition, there shall be imposed the following administrative penalties on hospital or medical clinic in Cagayan de Oro City whose official, medical practitioner or employee is found violating the provisions of RA 8344, to wit:

(a) First Offense - a fine of ₱5,000.00 plus stern warning;

(b) Second Offense	- a fine of P5,000.00 plus suspension for five (5) days of business permit;
(c) Third/Succeeding Offense/s	- a fine of P5,000.00 plus suspension for ten (10) days of business permit;

SECTION 4. Severability. – If any part of provision of this Ordinance is declared invalid or unconstitutional by competent authority, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 5. Repealing Clause. – All provisions of ordinances and local orders including rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

SECTION 6. Effectivity. – This Ordinance shall take effect after fifteen (15) days following its publication in a local newspaper of general circulation.

APPROVED.

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

Communication Number: **Received by:**

From : **Date:**

SUBJECT MATTER: Proposed Ordinance authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Agreement (MOA) with the Department of Agriculture – Regional Field Office 10, represented by Regional Executive Director Carlene C. Collado, CPA, covering the grant to the City of One (1) Unit Spring Development in Barangay Besigan, under the terms and conditions stated therein.

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 12, 2018

- for inclusion

HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING

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

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

DATE: JUL 05 2018

FROM: CMO

SUBJECT MATTER: MEMORANDUM OF AGREEMENT (MOA) TO BE EXECUTED BY THE CLGU CAGAYAN DE ORO AND THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, 2ND DEO FOR THE IMPLEMENTATION OF FARM TO MARKET ROAD PROJECTS FOR CY 2018 IN THE 2ND DISTRICT AND THE MOA WITH THE DEPARTMENT OF AGRICULTURE FOR THE GRANT OF 1 UNIT SPRING DEVELOPMENT IN BARANGAY; AND FURTHER REQUESTING THE CITY COUNCIL TO PASS AN ORDINANCE AUTHORIZING THE RELEASE OF 10% COUNTERPART FOR THE FARM TO MARKET ROAD PROJECT AND AUTHORIZING THE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE SAME.

ACTION: REFER TO COMMITTEE ON **ARICULTURE AND AFISHERIES.**

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

Communication Number: 2018-1637

Date: 05/10/2018
Receiver: JESSAMINE

From: CMO

Subject: MEMORANDUM OF AGREEMENT (MOA) TO BE EXECUTED BY THE CLGU CAGAYAN DE ORO AND THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, 2ND DEO FOR THE IMPLEMENTATION OF FARM TO MARKET ROAD PROJECTS FOR CY 2018 IN THE 2ND DISTRICT AND THE MOA WITH THE DEPARTMENT OF AGRICULTURE FOR THE GRANT OF 1 UNIT SPRING DEVELOPMENT IN BARANGAY; AND FURTHER REQUESTING THE CITY COUNCIL TO PASS AN ORDINANCE AUTHORIZING THE RELEASE OF 10% COUNTERPART FOR THE FARM TO MARKET ROAD PROJECT AND AUTHORIZING THE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE SAME.

Respectfully referred to **COMMITTEE ON AGRICULTURE & FISHERIES** 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: Jul 9, 2018

Ok - recommending approval - grant of 1 unit Spring Dev.
REFER -> MOA - farm to market road - request release of 10% to Finance/ counterpart - (adp)
Budget & Appls.

HON. ANNIE Y. DABA
Chairperson

HON. JAY R. PASCUAL
Vice Chairperson

HON. ENRICO D. SALCEDO
Member

HON. LORDAN G. SUAN
Member

HON. SUZETTE MAGTAJAS-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

Generated from Legislative Management Information System, 05/10/2018 4:10 pm

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

cagayan de Oro
city of golden friendship

May 7, 2018

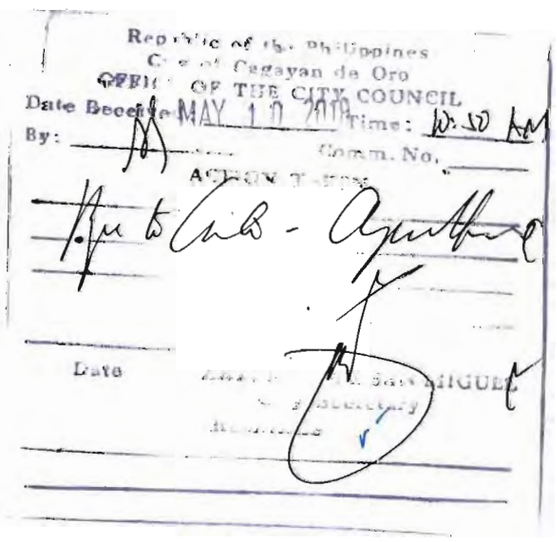
THE HONORABLE PRSEIDING OFFICER, and
THE HONORABLE MEMBERS OF THE SANGGUNIANG PANLUNGSOD
Cagayan de Oro City

Sir/Ma'am:

Respectfully endorsing herein attached Memorandum of Agreement (MOA) to be executed by and between the CLGU Cagayan de Oro and the Department of Public Works and Highways 2nd DEO for the implementation of Farm to Market Road projects for CY 2018 in the 2nd district and the MOA with the Department of Agriculture for the grant of 1 unit Spring Development in Brgy. Besigan duly reviewed and recommended by the City Legal Office.

We would like to request the City Council for a resolution for the authorizing Hon. Oscar S. Moreno to sign the MOAs and the release of 10% counterpart for the farm to market road project.

Thank you.



Very truly yours,

OSCAR S. MORENO
City Mayor

Address: 2nd Floor, Executive Bldg,
City Hall Compound, Capistrano-Hayes Sts.
Cagayan de Oro City, Philippines
Website: cagayandeoro.gov.ph, Tel No. 8577581

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

cagayan de Oro
of golden friendship

27 April 2018

DR. HECTOR SAN JUAN, DVM
City Agriculturist
Agricultural Productivity Office
City of Cagayan de Oro

Dear Dr. San Juan:

Forwarded to this Office for appropriate action is the herein attached Memorandum of Agreement ("MOA") to be entered into by and between the City Government of Cagayan de Oro and the Department of Agriculture and Memorandum of Understanding ("MOU") with the Department of Public Works and Highways 1st DEO.

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

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

As to the MOU, this Office recommends that the subject matter at hand be duly forwarded to the Local Finance Committee for the issuance of the Certificate of Availability of Funds ("CAF") and subsequently indorsed to the Honorable Members of the City Council for their favorable consideration, with a request for an Ordinance authorizing the City Mayor to enter into and sign the same be duly enacted.

For your guidance and information.

APO, Cagayan de Oro City
RECEIVED
Date 4/27/18 Time 1:40 PM
By

ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer

1st Floor, Executive Building
City Hall Compound, Capistrano-Hayes Street
Cagayan de Oro City, Philippines
www.cagayandeoro.gov.ph
Telephone Number: +63 88 8572260, Email: citylegal_cdo@yahoo.com

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

cagayan de Oro
city of golden friendship

RECEIVED
CITY LEGAL OFFICE
APR 18 2018
3:10

April 17, 2018

ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer
Cagayan de Oro City

Sir:

Endorsing herein attached Memorandum of Agreement (MOA) by and between the Department of Agriculture and the City Local Government of Cagayan de Oro for the grant of one (1) unit Spring Development at Brgy. Besigan and the MOA by and between the Department of Public Works and Highways 1st DEO for the implementation of CY 2018 Farm to Market Road projects in the 1st District of the city.

For your review and endorsement.

Thank you.

Respectfully,

HECTOR R. SAN JUAN, DVM
City Agriculturist

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This **Memorandum of Agreement** is entered into and executed by and between:

The **DEPARTMENT OF AGRICULTURE – REGIONAL FIELD OFFICE 10** with office address at Antonio Luna St., Cagayan de Oro City represented herein by its OIC- Regional Director, **CARLENE C. COLLADO, CPA** hereinafter referred to as the **DA-RFO 10**;

- and -

The **Local Government Unit of Cagayan de Oro City** duly organized and existing under the laws of the Philippines, with office address at the **City Hall, Cagayan de Oro City** represented herein by its **City Mayor OSCAR S. MORENO** herein referred to as the **LGU/PROPONENT**;

WITNESSETH

WHEREAS, the DA-RFO 10 is implementing the High Value Crops Development Program (HVCDP) to enhance agricultural productivity and production and as a strategy of realizing the Agriculture and Fisheries Modernization Plan (AFMP);

WHEREAS, one component of the HVCDP Program is the provision of Spring Development to qualified farmer organization/Local Government Unit;

WHEREAS, the LGU/proponent is in need of a spring development to maximize production and provide mitigating/adaptive measures for climate change;

NOW THEREFORE, in connection with the above premises and consideration, the parties hereby agree on the following terms and conditions:

The DA RFO 10 shall:

1. Be responsible in the procurement of spring development to support the production of vegetables and other high value seedlings in the region through Public Bidding (RA 9184).

2. Provide one (1) unit, Spring Development amounting to Six Hundred Thousand Pesos (Php 600,000.00) as Full Grant to the LGU/Proponent.

3. Conduct periodic monitoring and evaluation to ascertain the progress / accomplishment of the project, proper utilization of the unit and compliance with the provisions in this agreement.

4. Have the right to intervene and institute corrective measures for the purpose of preserving the objectives of the program and if project monitoring and evaluation results warrant, the introduction of corrective measures.

The LGU/PROPONENT shall:

1. Provide all the support towards the conduct of the project and direct all its efforts toward accomplishing the purposes for which this Agreement is made.

2. Ensure the maintenance and sustainability of Spring development at least Five (5) years from the date of the establishment.

3. Operate the project in accordance with its objectives and purpose.

This Agreement shall take effect on the date of the signing hereof by the parties concerned and be terminated upon the satisfactory fulfillment of all the terms and conditions embodied herein. Any modification or amendments to this agreement shall be mutually agreed by the parties.

In WITNESS WHEREOF, the parties have hereunto set their hands this _____ day of _____ at _____, Philippines.

DEPARTMENT OF AGRICULTURE **REGIONAL FIELD 0FFICE 10**	**LGU CAGAYAN DE ORO CITY,** **MISAMIS ORIENTAL**
CARLENE C. COLLADO, CPA OIC - Regional Director	**OSCAR S. MORENO** City Mayor

Signed in the presence of:

CARLOTA S. MADRIAGA Chief, Field Operations Division	**HECTOR R. SAN JUAN, DVM** City Agriculturist

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF _____) S.S.
CITY/MUN. OF _____)

BEFORE ME, the undersigned Notary public for and in City of Cagayan de Oro, personally appeared, **CARLENE C. COLLADO, CPA,** in her capacity as the OIC- Regional Director, DA-RFO 10 with _____;

-and-

OSCAR S. MORENO, in his capacity as the City Mayor of LGU Cagayan de Oro City with Passport No. EB9472666;

Both known to me as the same persons who executed the foregoing instrument and they acknowledged to me that the same is their free and voluntary act and deed and of the agencies they represent.

This instrument, consisting of three (3) pages, including the page on which this acknowledgment is written, has been signed on the left hand margin of each and every page thereof by the parties and their instrumental witnesses and sealed with my notarial seal.

In WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, _____ in the City of Cagayan de Oro.

_____
Notary Public

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

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

Communication Number: **Received by:**

From : **Date:**

SUBJECT MATTER: Proposed Ordinance authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Understanding (MOA) with the Department of Health - Regional Office X (DOH ROX), represented by Regional Director Nimfa B. Torrizo, MD, MPH, covering the implementation of the Medical Assistance Program for indigent and poor patients of the J.R. Borja General Hospital, under the terms and conditions stated therein.

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 12, 2018

1 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 VICE MAYOR

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

DATE: JUL -05 2018

FROM: JR BORJA GENERAL HOSPIT

SUBJECT MATTER: MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF HEALTH REGIONAL OFFICE X, J.R. BORJA GENERAL HOSPITAL (JRBGH) AND THE CITY OF CAGAYAN DE ORO FOR THE MEDICAL ASSISTANCE PROGRAM; AND FURTHER REQUESTING THE CITY COUNCIL TO PASS AN ORDINANCE AUTHORIZING THE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE SAME.

ACTION: REFER TO COMMITTEE ON **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
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
Sangguniang Panlungsod
Tel. # : 854-4026 / 857-4032 / 857-2258

Communication Number: 2018-1778

Date: 05/29/2018
Receiver: JESSAMINE

From: JR BORJA GENERAL HOSPITAL

Subject: MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF HEALTH REGIONAL OFFICE X, J.R. BORJA GENERAL HOSPITAL (JRBGH) AND THE CITY OF CAGAYAN DE ORO FOR THE MEDICAL ASSISTANCE PROGRAM; AND FURTHER REQUESTING THE CITY COUNCIL TO PASS AN ORDINANCE AUTHORIZING THE CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE SAME.

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

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 7/12/18

Report to Committee on Laws & Rules

HON. MARIA LOURDES S. GAANE
Chairperson

HON. REUBEN R. DABA
Vice Chairperson

HON. GEORGE S. GOKING
Member

HON. JAY R. PASCUAL
Member

HON. SUZETTE MAGTAJAS-DABA
Member

HON. YAN LAM LIM
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING

Generated from Legislative Management Information System 07/06/2018 2:16 pm

Republic of the Philippines
City of Cagayan de Oro

OFFICE OF THE CITY MAYOR

JUL 12 2018

cagayan de Oro
city of golden friendship

ANTONIO S. DE SAN MIGUEL
City Council Secretary

1st Indorsement
9 July 2018

Respectfully transmitted to **The Honorable Members of the City Council** through **Hon. RAINEIR JOAQUIN V. UY,** City Vice Mayor, the herein Memorandum of Agreement (MOA) between the Department of Health Regional Office-10, J.R. Borja General Hospital and the City Government of Cagayan de Oro relative to the implementation of Medical Assistance Program to indigent and poor patients, for passage of appropriate ordinance authorizing the undersigned to enter into said Memorandum of Agreement.

OSCAR S. MORENO
City Mayor

Republic of the Philippines
J.R. BORJA GENERAL HOSPITAL
J.V. Seriña Street, Carmen, Cagayan de Oro City
Misamis Oriental, PHILIPPINES 9000
Tel.no.: Admin. Office: (088) 880 - 2001
Emergency Room: (088) 880 - 1070
Email address: jrborjagenhosp@gmail.com

2nd Indorsement

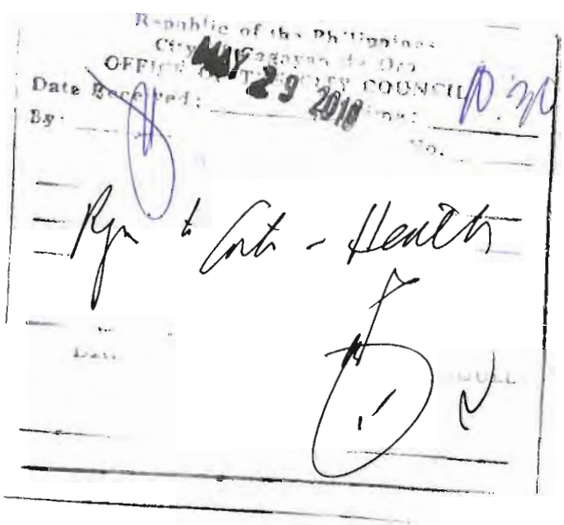
23 May 2018

Respectfully indorsing to the ***City Council, this city,*** the herein attached Memorandum of Agreement between the Department of Health Regional Office X, J.R. Borja General Hospital (JRBGH) and the City Government of Cagayan de Oro for the Medical Assistance Program of JRBGH for issuance of the necessary ordinance recommended by the City Legal Office, authorizing the ***Honorable City Mayor*** to enter into and sign the abovementioned Memorandum of Agreement.

For your approval.

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE CITY VICE MAYOR
CITY OF CAGAYAN DE ORO
RECEIVED
DATE: 5/25/18
TIME: 10:05am

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



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

cagayan de Oro

1st Floor, Executive Building
City Hall Compound, Capistrano-Hayes Street
Cagayan de Oro City, Philippines
www.cagayandeoro.gov.ph
Telephone Number: +63 88 8572260, Email: citylegal_cdo@yahoo.com

06 July 2018

RECORDS SECTION
OFFICE OF THE CITY ADMINISTRATOR
CAGAYAN DE ORO CITY
RECEIVED
DATE: 7-9-18 TIME: 9:50
CONTROL NO.
BY: COS

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

Dear Mr. Sabuga-a:

This has reference to your 2nd Endorsement dated 04 July 2018 relative to Memorandum of Agreement ("MOA") to be executed between the Department of Health Regional Office X; J.R. Borja General Hospital ("JRBGH"); and the City Government of Cagayan de Oro for the effective and efficient system for the implementation of Medical Assistance Program to indigent and poor patients of the hospital, for this Office review and recommendations.

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

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

For your guidance and information.

Respectfully yours,

ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer

Noted by:

ATTY. JOSE B. SABANAL
Executive Overseer
City Legal Office

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Agreement is entered into by and between:

The **DEPARTMENT OF HEALTH – REGIONAL OFFICE X**, a government agency established under the laws of the Republic of the Philippines, with principal office address at J.V. Seriña St., Carmen, Cagayan de Oro City, herein represented by its Regional Director, **NIMFA B. TORRIZO, MD, MPH**, hereinafter referred to as **"DOH ROX"**;

-and-

The **J.R. BORJA GENERAL HOSPITAL**, a hospital operating by virtue of the City Government of Cagayan de Oro, with principal office address at J.V. Seriña St., Carmen, Cagayan de Oro, herein represented by its Chief of Hospital, **DR. RAMON M. NERY**, hereinafter referred to as **"HOSPITAL"**;

-and-

The **CITY GOVERNMENT OF CAGAYAN DE ORO**, a local government unit duly established under the laws of the Republic of the Philippines, with principal office address at City Hall, Capistrano St. Cagayan de Oro City, herein represented by its duly elected Mayor, **HON. OSCAR S. MORENO**, hereinafter referred to as **"LGU"**;

WITNESSETH:

WHEREAS, pursuant to Republic Act No. 10924, otherwise known as the General Appropriations Act (GAA) for Fiscal Year 2018, an allocation in the amount of One Million Seven Hundred Fifty Thousand Pesos (PhP1,750,000.00) has been allocated in favor of DOH ROX intended as assistance to indigent and poor patients of the Hospital;

WHEREAS, DOH ROX has been providing assistance to indigent and poor patients seeking consultation or being admitted to the various government hospitals and other health care facilities;

WHEREAS, to ensure a more effective and efficient system for the implementation of the medical assistance to indigent and poor patients, all the three parties, DOH ROX, Hospital and LGU, hereby agree to comply in accordance to the existing implementing guidelines of the Medical Assistance Program (MAP), as stated in Department memorandum Issuance 2018-0115 entitled "Reiteration of Administrative Order No. 2017-0003 Entitled "Guidelines for the Implementation of the 2017 Medical Assistance Program (MAP) in DOH Hospitals and other selected Government Health Facilities" and its Amendments" and observe the Special Provision No. 7 of the General Appropriation Act of 2018 for Assistance to indigent patients and shall adopt the new implementing guidelines once released;

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

I. RESPONSIBILITIES OF THE DOH ROX

A. The DOH ROX shall:

1. Transfer funds for medical assistance to the indigent and poor patients to the Hospital shall be made pursuant to the agreed schedule, to wit:

   - Release **EIGHT HUNDRED SEVENTY FIVE THOUSAND PESOS (PhP875,000.00)**, fifty percent (50%) of the total allocated amount;

FLORENCE M. OLARTE
Admin Officer V – Budget Head

RHEY A. NALZARO, CPA
OIC Accountant II

NIMFA B. TORRIZO, MD, MPH
Director IV

DR. RAMON M. NERY
Chief of Hospital

HON. OSCAR S. MORENO
City Mayor

DE

J.R. Borja Gen. Hospital:

City Govt. of Cagayan de Oro:

- Release the remaining amount of **EIGHT HUNDRED SEVENTY FIVE THOUSAND PESOS (PhP875,000.00)** upon submission by the Hospital of the Fund Utilization Report/Liquidation report together with its supporting documents covering the first (1st) release;

2. Encode the approved medical assistance, other pertinent information and fund utilization of the Hospital using EWEBPAIS;
3. Submit a consolidated report on the fund utilization of the government health facilities to the Office of the Secretary of Health, copy furnishing the Financial Management Services and PAU every 10th of the month following the end of each quarter;
4. Conduct periodic monitoring to ensure compliance by the LGU with guidelines of the program;
5. Utilize no more than one percent (1%) of the total amount of the funds transferred for maintenance and other operating/administrative expenses incurred in the implementation of MAP;
6. Ensure compliance of the Hospital of all its reportorial responsibilities under the foregoing agreement.

II. RESPONSIBILITIES OF THE HOSPITAL

B. The Hospital shall:

1. Facilitate the implementation of MAP through adequate assessment and evaluation of patients for their eligibility and consequently approve request within the authorized amount;
2. Ensure availability of medicines and other health care services needed by the indigent and poor patients in accordance to the revised implementing guidelines of MAP;
3. Ensure that in no case shall the grant of assistance to eligible patients be delegated and/or transferred to a non-governmental organization, people's organization or other similar organizations;
4. Submit a monthly liquidation report every 5th of the following month to the DOH ROX reflecting the list of patients, type of health care services and actual amount of the medical assistance provided the report shall be signed by the Chief Accountant or his equivalent and approved by the Chief of Hospital;
5. Ensure compliance in the implementing guidelines particularly on the fund administration and authorization;
6. Ensure the process of patients' personal sensitive information in accordance with the Data Privacy Act.

III. RESPONSIBILITIES OF THE LGU

C. The LGU shall:

1. Ensure and monitor the compliance of the Hospital to the program pursuant to the revised implementing guidelines of MAP including reporting and submission of the required reports together with its pertinent documents every 5th of the month.

IV. PAYMENT

D. All payments and processing of Fund Utilization/Liquidation reports shall be done in the office of DOH ROX.

V. EFFECTIVITY

FLORENCE M. OLARTE
Admin Officer V - Budget Head

RHEY A. NAZARO, LPA
OIC Accountant II

NIMFA B. TORRIZO, MD, MPH
Director IV

DR. RAMON M. NERY
Chief of Hospital

HON. GRACE S. MORENO
City Mayor

E. This Agreement shall take effect upon the signing of all the parties concerned of the foregoing instrument and shall remain valid until 31 December 2018 otherwise it is automatically terminated pursuant to the provisions on Termination as provided for in this Agreement.

VI. TERMINATION

F. This Agreement shall automatically terminate upon the depletion of the funds intended for this purpose or upon mutual agreement of the parties.
G. Termination may also be commenced by any of the parties by giving written notice to the other party and such termination shall take effect thirty (30) days from receipt of such notice, unless otherwise qualified by the terminating party.

End of terms and conditions.

IN WITNESS WHEREOF, the parties of this Agreement have hereunto set their hands at the bottom of this page and on all other pages of this agreement this _____ day of _____ in the City of Cagayan de Oro.

DEPARTMENT OF HEALTH – REGIONAL OFFICE X
"DOH ROX"

_____
NIMFA B. TORRIZO, MD, MPH
Director IV

J.R. BORJA GENERAL HOSPITAL
"HOSPITAL"

_____
DR. RAMON M. NERY
Chief of Hospital

CITY GOVERNMENT OF CAGAYAN DE ORO

_____
HON. OSCAR S. MORENO
City Mayor

Signed in the presence of:

FLORENCE M. OLARTE
Admin Officer V – Budget Head

_____
Accountant – Hospital

RHEY A. NALZARO, CPA
OIC Accountant II

_____
Accountant – LGU

ACKNOLEDGEMENT

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

BEFORE ME, a Notary Public, this _____ in the City of _____, Philippines, personally appeared the following:

Name	ID Type/No.	Place/Date of Issue
Dr. Nimfa B. Torrizo	_____	_____
Dr. Ramon M. Nery	_____	_____
Hon. Oscar S. Moreno	_____	_____

known to me to be the same persons who executed the foregoing instrument and they acknowledged to me that the same are their free act and voluntary deed.

WITH MY HAND AND SEAL.

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

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

Communication Number: **Received by:**

From : **Date:**

SUBJECT MATTER: Proposed Ordinance authorizing the Honorable City Mayor Oscar S. Moreno to enter into and sign the Memorandum of Understanding (MOU) with the Philippine Business for Education, represented by its President Mr. Meliton B. Salazar, covering the implementation of the latter's Education and Youth Employability Project in the City of Cagayan de Oro, under the terms and conditions stated therein.

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 12, 2018

for inclusion

HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HOIN. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING

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

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

DATE: JUL 05 2018

FROM: CMO

SUBJECT MATTER: REQUEST FOR THE GRANTING OF AUTHORITY TO CITY MAYOR OSCAR S. MORENO TO ENTER INTO AND SIGN THE MEMORANDUM OF UNDERSTANDING (MOU) IN HIS CAPACITY AS THE LOCAL CHIEF EXECUTIVE WITH PHILIPPINE BUSINESS FOR EDUCATION, TO BE REPRESENTED BY ITS PRESIDENT, MELITON B. SALAZAR, JR., C. OVERING THE IMPLEMENTATION OF THE LATTER'S EDUCATION AND YOUTH EMPLOYABILITY PROJECT (THE PROJECT), IN THE LOCAL GOVERNMENT UNIT.

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

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

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

Comm. No.: _____ Received by: _____

From: _____ Date: _____

Subject: Memorandum of Understanding between the City Government of Cagayan de Oro and Philippine Business for Education (PBeD) covering the implementation of the latter's Education and Youth Employability Project of the Local Government Unit.

Respectfully referred to the Committee on **EDUCATION**, the herein communication for study, investigation, report and recommendation.

For the City Vice Mayor and Presiding Officer
City Council

ARTURO S. DE SAN MIGUEL
City Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: June 22, 2018

actions:
1) Refer to the City Legal Office for opinion and recommendation and to verify the source of fund
2) Then refer to the Committee on Laws & Rules

Chairman: **HON. SUZETTE G. MAGTAJAS-DABA** *Vice-Chairman:* **HON. JAY R. PASCUAL**

Member: **HON. MARIA LOURDES S. GAANE** *Member:* **HON. ROMEO V. CALIZO**

Member: **HON. REUBEN F. DABA** Ex-Officio-*Member*: _____

Ex-Officio-*Member*: _____ Ex-Officio-*Member*: _____

DISSENTING

_____

_____

_____

_____ _____
Member Member

REPUBLIC OF THE PHILIPPINES
City of Cagayan de Oro
CITY CHIEF EXECUTIVE DEPARTMENT

June 13, 2018

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

SUBJECT: REQUEST FOR THE GRANTING OF AUTHORITY TO CITY MAYOR OSCAR S. MORENO THE AUTHORITY TO ENTER INTO AND SIGN THE MEMORANDUM OF UNDERSTANDING (MOU) IN HIS CAPACITY AS THE LOCAL CHIEF EXECUTIVE WITH PHILIPPINE BUSINESS FOR EDUCATION, TO BE REPRESENTED BY ITS PRESIDENT, MELITON B, SALAZAR, JR., COVERING THE IMPLEMENTATION OF THE LATTER'S EDUCATION AND YOUTH EMPLOYABILITY PROJECT (THE "PROJECT"), IN THE LOCAL GOVERNMENT UNIT

LADIES AND GENTLEMEN:

This refers to the Memorandum of Understanding (MOU) to be entered into by and between the City Government of Cagayan de Oro, to be represented by the undersigned, as the local chief executive with Philippine Business for Education (PBeD), to be represented by its President, Mr. Meliton B. Salazar, Jr., covering the implementation of the latter's Education and Youth Employability Project (The "Project"), in the local government unit (LGU).

This laudable program covered by the MOU, intends among others, to address the problem of skills mismatch and youth unemployment. Pursuant to this collaboration, the Parties seek to share their respective strengths, experiences, technologies, methodologies, and resources (including human, in-kind and monetary) in order to achieve their common goal of improving human capital development in the LGU.

In this regard, we respectfully request the honorable body to pass a Resolution to authorize the undersigned, to sign the MOU on behalf of the city government. A copy of the MOU is attached herewith for your perusal.

Hoping for your favorable response on this request.

Thank you.

Truly yours,

OSCAR S. MORENO
Mayor

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE CITY VICE MAYOR
CITY OF CAGAYAN DE ORO
RECEIVED
DATE: 06-20-2018
TIME: 10:35 A.M

Republic of the Philippines
City of Cagayan de Oro
LOCAL SCHOOL BOARD

cagayan de Oro
city of golden friendship

ENDORSEMENT
02 July 2018

Respectfully endorsed to **HON. SUZETTE MAGTAJAS-DABA**, Chairman of Education Committee, Office of the City Council, the herein **Legal Opinion** of the City Legal Office on the Memorandum of Understanding (MOU) between the City Government of Cagayan de Oro (CDO LGU) and Philippine Business for Education (PBeD).

For your review and appropriate action.

MARIA DULCE T. POTENCIANO
Focal Person for Education
Office of the City Mayor

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

cagayan de Oro
city of golden friendship

1186-18
RECEIVED
CAGAYAN DE ORO CITY
27 JUN 2018

26 June 2018

MARIA DULCE T. POTENCIANO
Focal Person for Education
Office of the City Mayor

Dear Ma'am Potenciano:

GREETINGS!

This is in response to your endorsement dated 20 June 2018 seeking for review and legal opinion on the Memorandum of Understanding (MOU) between the City Government of Cagayan de Oro (CDO LGU) and Philippine Business for Education (PBeD).

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

For your guidance and information.

Prepared by:

ATTY. KIRSTEN KATE F. CALVO, CPA
Attorney IV
City Legal Office

Reviewed by:

ATTY. REYMOND Q. VILLABLANCA
Assistant City Legal Officer
Cagayan de Oro City

Noted:

ATTY. JOSE B. SABANAL
Executive Overseer, City Legal Office
Cagayan de Oro City

PBEd (Philippine Business for Education) and LGU CDO Memorandum of Understanding

The Need

The City Government being committed to Education and Poverty Alleviation initiated to strengthen partnership with other institutions and organizations. With this recognized position at present, the LGU CDO and PBed have agreed to sign a Memorandum of Understanding.

The Purpose

The signing of Memorandum of Understanding will establish an alliance between parties and outline the understandings and intentions with their shared goals. Both parties will collaborate in the development of outreach and education materials regarding the program for external audiences.

The project

As part of its workforce development thrust, PBEd is implementing the Education and Youth Employability Project (the "Project"), a five-year, nationwide initiative in partnership with the United States Agency for International Development (USAID/Philippines). Together with the LGU CDO, academe, other education and employment stakeholders, the project will engage in improving human capital development.

The Goals & Benefits

With the main goal of improving capital development in the country by increasing industry engagement, the Alliance will focus on joint activities around the following objectives: develop and sustain partnerships among industry, academe, and government; increase participant employability and actual employment; and improve employer perception of participant competence.

With these said goals, the alliance between LGU CDO and PBed aims to develop a nation of lifelong learners who are able to participate and succeed in the global economy and addressing the problem of skills mismatch and youth unemployment in the country.

MEMORANDUM OF UNDERSTANDING

KNOW ALL MEN BY THESE PRESENTS:

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

-and-

PHILIPPINE BUSINESS FOR EDUCATION, is a non-profit organization created and existing under the laws of the Republic of the Philippines, with office address at 7F SEDCO 1 Bldg., Rada St., Legaspi Village, Makati City, and duly represented its by President **MR. MELITON B. SALAZAR, JR.,** and herein referred to as "**PBeD**".

WITNESSES:

WHEREAS, **CDO LGU**, under the present administration considers Education as an important component under its Eight-point Agenda;

WHEREAS, "**CDO LGU**", is committed to collaborate with various stakeholders in the efforts to enhance the quality of education in the local government unit (LGU);

WHEREAS, **CDO LGU**, has been awarded with the Seal of Good Education Governance by Senergia;

WHEREAS, "**PBeD**" is composed of the country's top business leaders, who care about the role of education in competitiveness and national development. Core to its approach is building consensus, as a neutral, but critical industry voice, on specific education to employment policies;

WHEREAS, "**PBeD**" is desirous in collaborating with "**CDO LGU**" in improving the quality of education in the city, focusing in three areas of work: basic education reform, teacher quality improvement, and workforce development;

WHEREAS, "**PARTIES**" have a common interest in developing a nation of lifelong learners able to participate and succeed in the global economy giving emphasis in addressing the problem of skills mismatch and youth unemployment in the country;

WHEREAS, a Memorandum of Understanding is needed to establish an alliance between "PARTIES" to further their goals, and to outline the understandings and intentions with regard to these shared goals. The Parties seek to share their respective strengths, experiences, technologies, methodologies, and resources (including human, in-kind, and monetary) in order to achieve these goals;

NOW, THEREFORE, for and in consideration of the foregoing premises the above-named "PARTIES" agree as follows:

I. PURPOSE

The PARTIES have a common interest in developing a nation of lifelong learners able to participate and succeed in the global economy. Key to this approach is addressing the problem of skills mismatch and youth unemployment in the country.

As part of its workforce development thrust, PBEd is implementing the Education and Youth Employability Project (the "Project"), a five-year, nationwide initiative in partnership with the United States Agency for International Development (USAID/Philippines). Through a Global Development Alliance mechanism, the Project will engage industry, academe, government, and other education and employment stakeholders in improving human capital development in the Philippines.

The purpose of this Memorandum of Understanding ("MOU") is to establish an alliance between PBEd and CDO LGU (hereinafter each referred to as a "Party" and collectively as "Parties") to further the goals set forth below (the "Goals"), and to outline the understandings and intentions with regard to these shared Goals. The Parties seek to share their respective strengths, experiences, technologies, methodologies, and resources (including human, in-kind, and monetary) in order to achieve these Goals.

With an overarching goal of improving human capital development in the country by increasing industry engagement, the Alliance will focus on joint activities around the following objectives:

1. Develop and sustain partnerships among industry, academe, and government
2. Increase participant employability and actual employment
3. Improve employer perception of participant competence

The Parties enter into this MOU while wishing to maintain their own separate and unique missions and mandates, and their own accountabilities. Unless specifically provided otherwise, the cooperation among the Parties as outlined in this MOU shall not be construed as a partnership or other type of legal entity or personality. Each Party shall accept full and sole responsibility for any and all expenses incurred by itself relating to this MOU. Nothing in this MOU shall be construed as superseding or interfering in any way with any agreements or contracts entered into among the Parties, either prior to or subsequent to the signing of this MOU. Nothing in this MOU shall be construed as an exclusive working relationship. The Parties specifically acknowledge that this MOU is not an obligation of funds, nor does it constitute a legally binding commitment by any Party or create any rights in any third party.

II. PARTNER ROLES, RESPONSIBILITIES, AND NOTICES

1. PBEd

Background: PBEd is the business community's response to the need for sustained and strategic education reform in the Philippines. It is composed of the country's top business leaders, who care about the role of education in competitiveness and national development. Core to its approach is building consensus, as a neutral, but critical industry voice, on specific education to employment policies. It has three areas of work: basic education reform, teacher quality improvement, and workforce development. It counts among its successes the Philippines' shift to a K to 12 basic education system, the coming together of over 600 public and private university presidents, and the increasing participation of industry in education through the National Industry Academe Council.

Role: Under the Alliance, it is expected that PBEd's role will be to:

a.) Oversee the implementation of the entire training program
b.) Partner with appropriate agencies in
- Recruiting and screening suitable applicants
- Providing life skills training to in-company training personnel
- Certifying trainees for successful program completion
- Evaluating program implementation

c.) Assess progress and make appropriate recommendations

2. CDO LGU

Background: The CDO LGU recognizes and has identified Education and Poverty Alleviation programs as vital components of its Eight-Point Agenda. She is the society's custodian and that she remains committed to address the intertwined problems of poverty and unemployment. At present, she has formulated a unified, comprehensive, responsive, and sustainable technical education , skills training and employment program through an executive order creating the Cagayan de Oro City Technical Education and Skills Development and Employment Committee (CDOC-TESDEC) which shall integrate the existing livelihood skills training program under the City Improvement Division (CID) in partnership with Technical Education & Skills Development Authority (TESDA) and non-formal education livelihood program under the Alternative Learning System (ALS) being promoted and supported by the City Local School Board (LSB). CDOC-TESDEC caters, but is not limited to, the monitoring coordination and orchestration of all kinds and types of technical education and skills training activities to be undertaken in the City.

Role: Under the Alliance, it is expected that CDO LGU's role will be to:

a. Provide scholarships for life skills and in-school competency training
b. Identify and allocate a space for training sessions where necessary
c. Facilitate relevant partnerships with other agencies as appropriate and feasible

III IMPLEMENTATION

1. Communications

The Parties will collaborate in the development of outreach and education materials regarding the programs for external audiences. Where relevant, branding will be accomplished in accordance with the Parties' respective legal, policy and procedural requirements.

The Parties will respect each other's confidentiality policies, with the mutual understanding that the Parties intend to publicize their alliance and its objectives without disclosing any confidential or proprietary information of the other Party.

2. Reporting and Evaluation

Reporting: CDO LGU shall provide quarterly reports to PBEd on (a) progress in achieving objectives of activities, and (b) challenges encountered and measures taken.

Evaluation: PBEd shall ensure relevant evaluation of the alliance's activities upon the end of the term of the MOU, and shall provide the relevant funding resource. The evaluation shall include, but will not be limited to, an analysis of the alliance activities as well as the feedback on the effectiveness of the alliance itself and the partners' participation.

IV. EFFECTIVE DATE, DURATION, AMENDMENTS, AND TERMINATION

This MOU becomes effective on the date of the last signature of both Parties and is expected to continue for five (5) years from such effective date. However, the Parties may decide, in writing, to extend this period. In addition, this MOU may be modified or amended if both Parties agree in writing. Any Party may terminate this MOU at any time but should endeavor to provide at least 30 days' written notice to the other Party.

IN WITNESS WHEREOF, the Parties, each acting through their duly authorized representatives, have caused this MOU to be signed in their names and delivered as of this _____ day of May, 2018.

CITY GOVERNMENT OF CAGAYAN DE ORO	**PHILIPPINE BUSINESS FOR EDUCATION (PBeD)**
By:	By:
OSCAR S. MORENO Mayor	**MELITON B. SALAZAR JR.** President

Signed in the presence of:

_____ _____

ACKNOWLEDGEMENT

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

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

Name	Government-issued ID

1. Oscar S. Moreno - Phil. Passport with Control No. EB947666; Expiry Date:28/18/18
2. Meliton B. Salazar, Jr. - _____

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

This instrument, consisting of five (5) pages, including the page on which this acknowledgment is written, has been signed on each of every page thereof by the principals and their witnesses, and sealed with my notarial seal.

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

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

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

Communication Number: **Received by:**

From : **Date:**

1. **SUBJECT MATTER**: Proposed Ordinance appropriating the sum of P18,120.81 from the item: "Personal Services: Salary Savings of unfilled vacant position under item #24 (Engineer IV) for the period January 1-11, 2018" in the 2018 Annual Budget of the Office of the Building Official, this City, to be made available for the payment of the unpaid salary of Mr. Reynold Echeveria, Electrical Inspector II of said office for the period December 1- 28, 2017

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 12, 2018

1 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 VICE MAYOR

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

DATE: JUN 19 2018

FROM: CMO

SUBJECT MATTER: RE:APPROPRIATING THE AMOUNT OF Php18,120.81, TO COVER PAYMENT OF UNPAID SALARY OF MR. REYNOLD ECHEVERIA, ELECTRICAL INSPECTOR II, OF THE OFFICE OF THE BUIDING OFFICIAL, FOR THE PERIOD DECEMBER 1-29, 2017, TO BE TAKEN FROM CURRENT APPROPRIATION, ANNUAL BUDGET CY 2018 PERSONAL SERVICES-SALARY SAVINGS OF UNFILLED VACANT POSITION ITEM NO. 24 (ENGINEER IV), FOR THE PERIOD JANUARY 1-11, 2018, OF SAME OFFICE, WITH CORRESPONDING CAF NO. 071-2018.

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

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
Sangguniang Panlungsod
Tel. # : 856-4026 / 857-4032 / 857-2258

Communication Number: 2018-1696

Date: 06/18/2018
Receiver: JESSAMINE

From: CMO

Subject: RE:APPROPRIATING THE AMOUNT OF Php18,120.81, TO COVER PAYMENT OF UNPAID SALARY OF MR. REYNOLD ECHEVERIA, ELECTRICAL INSPECTOR II, OF THE OFFICE OF THE BUILDING OFFICIAL, FOR THE PERIOD DECEMBER 1-29, 2017, TO BE TAKEN FROM CURRENT APPROPRIATION, ANNUAL BUDGET CY 2018 PERSONAL SERVICES-SALARY SAVINGS OF UNFILLED VACANT POSITION ITEM NO. 24 (ENGINEER IV), FOR THE PERIOD JANUARY 1-11, 2018, OF SAME OFFICE, WITH CORRESPONDING CAF NO. 071-2018.

Respectfully referred to **COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS** the herein communication for study, investigation, report and/or recommendation.

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION
Date of Meeting: July 5, 2018

RECOMMENDING APPROVAL (L/R)

HON. JONAH M. BAHINO
Chairperson

HON. TEODULFO E. LAO, JR.
Vice Chairperson

HON. ENRICO D. SALCEDO
Member

HON. GEORGE S. GOKING
Member

HON. REUBEN R. DABA
Member

HON. ZALDY O. OCON
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

Generated from Legislative Management Information System, 06/18/2018 (1:57 pm)

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

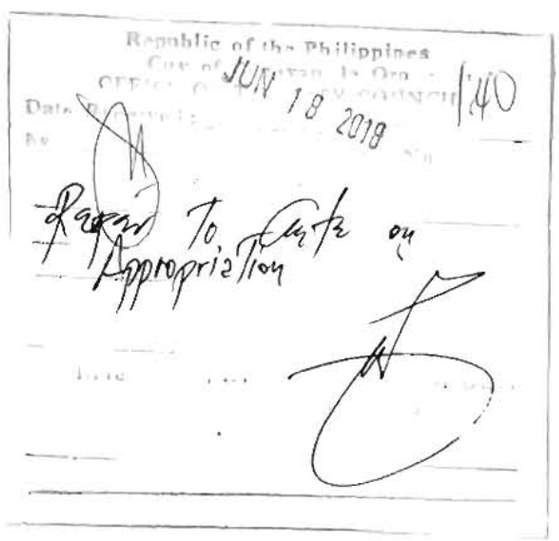
cagayan de Oro
city of golden friendship

2nd Indorsement
13 June 2018

Respectfully transmitted to **The Honorable Members of the City Council** through **City Vice Mayor RAINEIR JOAQUIN V. UY**, the attached Certificate of Availability of Funds No. 071-2018, to wit:

re: "APPROPRIATING THE AMOUNT ₱18,120.81, TO COVER PAYMENT OF THE UNPAID SALARY OF MR. REYNOLD ECHEVERIA, ELECTRICAL INSPECTOR II, OF THE OFFICE OF THE BUILDING OFFICIAL, FOR THE PERIOD DECEMBER 1-28, 2017, TO BE TAKEN FROM CURRENT APPROPRIATION, ANNUAL BUDGET CY 2018 "PERSONAL SERVICES-SALARY SAVINGS" OF UNFILLED VACANT POSITION ITEM NO. 24 (ENGINEER IV), FOR THE PERIOD JANUARY 1-11, 2018, OF SAME OFFICE".

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
CITY BUDGET OFFICE

cagayan deOro
city of golden friendship

CERTIFICATION

THIS IS TO CERTIFY that the amount of ₱ 18,120.81 from Current Appropriation, Annual Budget CY 2018, Personal Services - Salary Savings of unfilled vacant position of Item No. 24, Engineer IV, for the period January 1 - 11, 2018 of Office of the Building Official, this City, to cover payment of the unpaid Salary of Mr. Reynold Echeveria, Electrical Inspector II, of same office, for the period December 1-28, 2017, is available, to wit;

Particulars	Amount
Salary (December 1 - 28, 2017)	₱ 14,032.10
PERA	1,774.19
Life & Retirement Insurance	1,898.16
Pag-ibig Premium	316.36
ECC	100.00
Total	₱ 18,120.81

Issued this 8th day of June, 2018, pursuant to Local Finance Committee Resolution No. 045-2018.

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

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

Existence of available appropriation

Atty. PERCY G. SALAZAR
City Budget Officer
Chairman, Local Finance Committee
CAF - 071- 2018

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE BUILDING OFFICIAL

cagayan de Oro

CAGAYAN DE ORO CITY
LOCAL FINANCE COMMITTEE
SECRETARIAT
RECEIVED
DATE 5/23/18
BY:

May 22, 2018

Atty. PERCY G. SALAZAR
City Budget Officer
Chairman, Local Finance Committee
City Hall, Cagayan de Oro City

Dear Maam:

May we humbly request that payment of salary of Mr. Reynold Echeveria as Electrical Inspector II for the period December 1-28 AM, 2017 with a total of 16.5 days with pay amounting to Eighteen Thousand One Hundred Twenty and Eighty One Cents (P18,120.81) may be charged to Personal Services (Salary of Savings of Unfilled Vacant Position Item No. 24-Engineer IV) for the period January 1-11, 2018, breakdown of the same hereto attached for your perusal.

Hoping for your favorable consideration to this request.

Very truly yours,

AR. MARIA CONCEPCION A. ALCANTARA
OIC-City Building Office

1st Floor, Legislative Building
City Hall Compound Capistrano-Hayes Street
Cagayan de Oro City, Philippines
www.cagayandeoro.gov.ph
Telephone Number 858-2823 / 857-2687, Email: obo.cdomlo@gmail.com

03/27/18

CITY OF CAGAYAN DE ORO
APPLICATION FOR LEAVE

OFFICE/AGENCY :	NAME(LAST)	(FIRST)	(MIDDLE)
CMO	[illegible]	[illegible]	G.
DATE OF FILING	POSITION	SALARY (MONTHLY)	
MARCH 20, 2018	[illegible] - INSP.		

DETAILES OF ACTION ON APPLICATION

TYPE OF LEAVE:
(___) VACATION
(___) TO SEEK EMPLOYMENT
(___) OTHERS (SPECIFY)

WHERE LEAVE WILL BE SPENT
IN CASE OF VACATION LEAVE
(___) Within the Phillipines
(___) Abroad (Specify)

✓ Sick
____MATERNITY
____Other (Specify)

IN CASE OF SICK LEAVE
_____ In Hospital (Specify)
_____
_____ Out Patient (Specify)

NUMBER OF WORKING DAYS
APPLIED FOR: 72 DAYS
INCLUSIVE DATES: DEC. 1, 2017 - MARCH 19, 2018
DEC. (1-8, 11-15, 18-22, 27, 28 and
1 TO MARCH 19, 2018)

COMMUTATION:
✓ REQUESTED
_____NOT REQUESTED

SIGNATURE OF APPLICANT

CERTIFICATION OF LEAVE CREDITS
As of OCT-2017

	VACATION	SICK
	2.175	14.708
	1.792	14.708
TOTAL	0.383	X

RECOMMENDATION:
✓ APPROVED
_____DISAPPROVED due to

NORMAN P. BALA
INFO. TECH. OFFICER II
HEAD, PERSONNEL TRANSACTIONS DIV.

ARCH'T MA. CONCEPCION A. ALCANTARA
OIC- CITY BLDG. OFFICIAL

APPROVED FOR:
16 ✓ days with pay
SIX ✓ days without pay
_____others (Specify)

DISAPPROVED DUE TO:

OSCAR S. MORENO
City 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 reclassifying the land use of Lot Nos. 3161-A and 3161-C, All of Psd-10-006186 under TCT No. T-143166 and TCT No. T-143167, respectively, with a total area of 14.1134 hectares, owned by Sps. Celestino and Martina Mercado, located in Barangay Pagatpat, this City, from "agricultural" to "residential", to be used as site of the proposed resettlement project of the City.

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 12, 2018

> for inclusion

HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING

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

Communication Number: 2018-1709

Date: 06/20/2018
Receiver: JESSAMINE

From: CHUDD

Subject: REQUEST FOR LAND USE RE-CLASSIFICATION FROM AGRICULTURE TO RESIDENTIAL OF LOT NOS. 3161-A AND 3161-C, UNDER TCT NO. T-143166 AND TCT NO. T-143167, RESPECTIVELY, LOCATED AT PAMALIHI, PAGATPAT, THIS CITY.

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

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 7/12/18

7 Ok - recommending approval

HON. DOMETILO C. ACENAS. JR.
Chairperson

HON. ENRICO D. SALCEDO
Vice Chairperson

HON. JAY R. PASCUAL
Member

HON. MARIA LOURDES S. GAANE
Member

HON. REUBEN R. DABA
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING

Generated from Legislative Management Information System. 06/20/2018 2:46 pm

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: JUL 0 2 2018

FROM: CHUDD

SUBJECT MATTER: REQUEST FOR LAND USE RE-CLASSIFICATION FROM AGRICULTURE TO RESIDENTIAL OF LOT NOS. 3161-A AND 3161-C, UNDER TCT NO. T-143166 AND TCT NO. T-143167, RESPECTIVELY, LOCATED AT PAMALIHI, PAGATPAT, THIS CITY.

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

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

Republic of the Philippines
City of Cagayan de Oro
CITY HOUSING AND URBAN DEVELOPMENT DEPARTMENT

cagayan de Oro
city of golden friendship

June, 19, 2018

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE CITY VICE MAYOR
CITY OF CAGAYAN DE ORO
RECEIVED
DATE: 6/20/18
TIME: 8:40 am
BY:

HON. RAINIER JOAQUIN V. UY
Vice Mayor
Cagayan de Oro City

Vice Mayor,

The **City Housing and Urban Development Department CHUDD**, formally endorsed to your office our request for **Re-Classification** of lots nos. 3161-A and 3161-C all of Psd-10-006186 under TCT No. T-143166 and TCT No. T- 143167 respectively, from **Agriculture to Residential** located at Pamalihi (formerly Tagmatay), Pagatpat, this city. The property is intended for the proposed resettlement project of the city's ISF and IDP's.

Attached are the following documents and certification from different agencies and offices required by City Planning and Development Office CPDO to submit to wit.

1. Request Letter to City Planning and Development Office CPDO for re-classification of the above-mentioned properties.
2. Endorsement letter from City planning and Development Office CPDO advised to submit certification from the following agencies NIA, DAR, APO and PCA.
3. Endorsement and field verification report from NIA certified that the properties applied is not covered by irrigation project and with no firm funding commitment.
4. Certification from DAR that the said properties is not covered by the Comprehensive Agrarian Reform Program.
5. Certification from APO that the land is unproductive and not suitable for agriculture.
6. Certification from PCA that the said property is not within PCA project area
7. Zoning Certification from City planning and Development Office CPDO
8. Zoning Map
9. Certification from City Engineering Office CEO
10. Extra Judicial Settlement of estate with Deed of Sale Between the Heirs of Spouses Celestino Mercado and Martina D. Mercado and City Government of Cagayan de Oro City.
11. Photo Copy of TCT No. 143166 and TD No. G-206954
12. Photo Copy of TCT No. 143167 and TD No. G-141796
13. Lot plan
14. Vicinity Map

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY MAYOR
Date Received: JUN 20 2018
By:
Date:

Hoping for your immediate response on this matter.

Thank you and more power.

Respectfully yours,

ENGR. ERMIN STAN B. PIMENTEL
City Housing and Urban Development Officer

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

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

3

1st Indorsement
February 5, 2018

Respectfully returned to **Engr. Ermin Stan B. Pimentel**, City Housing & Urban Development Officer, relative to your request for re-classification of lot nos. 3161-A and 3161-C all Psd 10-006186 under TCT Nos. T-143166 and T-143167 respectively, from Agricultural to Residential located at Tagmatay, Pagatpat, this city. Please be advised to submit the certification from the following agencies to wit;

		That said lots are:
1.	National Irrigation Administration (NIA)	not covered by irrigation projects
2.	Department of Agrarian Reform (DAR)	not Covered by CARP
3.	Agriculture Productivity Office (APO)	unproductive and not suitable for agricultural use
4.	Philippine Coconut Authority (PCA)	not covered by PCA

For your information and guidance.

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

Mam Lalaine,
Pls. follow thru these
Requirements, Tq
Sir Sid

ENGR. ERMIN STAN B. PIMENTEL
City Housing and Urban Development Depa...
06 FEB 2018

National Irrigation Administration
Region 10
LANAO DEL NORTE-MISAMIS OCCIDENTAL-MISAMIS ORIENTAL-CAMIGUIN IRRIGATION MANAGEMENT OFFICE
(LAMISCA IMO)
Office Address: Zone 2 Barra Opol
9016 Misamis Oriental, Philippines
Telephone Nos: (08822) 735772 - 324-0623 / 0999-885-3780
Email Address: nia_lamisca@yahoo.com
Telefax No: (08822)735772
TIN No: 916-415-117

1st Endorsement
March 8, 2018

Respectfully forwarded to the Regional Irrigation Manager, National Irrigation Administration, Region 10, Cagayan de Oro City the herein letter-request of City Housing and Urban Development Department for the issuance of Land Conversion located at Pagatpat (Formerly Tagmatay), Cagayan de Oro City, Misamis Oriental.

Attached is the Field Verification Report for your reference and notation.

JOECARNINE L. GUBAT
Division Manager A

National Irrigation Administration
(PAMBANSANG PANGASIWAAN NG PATUBIG)

Region 10

LANAO DEL NORTE-MISAMIS OCCIDENTAL-MISAMIS ORIENTAL-CAMIGUIN IRRIGATION MANAGEMENT OFFICE (LAMISCA IMO)

Office Address: Zone 2, Barra, Opol
9016 Misamis Oriental, Philippines
Telephone Nos.: (08822) 735772 / 324-0623 / 0999-885-3780
Email Address: nia_lamisca@yahoo.com

Telefax No.: (08822)735772
TIN No. : 916-415-117

FIELD VERIFICATION REPORT

Name of Applicant : City Housing and Urban Development Department
Petitioner No. : 2018-03-05-03
Date : March 05, 2018
Land Use :
Location
Barangay : Pagatpat (Formely Tagmatay)
City/Municipality : Cagayan de Oro
Province : Misamis Oriental
Area Covered (has.) :

REGISTERED OWNER	LOT NUMBER	TCT/OCT NO.	AREA PER TITLE (Has.)	AREA APPLIED (Has.)
CELESTINO MERCADO, HEIRS	3161-A	T-143166	6.4801	6.4801
CELESTINO MERCADO, HEIRS	3161-C	T-143167	7.6333	7.6333
TOTAL			**14.1134**	**14.1134**

Pursuant to MC No. 35, Series of 1996 and upon the conduct of actual field evaluation and verification on March 01, 2018 the subject land has found to be;

1. Area applied is not covered by irrigation project with no firm funding commitment.

2. Attached geo-tagged for your reference.

This certification is issued upon the request of City Housing and Urban Development Department

To support

☒ - LAND CONVERSION

Issued this 5th of March, 2018 at Barra, Opol, Misamis Oriental.

Prepared by / Verified by:

RENO D. BANA
Engineer A

Submitted by:

ARMANDO E. ARIZALA
Chief Operation & Eng'g. Section

Approved by:

JOECARNINE L. GUBAT
Division Manager A

DAR Regional Office - 10
Phone: (088) 858-1104, 858-2674
Address: Macanhan, Carmen,
Cagayan de Oro City, Philippines 9000
Website: www.dar.gov.ph
Email: dar10_recordsection@yahoo.com

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
Defend and Assert the Rights of Farmers

February 12, 2018

Engr. Ermin Stan B. Pimentel
City Housing and Urban Development Dept Officer
3rd Floor, Executive Bldg
City Hall, Cagayan de Oro City

Dear Mr. Pimentel,

This is relative to your request for a certification if TCT-No. T-143166 and TCT No. T-143167 involving lots 3161-A and 3161-C respectively located at Zone 6 Pamalihi, Pagatpat (formerly Tagmatay) Cagayan de Oro City under Psd-10-006186 is not covered by the Comprehensive Agrarian Reform Program of DAR.

Per verification from our database , the said properties are not part of our LAD balance . However, this certification is not an authority nor clearance for transfer and more so not a conversion clearance.

For your information and reference.

Very truly yours,

FAISAR A. MAMBUAY, CESO IV
Regional Director

Docsource: lts

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

cagayan de Oro
city of golden friendship

CERTIFICATION

This is to certify that based on the site inspection/verification conducted by the undersigned at Pamalihi, Pagatpat this city, covered in TCT No. T-143166 and TCT No. T-143167(Lots No. 3161-A and 3161-C all of Psd-10-006186), the following were observed:

1. A portion of said parcel of land is flat and is still suitable for agriculture use. The land can be utilized as urban agriculture demo project;
2. The rest of the land are slightly rolling;
3. Coconut trees, forest trees and banana where present;
4. No established irrigation facilities;
5. No natural water source for agriculture purposes;
6. No agricultural activities for several years since most of the land were covered with different types of grasses and sedges.
7. This land is unproductive and not suitable for agriculture with a portion of said land as an exemption (please see attached pictures for reference).

In view of the foregoing reasons, this certification is issued to Engr. Ermin Stan B. Pimentel of CHUDD for his request for reclassification of land from agricultural to residential subject to further assessment and evaluation and final approval of the concerned agency.

Issued this 1st day of March, 2018 in Cagayan de Oro City.

NEIL VINCENT M. CABACUNGAN
Area Coordinator

NOTED:

HECTOR R. SAN JUAN, DVM
City Agriculturist

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

PCA/FOB Form No. 01-98
(LUC # 3 Items 2 [b]

Republic of the Philippines
PHILIPPINE COCONUT AUTHORITY
Region 10, Cagayan de Oro City

CERTIFICATION OF INSPECTION/VERIFICATION
(Coconut Lands Applied for Conversion to Order Land Use Matters)

This is to certify that the two (2) parcel of agricultural/Residential land situated in **Brgy. Pagatpat** Cagayan de Oro City covering an area of 14.1134 hectares, registered in the name of the City Government of Cagayan de Oro City. and specifically identified as follows:

Registered Owner	OCT/TCT/LT TD No.	Area per Title (Has.)	Area Applied for Conversion (Has.)
1. The City Government of Cagayan de Oro City	**T-143166**	**6.4801**	**6.4801**
2. The City Government of Cagayan de Oro City	**T-143167**	**7.6333**	**7.6333**
TOTAL		**14.1134**	**14.1134**

Pursuant to the requirements of the Department of Agriculture (LUC # 3 Item 2 [b]) and the provisions of RA 8048 and its revised IRR s. 2005, and upon the conduct of actual field inspection, evaluation and verification, the subject landholding has been found to be :

1. Devoted to coconut planting **NO**
   a) Number and ages of coconut trees/production

Parcel No.	No. of Trees	Age of Tress	Ave. Production (3 years)
2 parcel	**none**	**n/a**	**n/a**
Total			

   b) Crops planted as intercrop: **NONE**
   c) Within or not within PCA program/project areas
   specify : **not within PCA project area**
2. Not devoted to coconut but suitable for other crop (potential for agro-industrial crop)
   a) Elevation (m) : **0-150 m.**
   b) Type & depth of : **90 cm**
   c) Terrain/Topogr : **inland flat**
   d) Drainage : **Fairly drained** / Nearness to Coast **0.5km**
   e) Accessibility : **accessible to all type of transportation**
3. Purpose for conve : **Cagayan de Oro City Housing Project**
4. Premature Development (describe & date started) : **none**
5. In the event that application for conversion is approved :
   a) No. of tenants/farm workers affected **none**
   b) Effects on the coconut production forego **none**

Further, this activity was performed by PCA Agriculturist **Hymn P. Joseph,** as attested by OIC Division Chief Manuel G. Octobre. The applicant has also been informed that in the event conversion is approved, he will apply for a Permit to coconut trees Cut in accordance to the usual procedures under RA 8048 and its IRR in the issuance of a Valid Permit to Cut.

This Certification is issued upon the request of the applicant and as a requirement of the Department of Agriculture, its "Network and Map of Protected Areas" and shall not be construed as a Certificate of Eligibility for Conversion.

Issued this **30th** day of **May 2018** on the request of Ermin Stan B. Pimentel

MANUEL G. OCTOBRE
OIC Division Chief

JOEL B. OCLARIT
OIC Regional Manager

Control Number : **MISOR 2018- 003** OR. No.0484070 W__ Dated: 5-17-2018__ Paid: P4,000.00

CITY PLANNING and DEVELOPMENT OFFICE
Capistrano and Hayes Streets
9000 Cagayan de Oro City
Philippines
Tel. Nos. 857-3148 / 857-2264
857-2179

Zoning Certification No. 0016-2018	Date Issued : January 24, 2018
TIN :	Date Request: January 25, 2018
Name of Applicant : ENGR ERMIN STAN B. PIMENTEL	Name of Lot Owner/s : SPS. CELESTINO & MARTINA MERCADO
Address : City Hall, Cagayan de Oro City	Address : Carmen, Cagayan de Oro City
Location of Lot: Tagmatay, Pagatpat, Cagayan de Oro City	
Lot Number : Lot 3161-A, Psd-10-006186	
Title No T-143166	Total Lot Area : 64,801 sq.m.

ZONING CERTIFICATION

THIS IS TO CERTIFY that the above described property is located within **Agricultural Zone (AGZ)**, as reflected in the Official Zoning Map of the City **Ordinance No. 10384-2006** duly approved by the Housing and Land Use Regulatory Board (HLURB) through Board Resolution No. 798 on the 27th day of November 2006.

This certification does not authorize the establishment of a subdivision or development of any kind of sale of subdivided lots without prior approval/clearance from the City Government.

Engr. ISIDRO G. BORJA
City Planning & Development Coordinator

O.R No. : GCO
Amount : CITY
Issued On:
At Cagayan de Oro City

1/26/18

(15)

CITY PLANNING and DEVELOPMENT OFFICE

Capistrano and Hayes Streets
9000 Cagayan de Oro City
Philippines
Tel. Nos. 857-3148 / 857-2284
857-2179

Zoning Certification No. 00117 2018	Date Issued : January 24, 2018
TIN :	Date Request: January 25, 2018
Name of Applicant : ENGR. ERMIN STAN B. PIMENTEL	Name of Lot Owner/s : SPS. CELESTINO & MARTINA MERCADO
Address : City Hall, Cagayan de Oro City	Address : Carmen, Cagayan de Oro City
Location of Lot: Tagmatay, Canitoan, Cagayan de Oro City	
Lot Number : Lot 3161-C, Psd-10-006186	
Title No : T-143167	Total Lot Area : 76,333 sq.m.

ZONING CERTIFICATION

THIS IS TO CERTIFY that the above described property is located within Agricultural Zone (AGZ), as reflected in the Official Zoning Map of the City **Ordinance No. 10384-2006** duly approved by the Housing and Land Use Regulatory Board (HLURB) through Board Resolution No. 798 on the 27th day of November 2006.

This certification does not authorize the establishment of a subdivision or development of any kind of sale of subdivided lots without prior approval/clearance from the City Government.

Engr. ISIDRO G. BORJA
City Planning & Development Coordinator

O.R No. : _____
Amount : _____
Issued On: _____
At Cagayan de Oro City

Gabriel J. Chee Kee
1/26/18

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

Communication Number: **Received by:**

From : **Date:**

SUBJECT MATTER: Proposed Ordinance approving the application for simple subdivision of Puntod Socialized Housing Project of the the City Government of Cagayan de Oro, represented by Honorable City Mayor Oscar S. Moreno, covering Lot 1817, Cad 237 with an area of 5,551 square meters, containing 50 lots, located in Barangay Puntod, this city, subject to the herein conditions as recommended by the City Planning and Development Office

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 12, 2018

- for inhibition

HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING

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

Communication Number: 2018-1755

Date: 07/02/2018
Receiver: JESSAMINE

From: CAGAYAN DE ORO HOUSING BOARD

Subject: APPLICATION FOR SIMPLE SUBDIVISION OF PUNTOD SOCIALIZED HOUSING PROJECT PARTICULARLY LOT NO. 1817, CAD 237 CAGAYAN CADASTRE, COVERING AN AREA OF 5,551 SR.M., MORE OR LESS LOCATED AT BRGY. PUNTO, THIS CITY, REPRESENTED BY HON. OSCAR S. MORENO, CITY MAYOR.

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

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION
Date of Meeting: 7/12/18

(R- recommending approval

HON. DOMETILO C. ACENAS. JR.
Chairperson

HON. ENRICO D. SALCEDO
Vice Chairperson

HON. JAY R. PASCUAL
Member

HON. MARIA LOURDES S. GAANE
Member

HON. REUBEN R. DABA
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING

Generated from Legislative Management Information System, 07/03/2018 9:20 am

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

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

DATE: JUL 05 2018

FROM: CAGAYAN DE ORO HOUSING BOARD

SUBJECT MATTER: APPLICATION FOR SIMPLE SUBDIVISION OF PUNTOD SOCIALIZED HOUSING PROJECT PARTICULARLY LOT NO. 1817, CAD 237 CAGAYAN CADASTRE, COVERING AN AREA OF 5,551 SR.M., MORE OR LESS LOCATED AT BRGY. PUNTO, THIS CITY, REPRESENTED BY HON. OSCAR S. MORENO, CITY MAYOR.

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

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

JUL 02 2018

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

CITY HOUSING BOARD

cagayan deOro
city of golden friendship

1st Endorsement
June 28, 2018

Respectfully forwarded to Hon. City Vice Mayor **Rainier Joaquin V. Uy** Office of the City Council through the Chairperson, Committee on Subdivision & Landed Estate the applications for Preliminary Approval and Locational Clearance (PALC) and Simple Subdivisions by the different Developers in the City.

These applications were deliberated by the CdeO Housing Board on 27th June 2018 and the Board approved to endorse them to the City Council with certain conditions being recommended to be included in the Ordinance:

1. Preliminary Approval and Locational Clearance (PALC) of EL GAUCHO RESETTLEMENT, containing an applied area of 4,670 sq.m. located at Brgy. Bugo, this City, represented by Sustines C. Magalleanes.

   Conditions shall form part in the Development Permit Application.

   - All conditions stipulated herein form part of DECISION and are subject to monitoring;
   - Non-compliance therewith shall be cause for cancellation or legal action and disapproval of development permit;
   - This clearance does not exempt the project from pertinent requirements from line agencies;
   - Approved preliminary plans must be essentially the same as final size development plan;
   - Any misrepresentation or materials falsehood on your part shall be a sufficient cause for the cancellation of this approval and or legal action;
   - Separate the technical description intended for Parks & Playgrounds, Community Facilities areas;
   - Secure Environmental Clearance from City Local Environment and Natural Resources Office (CLENRO);
   - Secure Social Acceptability duly approved by the City Mayor.
   - Secure Environmental Compliance Certificate (ECC) from Department of Environment and Natural Resources;
   - Secure Barangay Resolution for Social Acceptability;
   - Provision for rain harvesting facilities equivalent of 0.02 cu.m./sq.m. of roof area and detention/retention pond equivalent 0.01 cu.m./sq.m. of gross applied area;
   - All application shall conform with the minimum design standard set forth in the revised Implementing Rules and Regulations of B.P. 220 of 2008;
   - Indicate on the plan the cleared right of way and drainage structure of offsite

drainage to connect any existing waterway and/or functional drainage system. It should be delineated with technical and shall form part of the plans for development; and

- Delineated access road from nearest Public Road to the area applied.

2. Preliminary Approval and Locational Clearance (PALC) of Ayana Subdivision, covering an area of 22,297 square meters more or less, containing 200 saleable lots/units located at Brgy. Balubal, represented by Ms. Lydia C. Uy Treasurer, D' Mapple Dev't. Corporation.

Conditions shall form part in the Development Permit Application.

- All conditions stipulated herein form part of DECISION and are subject to monitoring;
- Non-compliance therewith shall be cause for cancellation or legal action and disapproval of development permit;
- This clearance does not exempt the project from pertinent requirements from line agencies;
- Approved preliminary plans must be essentially the same as final size development plan;
- Any misrepresentation or materials falsehood on your part shall be a sufficient cause for the cancellation of this approval and or legal action;
- Separate the technical description intended for Parks & Playgrounds, Community Facilities areas;
- Secure Environmental Clearance from City Local Environment and Natural Resources Office (CLENRO);
- Secure Social Acceptability duly approved by the City Mayor.
- Secure Environmental Compliance Certificate (ECC) from Department of Environment and Natural Resources;
- Provision for rain harvesting facilities equivalent of 0.02 cu.m./sq.m. of roof area and detention/retention pond equivalent 0.01 cu.m./sq.m. of gross applied area;
- All application shall conform with the minimum design standard set forth in the revised Implementing Rules and Regulations of B.P. 220 of 2008;
- Limit of development shall be 8.00 m. from existing centerline of Agusan-Balubal road;
- Setback requirements along Main Public Road shall be reckoned at the edge of road widening limit;
- Main road shall be 12.00 m. wide to comply with the provisions of Ordinance No. 6629-98, shall be kept open till the property line to give way for development of adjoining areas; and
- Indicate on plan the cleared right of way and drainage structure of offsite drainage to connect any existing waterway and/or functional drainage system. It should be delineated with technical description and shall form part of the plans for development.

3. Simple Subdivision of lot 9 & 11, blk. 8, psd-10-045262 of Manzueta M. Bollozos, covering an area of 377 sq.m. more or less, containing 2 lots located at Brgy. Carmen, this City

Conditions:

- The subdivision scheme shall not be altered other than what is applied for except when prior clearance from the City Government is secured;
- A Certificate of Registration must be secured from the Housing and Land Use Regulatory Board (HLURB) after the verification of survey returns from the Land Management Sector, DENR;
- Further subdivision of lot 9 & Lot 11. Blk. 8, Psd-10-045262 is prohibited without prior approval from the City Government of Cagayan de Oro;
- This approval is exempted from securing License to Sell pursuant to PD 957, Sec. 7a (Exempt Transaction) with co-owner;
- This approval shall be revoked if not registered within the period of (1) one year from the date issued; and
- Any misrepresentation of the application may cause for cancellation or revocation of subdivision permit.

4. Simple Subdivision of Puntod Socialized Housing Project particularly Lot No. 1817, CAD 237 Cagayan Cadastre, covering an area of 5,551 sq. m. more of less located at Brgy. Puntod, this City, represented by Hon. Oscar S. Moreno, City Mayor.

Conditions:

- The subdivision scheme shall not be altered other than what is applied for except when prior clearance from the City Government is secured;
- A Certificate of Registration must be secured from the Housing and Land Use Regulatory Board (HLURB) after the verification of survey returns from the Land Management Sector, DENR;
- Further subdivision of lot 1817, Cad 237 is prohibited without prior approval from the City Government of Cagayan de Oro;
- A license to sell shall be secured prior to actual disposal of lot 1817-1 to 50;
- This approval shall be revoked if not registered within the period of (1) one year from the date issued; and
- Any misrepresentation of the application may cause for cancellation or revocation of subdivision permit

Recommending for approval.

RAMON L. FERNANDEZ
Vice Chairperson

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

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

RECEIVED
By: [illegible]
Date: 6/14/2018 4:15 PM

2nd Endorsement
June 13, 2018

Respectfully forwarded to **Cagayan de Oro City Housing Board**, the herein plans and documents relative to the application for Simple Subdivision of **Puntod Socialized Housing Project** particularly Lot No. 1817, CAD 237 Cagayan Cadastre. represented by **Hon. Oscar S. Moreno**, City Mayor, located at Barangay Puntod, this City, covering an area of 5,551 sq.m, recommending for approval.

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

APPLICATION FOR APPROVAL
FOR A SIMPLE SUBDIVISION

CITY PLANNING & DEVELOPMENT OFFICE
RECEIVED
Date 1-26-18
10:20
18-1-815

Date

HE CITY COUNCIL
ffice of the City Council
agayan de Oro City

ir/Mesdames:

In accordance with Section 4 of PD and its implementing Standard Rules by Executive Order No. 648 dated 7, February 1981 and R.A 7160 and its implementing rules, I am applying for approval for Development of Simple ubdivision Project having and area of 5,551 sq. m, containing 50 lots.

Attached herewith are:

1. Six (6) sets of the following duly signed and sealed by a Licensed Architect/Engineer;
   a) Site Development Plan (schematic plan) showing the proposed layout;
   b) Vicinity map of location plan drawn to scale showing the adjoining circulation network as well as existing facilities and utilities at least 100 meter radius from project boundaries.
2. Two (2) copies of Certified True Copy of Title(s) from the Register of Deeds or photo of title(s) together with the owner's copy for the City Government records authentication (Deed of Sale/Memorandum of Agreement if the title is not registered in the name of applicant);
3. Latest Tax Receipt
4. Purpose/Intent;
   - [X] For Sale
   - [ ] Subdivision among co-owners/heirs
   - [ ] Others, (please specify)_____
5. Present Land Use:
   - [ ] Vacant
   - [X] With house constructed, type:
     - [ ] Concrete
     - [X] Mixed
     - [ ] Indigenous
   - [ ] Agricultural

Very truly yours,

Engr. DARYL M. BENIGA
Architect/C.E/G.E

HON. OSCAR S. MORENO
Applicant
City Mayor

Address

Contact no.

Reg. No. 009542
PTR No. _____
Date Issue: 05/13/16
T.I.N: 481-816-882

Res. Cert. No. 02892203
Date Issue: Jan. 08, 2018
Place Issue: CDO
T.I.N: 154-336-832

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

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

FINAL RECOMMENDATION FOR SUBDIVISION APPROVAL

SSA/SA NO. :
PROJECT NO. :
DATE ISSUED: : 05-28-2018

NAME OF APPLICANT/DEVELOPER: **Hon. Oscar S. Moreno, City Mayor**
NAME OF PROJECT: Subdivision Plan of **Puntod Socialized Housing Project**
LOCATIO: Puntod, Cagayan de Oro City
PROJECT DESCRIPTION APPLICATION: Subdivision Approval of lot 1817, Cad 237 with an area of 5,551 sq. m. containing 50 lots located Puntod, this City.
ZONING CLASSIFICATION: Medium Density Residential Zone (R2)
PURPOSE: For Sale

C O N D I T I O N S :

1. The subdivision scheme shall not be altered other than what is applied for except when prior clearance from the City Government is secured;

2. A Certificate of Registration must be secured from the Housing and Land Use Regulatory Board (HLURB) after the verification of survey returns from the Land Management Sector, DENR;

3. Further subdivision of lot 1817, Cad 237 is prohibited without prior approval from the City Government of Cagayan de Oro;

4. *A license to sell shall be secured prior to actual disposal of lot 1817-1 to 50.*

5. This approval shall be revoked if not registered within a period of (1) one year from the date issued;

6. Any misrepresentation of the application may cause for cancellation or revocation of subdivision permit.

Engr. ISIDRO G. BORJA
City Planning & Development Coordinator

Republic of the Philippines
City of Cagayan de Oro
CITY ENGINEERS OFFICE
Kauswagan, Cagayan de Oro City

cagayan de Oro

4:05 P.M
RECEIVED
Date 6.8.18

June 7, 2018

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

Subject: Technical Evaluation re: Application for Simple Subdivision of **Puntod Socializing Housing Project,** containing an area of 5,551 square meters more or less, represented by Hon. Oscar S. Moreno City Mayor, this city.

Location : De Leon-Alcantara Compound, District 5, Puntod, Cagayan de Oro City

Enclosure : Plans & other supporting documents.

Remarks : Plans duly signed and evaluated as to technical aspects.

ROLANDO M. PACURIBOT, CE, ME
City Engineer

File/puntod socialized housing proj.
Code#

Republic of the Philippines
City of Cagayan de Oro
Office of the City Mayor

16:28
5-28-18
18-1-815

TASK FORCE FOR THE EMANCIPATION OF PISO-PISO BENEFICIARIES

1st Endorsement
28 May 2018

Respectfully submitted to **ENGR. ISIDRO G. BORJA**, City Planning & Development Coordinator, the Application for Approval for a Simple Subdivision of Puntod Socialized Housing Project located at De Leon – Alcantara Compound, District 5, Puntod, Cagayan de Oro City.

For his appropriate action.

ENGR. ARMEN A. CUENCA
Officer - in - Charge, CLENRO
Executive Director, TTEPB/LAMO

Republic of the Philippines
Department of Environment and Natural Resources
Region 10, Cagayan De Oro City

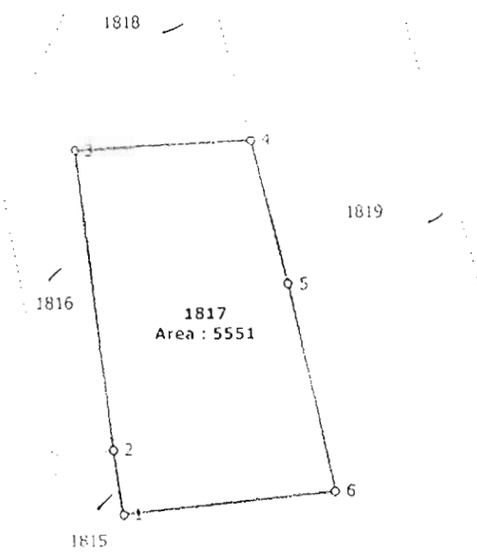
B.L. FORM
No. V-37

Application Number
Applicant
Claimant — DAMASO TORRES
Surveyed By — MAXIMO LAZO
Date Surveyed — 2/25/2029
Tie Point Name — BBM 15, CAD 237

Lot Number — 1817
Survey Number — CAD 237 Case 2
Location — BRGY MACABALAN CAGAYAN DE ORO CI
Cad. Map. No. — 8°30'N - 124° 39'E, SEC. 4
Date Approved — 1-30-1933
Area (sq. m.) — 5551

TECHNICAL DESCRIPTION

Line	Bearing	Distance(m)	Northing	Easting
Tie Line	S60 - 29E	476.14	42827.83	41146.35
1-2	N08 - 09W	17.69	42593.29	41560.74
2-3	N06 - 24W	84.78	42610.8	41558.23
3-4	N87 - 05E	49.02	42695.05	41548.77
4-5	S13 - 57E	41.44	42697.55	41597.73
5-6	S12 - 08E	59.19	42657.33	41607.72
6-1	S84 - 04W	59.74	42599.45	41620.16



1187

1:2000

Remarks :

NO SUBD

Requested by:

Purpose: Reference Only
Official Reciept No.: _____
Date Issued: Friday, January 20, 2017

"However, this certified technical description bearing the name of the original survey claimant should not necessarily be construed to mean that the lot is still public land or owned by the original survey claimant as titles there to might have been obtained through judicial or administrative proceedings over this lot or other prior approved isolated survey plans that cover the same or any portion thereof."

Researched by : Date :
Verified by : Date : 1-20-17
Checked by : Date :

CERTIFIED CORRECT :
For the Regional Technical Director

ARNOLFO B. MAGADAN
Chief, Technical Services Section

Sample Ltr

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

Communication Number: **Received by:**

From : **Date:**

SUBJECT MATTER: Proposed Ordinance approving the application for simple subdivision Project of Hrs. of Dominador Tancongco, represented by Sps. Cromwell and Vilma Dagcuta, covering Lot 24, Blocl 10, Psd-25027 with an area of 370 square meters, containing 2 lots, located in Barangay Nazareth, this city, subject to the herein conditions as recommended by the City Planning and Development Office

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 12, 2018

> for inclusion

HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING

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

Communication Number: 2018-1624

Date: 05/04/2018
Receiver: JESSAMINE

From: CAGAYAN DE ORO HOUSING BOARD

Subject: APPLICATION FOR SIMPLE SUBDIVISION OF SPS. CROMWELL A. DAGCUTA & VILMA DAGCUTA LOCATED AT BARANGAY NAZARETH COVERING AN AREA OF 370 SQ.M., CONTAINING TWO (2) LOTS.

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

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION
Date of Meeting: 7/12/18

UR- recommending approval

HON. DOMETILO C. ACENAS. JR.
Chairperson

HON. ENRICO D. SALCEDO
Vice Chairperson

HON. JAY R. PASCUAL
Member

HON. MARIA LOURDES S. GAANE
Member

HON. REUBEN R. DABA
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING

Generated from Legislative Management Information System: 05/04/2018 1:30 pm

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: JUL 05 2018

FROM: CAGAYAN DE ORO HOUSING BOARD

SUBJECT MATTER: APPLICATION FOR SIMPLE SUBDIVISION OF SPS. CROMWELL A. DAGCUTA & VILMA DAGCUTA LOCATED AT BARANGAY NAZARETH COVERING AN AREA OF 370 SQ.M., CONTAINING TWO (2) LOTS.

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

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

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

CITY HOUSING BOARD

cagayan deOro
city of golden friendship

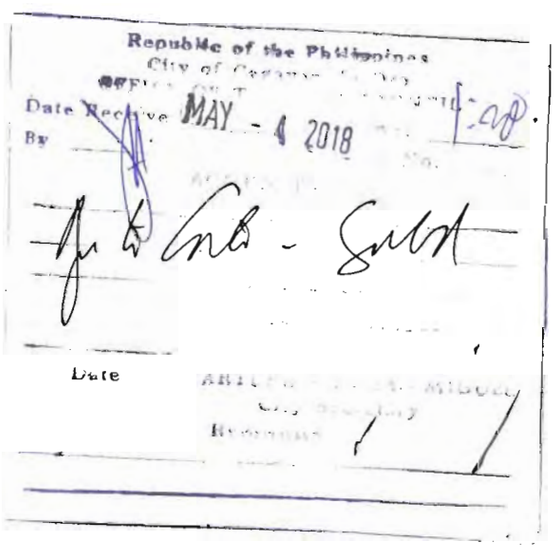
1st Endorsement
May 03, 2018

Respectfully forwarded to Hon. City Vice Mayor **Rainier Joaquin V. Uy** Office of the City Council through the Chairperson, Committee on Subdivision & Landed Estate the following applications for Simple Subdivision Permit. These were deliberated by the CdeO Housing Board on 30 April 2018.

1. Mrs. Leonora S. Panes located at Brgy. Carmen covering an area of 200 sq.m. more or less containing two (2) lots.
2. Sps. Cromwell A. Dagcuta & Vilma Dagcuta located at Brgy. Nazareth covering an area of 370 sq.m. more or less containing two (2) lots.

Recommending for approval.

RAMON L. FERNANDEZ
Vice Chairperson & Chp



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

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

2nd Endorsement
March 22, 2018

Respectfully forwarded to **Cagayan de Oro City Housing Board**, the herein plans and documents relative to the application for Simple Subdivision of lot 24, Block 10, psd-25027 represented by **Sps. Cromwell A. Dagcuta & Vilma Dagcuta** located at Barangay Nazareth, this City covering an area of 370 sq.m., containing 2 lots , recommending for approval.

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

CITY HOUSING AND URBAN DEVELOPMENT DEPARTMENT
RECEIVED
Date: 3/22/18
By: MMN
2:00 PM
CAGAYAN DE ORO CITY

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

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

FINAL RECOMMENDATION FOR SUBDIVISION APPROVAL

SSA/SA NO. :
PROJECT NO.:
DATE ISSUED: 03-22-2018

NAME OF APPLICANT/DEVELOPER: Sps. Cromwell & Vilma T. Dagcuta
NAME OF PROJECT: Subdivision Plan for Hrs. of Dominador Tancongco
LOCATION: Nazareth, CdeO. ADDRESS: Nazareth, Cagayan de Oro City
PROJECT DESCRIPTION APPLICATION: Simple Subdivision approval of lot 24 Blk.10, Psd-25027 with a total area of 370 sq. mtrs. containing 2 lots located at Nazareth, this City.
ZONING CLASSIFICATION: High Density Residential Zone (R3).
PURPOSE: Segregation of lot.

C O N D I T I O N S :

1 The subdivision scheme shall not be altered other than what is applied for except when prior clearance from the City Government is secured;

2 A Certificate of Registration must be secured from the Housing and Land Use Regulatory Board (HLURB) after the verification of survey returns from the Land Management Sector, DENR;

3 Further subdivision of lot 24 Blk.10, Psd-25027 is prohibited without prior approval from the City Government of Cagayan de Oro ;

4 *This approval is exempted from securing License to Sell pursuant to PD 957, Sec. 7 a. (EXEMPT TRANSACTION); with co-owner;*

5 This approval shall be revoked if not registered within a period of (1) one year from the date of issue;

6 Any misrepresentation of the application may cause for cancellation or revocation of subdivision permit.

Engr. ISIDRO G. BORJA
City Planning & Development Coordinator

APPLICATION FOR APPROVAL
OF A SIMPLE SUBDIVISION

#026-2017

10 | 6 | 17
Date

CITY PLANNING & DEVELOPMENT OFFICE
RECEIVED
Date: 10-09-17
4:28
17-1-286

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

Sir/Mesdames:

In accordance with Section 4 of PD and its implementing Standard Rules by Executive Order No. 648 dated 07, February 1981 and R.A 7160 and its implementing rules, I am applying for approval for Development of Simple Subdivision Project having and area of ~~270~~ 370 sq. m, containing 2 lots.

Attached herewith are:

1. Six (6) sets of the following duly signed and sealed by a Licensed Architect/Engineer;
   a) Site Development Plan (schematic plan) showing the proposed layout;
   b) **Vicinity map** or location plan drawn to scale showing the adjoining circulation network as well as existing facilities and utilities at least 100 meter radius from project boundaries.
2. Two (2) copies of Certified True Copy of Title(s) from the Register of Deeds or photo of title(s) together with the owner's copy for the City Government records authentication (Deed of Sale/**Memorandum of Agreement** if the title is not registered in the name of applicant);
3. Latest Tax Receipt
4. Purpose/Intent;
   ____ For Sale
   ✓ Subdivision among co-owners/heirs
   ____ Others, (please specify) Segregation of lots
5. Present Land Use:
   ____ Vacant
   ____ With house constructed, type:
      _____ Concrete
      _____ Mixed
      _____ Indigenous
   ____ Agricultural

Very truly yours,

VILMA T. DAGCUTA

RENATO P. OMBLAT JR.
Architect/C.E/**G.E**

CROMWELL A. DAGCUTA
Applicant

Contact: 0935-427-3948

Nazareth CDO
Address

Reg. No. 6944
PTR No. 4481920
Date Issue: 1-10-17
T.I.N: 168-777-363

Res. Cert. No. 30456146
Date Issue: 1-10-17
Place Issue: Cagayan de Oro city
T.I.N: 939-452-644

Republic of the Philippines
CITY OF CAGAYAN DE ORO
CITY ENGINEERS OFFICE
Kauswagan, Cagayan de Oro City

Ref.: Code No. 1192
Date: October 12, 2017

Rolando M. Pacuribot
City Engineer

INVESTIGATION/VERIFICATION REPORT
October 25, 2017

Subject : Application for Simple Subdivision applied by the Hrs. of Dominador Tancongco represented by Cromwell A. Dagcuta
Inspected by : Robin G. Dosdos
Location : Nazareth, Cagayan de Oro City

FINDINGS & OBSERVATIONS :

Per investigation/validation conducted on the above subject, the following are the findings and observations, to wit :

1. That Lot 24, Block 10 of the Subdivision Plan Psd-25027 with a total area area of 370 square meters is registered under the name of Dominador Tancongco (T-2693).
2. That Lot 24, Block 10 is divided into 2 lots namely Lot 24-A and Lot 24-B with an individual lot area of 92 square meters and 278 square meters respectively.
3. That the Lot 24-B is a corner lot of 6th St., and 19th St., Nazareth.
4. That there exist 1-storey residential structure within Lot 24-A and an on-going Construction of 2-storey 3 doors commercial structures within Lot 24-B.
5. That attached is the sketch plan showing dimension/measurements of the subject area with respect to existing roads.

Investigated by :

Robin G. Dosdos
Special Agent

Checked by :

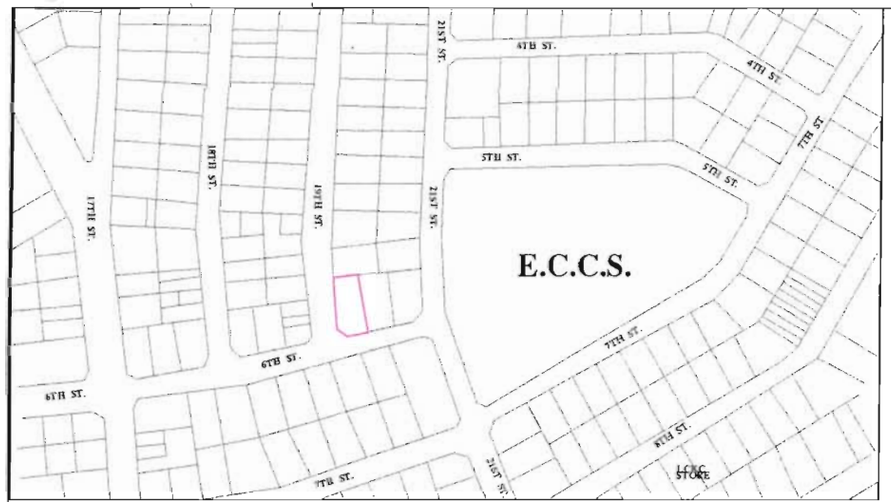
Nerissa R. Caylo
Engineer II

Submitted by :

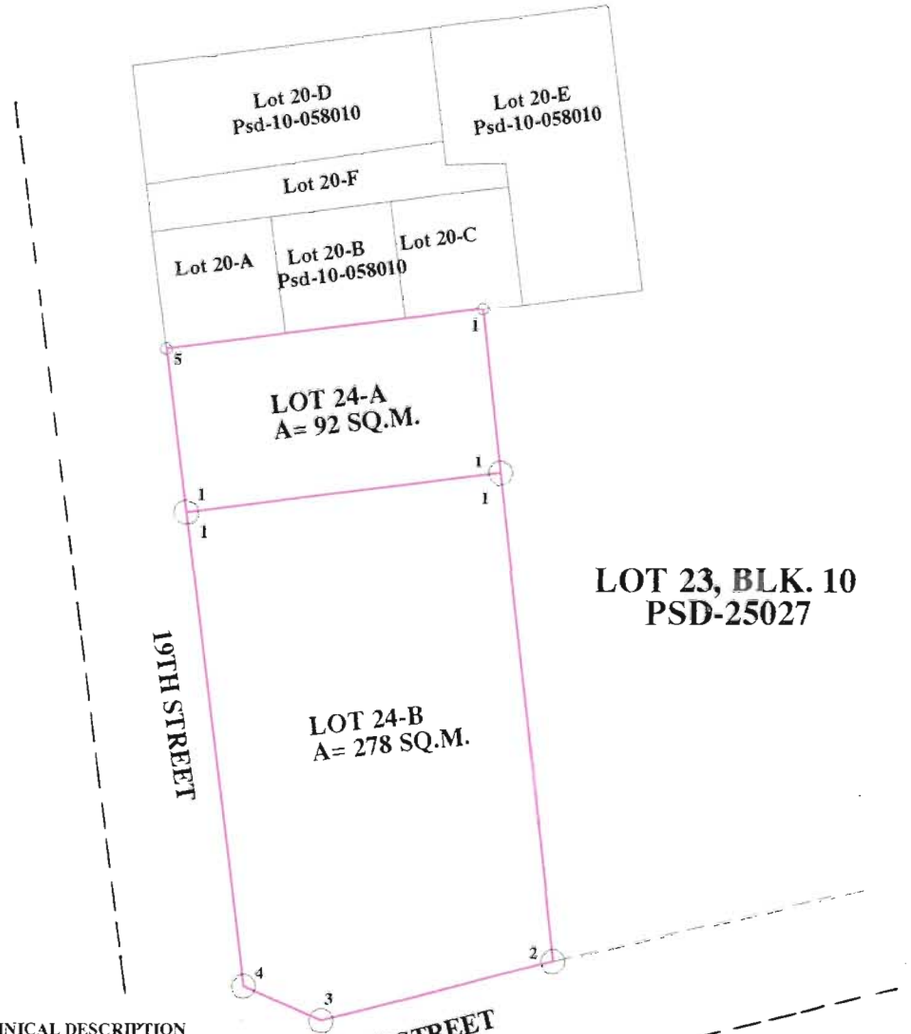
Emilia B. Revilla
Engineer IV
Chief, PDPD

Noted by :

File/tancongco-dsodos
Code#1192



DRAWN NOT TO SCALE



COMPUTER GENERATED COPY:

O.R. #:_____

DATE:_____

AMOUNT:_____

PLOTTED:

RODEL B. MINGUITO
ENG'G. ASST.

CHECKED:

NERISSA R. CAYLO
ENGINEER II

NOTE:

PLAN PLOTTED IN ACCORDANCE WITH THE TECHNICAL DESCRIPTION DESCRIBED IN THE ATTACHED PHOTOCOPY OF TCT NO. T-2693 (LOT 24, BLK. 10, PSD-25027) AND SUBDIVISION PLAN OF LAND OF LOT 24, BLK. 10, PSD-25027 PREPARED BY GEODETIC ENGINEER RENATO P. QUIBLAT JR. SUBMITTED TO THIS OFFICE DATED 10/10/2017, PER 1ST ENDORSEMENT FROM THE CITY PLANNING AND DEVELOPMENT OFFICE RELATIVE TO THE APPLICATION FOR SIMPLE SUBVISION OF THE HEIRS OF DOMINADOR TANCONGCO REPRESENTED BY CROMWELL A. DAGCUTA LOCATED AT BRGY. NAZARETH, THIS CITY.

N

SCALE 1 : 300M.

CAD FILE/22ND/NAZARETH/D. TANCONGCO/10-25-17/REM/CODE 1192

APPENDIX "I" / PAGE 116

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

Communication Number: **Received by:**

From : **Date:**

SUBJECT MATTER: Proposed Ordinance approving the application for simple subdivision Project of Ms. Manzueta M. Bollozos, covering Lot 9 and Lot 11 , Block 8, Psd-10-045262 with an area of 377 square meters, containing 2 lots, located in Barangay Carmen, this city, subject to the herein conditions as recommended by the City Planning and Development Office

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 12, 2018

) for information

HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING

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

Communication Number: 2018-1754

Date: 07/02/2018
Receiver: JESSAMINE

From: CAGAYAN DE ORO HOUSING BOARD

Subject: APPLICATION FOR SIMPE SUBDIVISION OF LOT 9 & 11, BLK 8, Psp-10-045262 OF MANZUELA M. BOLLOZOS, COVERING AN AREA OF 377 SQ.M., MORE OR LESS, CONTAINING 2 LOTS LOCATED AT BRGY. CARMEN, THIS CITY.

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

FOR THE CITY VICE MAYOR &
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: 7/12/18

CK - recommending approval

HON. DOMETILO C. ACENAS. JR.
Chairperson

HON. ENRICO D. SALCEDO
Vice Chairperson

HON. JAY R. PASCUAL
Member

HON. MARIA LOURDES S. GAANE
Member

HON. REUBEN R. DABA
Member

EX-OFFICIO MEMBERS

HON. IAN MARK Q. NACAYA
Majority Floor Leader

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

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

DISSENTING

Generated from Legislative Management Information System, 07/03/2018 9:20 am

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

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

DATE: JUL 05 2018

FROM: CAGAYAN DE ORO HOUSING BOARD

SUBJECT MATTER: APPLICATION FOR SIMPE SUBDIVISION OF LOT 9 & 11, BLK 8, Psp-10-045262 OF MANZUELA M. BOLLOZOS, COVERING AN AREA OF 377 SQ.M., MORE OR LESS, CONTAINING 2 LOTS LOCATED AT BRGY. CARMEN, THIS CITY.

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

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

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

CITY HOUSING BOARD

cagayan de Oro
city of golden friendship

JUL 02 2018

1st Endorsement
June 28, 2018

Respectfully forwarded to Hon. City Vice Mayor **Rainier Joaquin V. Uy** Office of the City Council through the Chairperson, Committee on Subdivision & Landed Estate the applications for Preliminary Approval and Locational Clearance (PALC) and Simple Subdivisions by the different Developers in the City.

These applications were deliberated by the CdeO Housing Board on 27th June 2018 and the Board approved to endorse them to the City Council with certain conditions being recommended to be included in the Ordinance:

1. Preliminary Approval and Locational Clearance (PALC) of EL GAUCHO RESETTLEMENT, containing an applied area of 4,670 sq.m. located at Brgy. Bugo, this City, represented by Sustines C. Magalleanes.

   Conditions shall form part in the Development Permit Application.

   - All conditions stipulated herein form part of DECISION and are subject to monitoring;
   - Non-compliance therewith shall be cause for cancellation or legal action and disapproval of development permit;
   - This clearance does not exempt the project from pertinent requirements from line agencies;
   - Approved preliminary plans must be essentially the same as final size development plan;
   - Any misrepresentation or materials falsehood on your part shall be a sufficient cause for the cancellation of this approval and or legal action;
   - Separate the technical description intended for Parks & Playgrounds, Community Facilities areas;
   - Secure Environmental Clearance from City Local Environment and Natural Resources Office (CLENRO);
   - Secure Social Acceptability duly approved by the City Mayor.
   - Secure Environmental Compliance Certificate (ECC) from Department of Environment and Natural Resources;
   - Secure Barangay Resolution for Social Acceptability;
   - Provision for rain harvesting facilities equivalent of 0.02 cu.m./sq.m. of roof area and detention/retention pond equivalent 0.01 cu.m./sq.m. of gross applied area;
   - All application shall conform with the minimum design standard set forth in the revised implementing Rules and Regulations of B.P. 220 of 2008;
   - Indicate on the plan the cleared right of way and drainage structure of offsite

Conditions:

- The subdivision scheme shall not be altered other than what is applied for except when prior clearance from the City Government is secured;
- A Certificate of Registration must be secured from the Housing and Land Use Regulatory Board (HLURB) after the verification of survey returns from the Land Management Sector, DENR;
- Further subdivision of lot 9 & Lot 11. Blk. 8, Psd-10-045262 is prohibited without prior approval from the City Government of Cagayan de Oro;
- This approval is exempted from securing License to Sell pursuant to PD 957, Sec. 7a (Exempt Transaction) with co-owner;
- This approval shall be revoked if not registered within the period of (1) one year from the date issued; and
- Any misrepresentation of the application may cause for cancellation or revocation of subdivision permit.

4. Simple Subdivision of Puntod Socialized Housing Project particularly Lot No. 1817, CAD 237 Cagayan Cadastre, covering an area of 5,551 sq. m. more of less located at Brgy. Puntod, this City, represented by Hon. Oscar S. Moreno, City Mayor.

Conditions:

- The subdivision scheme shall not be altered other than what is applied for except when prior clearance from the City Government is secured;
- A Certificate of Registration must be secured from the Housing and Land Use Regulatory Board (HLURB) after the verification of survey returns from the Land Management Sector, DENR;
- Further subdivision of lot 1817, Cad 237 is prohibited without prior approval from the City Government of Cagayan de Oro;
- A license to sell shall be secured prior to actual disposal of lot 1817-1 to 50;
- This approval shall be revoked if not registered within the period of (1) one year from the date issued; and
- Any misrepresentation of the application may cause for cancellation or revocation of subdivision permit

Recommending for approval.

RAMON L. FERNANDEZ
Vice Chairperson

drainage to connect any existing waterway and/or functional drainage system. It should be delineated with technical and shall form part of the plans for development; and

- Delineated access road from nearest Public Road to the area applied.

2. Preliminary Approval and Locational Clearance (PALC) of Ayana Subdivision, covering an area of 22,297 square meters more or less, containing 200 saleable lots/units located at Brgy. Balubal, represented by Ms. Lydia C. Uy Treasurer, D' Mapple Dev't. Corporation.

Conditions shall form part in the Development Permit Application.

- All conditions stipulated herein form part of DECISION and are subject to monitoring;
- Non-compliance therewith shall be cause for cancellation or legal action and disapproval of development permit;
- This clearance does not exempt the project from pertinent requirements from line agencies;
- Approved preliminary plans must be essentially the same as final size development plan;
- Any misrepresentation or materials falsehood on your part shall be a sufficient cause for the cancellation of this approval and or legal action;
- Separate the technical description intended for Parks & Playgrounds, Community Facilities areas;
- Secure Environmental Clearance from City Local Environment and Natural Resources Office (CLENRO);
- Secure Social Acceptability duly approved by the City Mayor.
- Secure Environmental Compliance Certificate (ECC) from Department of Environment and Natural Resources;
- Provision for rain harvesting facilities equivalent of 0.02 cu.m./sq.m. of roof area and detention/retention pond equivalent 0.01 cu.m./sq.m. of gross applied area;
- All application shall conform with the minimum design standard set forth in the revised Implementing Rules and Regulations of B.P. 220 of 2008;
- Limit of development shall be 8.00 m. from existing centerline of Agusan-Balubal road;
- Setback requirements along Main Public Road shall be reckoned at the edge of road widening limit;
- Main road shall be 12.00 m. wide to comply with the provisions of Ordinance No. 6629-98, shall be kept open till the property line to give way for development of adjoining areas; and
- Indicate on plan the cleared right of way and drainage structure of offsite drainage to connect any existing waterway and/or functional drainage system. It should be delineated with technical description and shall form part of the plans for development.

3. Simple Subdivision of lot 9 & 11, blk. 8, psd-10-045262 of Manzueta M. Bollozos, covering an area of 377 sq.m. more or less, containing 2 lots located at Brgy. Carmen, this City

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

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

2nd Endorsement
May 29, 2018

Respectfully forwarded to **Cagayan de Oro City Housing Board**, Thru: **Shelter Committee**, the herein plans and documents relative to the application for simple subdivision of lot 9 & 11, blk. 8, psd-10-045262 of **Manzueta M. Bollozos,** *applicant* located at Barangay Carmen, this City, covering an area of 377 sq.m., containing 2 lots. The said subdivision is due to resizing of lots, recommending for approval.

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

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

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

FINAL RECOMMENDATION FOR SUBDIVISION APPROVAL

SSA/SA NO. :
PROJECT NO. :
DATE ISSUED: : 05-28-2018

NAME OF APPLICANT/DEVELOPER: **Manzueta M. Bollozos**
NAME OF PROJECT: Subdivision Plan of **Manzueta M. Bollozos, et.al**
LOCATIO: Carmen, CDO. ADDRESS: Golden Glow, Upper CarmenCagayan de Oro City
PROJECT DESCRIPTION APPLICATION: Simple Subdivision Approval of lot 9 & lot 11, Blk. 8, psd-10-045262 with an area of 377 sq. m. containing 2 lots located Carmen, this City.
ZONING CLASSIFICATION: PUD-Residential
PURPOSE: Seggregation of lot

C O N D I T I O N S :

1. The subdivision scheme shall not be altered other than what is applied for except when prior clearance from the City Government is secured;

2. A Certificate of Registration must be secured from the Housing and Land Use Regulatory Board (HLURB) after the verification of survey returns from the Land Management Sector, DENR;

3. Further subdivision of lot 9 & lot 11, Blk. 8, psd-10-045262 is prohibited without prior approval from the City Government of Cagayan de Oro;

4. *This approval is exempted from securing License to Sell pursuant to PD 957, Sec. 7 a. (EXEMPT TRANSACTION); with co-owner;*

5. This approval shall be revoked if not registered within a period of (1) one year from the date issued;

6. Any misrepresentation of the application may cause for cancellation or revocation of subdivision permit.

Engr. ISIDRO G. BORJA
City Planning & Development Coordinator

Republic of the Philippines
City Engineers Office
City of Cagayan de Oro
Kauswagan, Cagayan de Oro City

Ref.: Code No.420
Date: April 6, 2018

Rolando M. Pacuribot
City Engineer

INVESTIGATION/VERIFICATION REPORT
April 18, 2018

Subject : Application for Simple Subdivision applied by Manzueta M. Bollozos
Inspected by : Ernesto Sabit
Location : Upper Carmen, Cagayan de Oro City

FINDINGS & OBSERVATIONS :

Per investigation/validation conducted on the above subject, the following are the findings and observations, to wit :

1. That Lot 9 and Lot 11, Block 8, Psd-10-045262 is situated at Upper Carmen, this city.
2. That these lots are vacant and also adjacent lots in actual visibility.
3. That these lots are along the existing 10.00m. concrete subdivision road.
4. That their waste water disposal will flow to the existing drainage in the area.

Investigated by :

ERNESTO SABIT
Special Agent

Checked by :

NERISSA R. CAYLO
Engineer II

Submitted by :

EMILIA B. REVILLA
Engineer IV
Chief, PDPD

Noted by :

SONIA G. PEÑALOSA
Engineer IV
OIC-Asst. City Engineer for Administration

File/manzueta bollozos-sabit
Code#420

094

APPLICATION FOR APPROVAL
FOR A SIMPLE SUBDIVISION

MARCH 4, 2018
Date

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

Sir/Mesdames:

In accordance with Section 4 of PD and its implementing Standard Rules by Executive Order No. 648 dated 07, February 1981 and R.A 7160 and its implementing rules, I am applying for approval for Development of Simple Subdivision Project having and area of 377 sq. m, containing 2 lots.

Attached herewith are:

1. Six (6) sets of the following duly signed and sealed by a Licensed Architect/Engineer;
   a) Site Development Plan (schematic plan) showing the proposed layout;
   b) Vicinity map of location plan drawn to scale showing the adjoining circulation network as well as existing facilities and utilities at least 100 meter radius from project boundaries.
2. Two (2) copies of Certified True Copy of Title(s) from the Register of Deeds or photo of title(s) together with the owner's copy for the City Government records authentication (Deed of Sale/Memorandum of Agreement if the title is not registered in the name of applicant);
3. Latest Tax Receipt
4. Purpose/Intent;
   ____ For Sale
   ____ Subdivision among co-owners/heirs
   ✓ Others, (please specify) SEGREGATION OF LOT
5. Present Land Use:
   ____ Vacant
   ____ With house constructed, type:
   _____ Concrete
   _____ Mixed
   _____ Indigenous
   ____ Agricultural

MARIAE. FRETTLLAS
Architect/C.E/G.E

Very truly yours,

Applicant

ps Lm Golden Glow Village, Upper Carmen, Cagayan de Oro
Address

[illegible] - 6114
Contact no.

Reg. No. 41-88
PTR No. 4722805
Date Issue: 1-4-18
TIN: 156 909 723

Res. Cert. No. 02883176
Date Issue: Jan. 9, 2018
Place Issue: Cagayan de Oro
T.I.N.: 143 425 828

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

JOINT AFFIDAVIT OF SUBDIVISION - CONSOLIDATION

We, **MANSUETA M. BOLLOZOS**, of legal age, Filipino, married and a resident of Lot 13 Blk.8 Golden Glow Village, Upper Carmen, Cagayan de Oro City, and **LOUDEE MAE A. BOLLOZOS**, of legal age, Filipino, married and a resident of Cagayan de Oro City, hereby represented by **Mansueta M. Bollozos** thru a Special Power of Attorney (ANNEX "A"), after having been duly sworn to in accordance with law do hereby depose and say:

1. That we are owners of lots adjacent to each other located at Golden Glow Village, Upper Carmen, Cagayan de Oro City;

2. I (Mansueta M. Bollozos) is an owner of two (2) lots wherein in the middle is situated also the lot of Loudee Mae A. Bollozos;

3. That in order that the two (2) lots of Mansueta M. Bollozos will be consolidated or be made just immediately adjacent and contiguous to each other, and the lot of Loudee Mae A. Bollozos will be moved to the portion giving way to the consolidation of the lots of Mansueta M. Bollozos, we agreed to have an exchanged of our lots, thus, we hired a surveying firm to conduct a resurvey and relocation of our respective lots;

4. As a result after the conduct of resurvey, the following location and description of the plan of land of LOT 9 & 11, BLOCK 8, PSD-10-045262 yielded the resultant, specifically, to wit:

-Lot 2 containing an area of **ONE HUNDRED THIRTY TWO (132) SQ.M.** in the name of Mansueta M. Bollozos;
-Lot 1 containing an area of **TWO HUNDRED FORTY FIVE (245) SQ.M.** in the name of Loudee Mae A. Bollozos;

(The Technical Descriptions of the respective lots are hereto attached as ANNEXES "A" and "B".)

5. In view hereto we further certify the veracity of the Survey, Subdivision-Consolidation, and the fact of exchange of lands as explained in the above premises;

6. We further certify that we execute this Affidavit of Subdivision - Consolidation in order to submit the same to the Department of Environment and Natural Resources (DENR) and for other legal purposes;

7. We executed this affidavit to attest the veracity of the foregoing and for whatever legal purposes it may serve.

IN WITNESS WHEREOF, we hereunto affixed our signatures this February 12, 2018 in Cagayan de Oro City.

MANSUETA M. BOLLOZOS
Affiant
Govt. ID: 05-08-2025035-0

LOUDEE MAE A. BOLLOZOS Affiant

Represented by:

MANSUETA M. BOLLOZOS
Attorney-in-Fact
Govt. ID: 05-08-2025035-0

SUBSCRIBED AND SWORN to before me this February 12, 2018 in Cagayan de Oro City.

Doc. No. 184
Page No. 37
Book No. 48
Series of 2018

ATTY. JUVY IND V. ARUBIO
Notary Public
Until December 31, 2018
IBP No. 3[illegible] (12-08-2017) for 20[illegible]
PTR No. [illegible] (12-15-2017) for 2018
[illegible] Roll No.: 48685
MCLE Compliance No. V-0000[illegible] (September 27, 2014)

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

I, **MANSUETA M. BOLLOZOS** of legal age, Filipino citizen, married and a resident of Golden Glow Subd., Upper Carmen, Cagayan de Oro City, do hereby name, appoint and constitute **ENGR. EMIL MANLANGIT** of legal age, Filipino, married and a resident of Mandumol, Macasanding, Cagayan de Oro City, to be my lawful attorney(s)-in-fact and representative for me and in my name, place and stead, and for our benefit, to do and perform all or any of the following acts, deeds and/or things, to wit:

1. To represent me relative to the application for the simple subdivision of Lot 9 & 11, Blk, 8, Psp-10-045262 of Mansueta M. Bollozos, covering an area of Three Hundred Seventy (377 Sq.) Square Meters, more or less, containing two (2) lots located at Brgy. Carmen, Cagayan de Oro City,
2. To represent me during hearing at the Office of the City Mayor, Cagayan de Oro City and/or before the City Council of Cagayan de Oro City as well as before any government agency.
3. To sign or execute document and to do all other acts necessary to carry into effect the special authorities aforementioned.

HEREBY GIVING AND GRANTING unto our said attorney-in-fact full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in or about the premises, as fully to all intents and purposes as we mighty or could lawfully do if personally present, and hereby ratifying and confirming all that our said attorney shall do or cause to be done under and by virtue hereof.

IN WITNESS WHEREOF, we have hereunto set our hands this 5th day of July 2018 in Cagayan de Oro City, Philippines.

MANSUETA M. BOLLOZOS
Principal

CONFORME:

ENGR. EMIL MANLANGIT
Attorney-In-Fact

Signed in the presence of:

_____ and _____

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

ACKNOWLEDGEMENT

BEFORE ME A NOTARY PUBLIC for and in 22nd day of March 2018 in Cagayan de Oro City, Philippines, personally appeared the principal, known to me to be the same persons who executed the foregoing instrument. This document consist of one (1) page including where this acknowledgment is written, and signed by the parties and their instrumental witnesses after the contents hereof been interpreted and translated into their own vernacular and signified that they understood the same and the same are their free and voluntary act and deed.

WITNESS MY HAND AND SEAL.

Doc. No. 167 :
Page No. 34 :

ATTY. JUVY IND V. ARUBIO
Notary Public
Until December 31, 2018

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

Communication Number: **Received by:**

From : **Date:**

SUBJECT MATTER: Proposed Resolution endorsing with social acceptability the installation and operation of a cell site tower at Upper Zone 5, Tin-ao, Barangay Agusan, this city, by the Smart Communications, Incorporated, represented by Mr. Reginer Drio, Site Acquisition Officer of EGB/Huawe/Smart, subject to the rules and regulations provided for under the City Codified Ordinance and City Ordinance No. 9119-2004, and of other government agencies covering such operation and submission by the barangay secretary of barangay Agusan of a certification attesting that the signatories of the neighbor's consent are actual residents of the barangay whose properties are adjoining the tower.

Respectfully referred to the **COMMITTEE of the WHOLE**, *the herein communications for study, investigation, report and recommendation.*

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 13, 2018

2 for inclusion

HON RAINEIR JOAQUIN V. UY, *Chairman*	**HON. NADYA EMANO-ELIPE,** *Member*
HON. ZALDY O. OCON, *Member*	**HON. MARIA LOURDES S. GAANE,** *Member*
HON. LORDAN G. SUAN, *Member*	**HON. DOMETILO C. ACENAS, JR,** *Member*
HON. EDNA M. DAHINO, *Member*	**HON. IAN MARK Q. NACAYA,** *Member*
HON. JAY R. PASCUAL, *Member*	**HON. LEON M. GAN JR,** *Member*
HON. ROMEO V. CALIZO, *Member*	**HON.TEODULFO E. LAO JR,** *Member*
HON. GEORGE S. GOKING, *Member*	**HON. SUZETTE M. DABA,** *Member*
HON. ANNIE Y. DABA, *Member*	**HON. ENRICO D. SALCEDO,** *Member*
HON. REUBEN R. DABA, *Member*	**HON. YAN LAM LIM,** *Ex-Officio Member*

DISSENTING

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

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

DATE: JUN 19 2018

FROM: CLENRO

SUBJECT MATTER: APPLICATION FOR ISSUANCE OF A SOCIAL ACCEPTABILITY CERTIFICATION OF SMART COMMUNICATIONS INC., REP. BY REGINER DRIO, FOR THE PROPOSED ESTABLISHMENT AND OPERATION OF A SMART COMMUNICATIONS CELL SITE TOWER (48 METERS FOUR LEGGED) UPPER ZONE 5, TIN-AO, AGUSAN, THIS CITY.

ACTION: REFER TO COMMITTEE ON **ENVIRONMENT AND NATURAL RESOURCES..**

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

Republic of the Philippines
CITY LOCAL ENVIRONMENTand NATURAL RESOURCES OFFICE
Cagayan de Oro City

1st Endorsement

May 29, 2018

Respectfully transmitted to the **Honorable ZALDY O. OCON**, City Councilor, Chairman, City Council Committee on Environment and Natural Resources the herein set of documents relative to the application for issuance of a SOCIAL ACCEPTABILITY CERTIFICATION of SMART COMMUNICATIONS INC. Represented by: REGINER DRIO, for the proposed establishment and operation of a SMART COMMUNICATIONS Cell Site Tower(48 meters three legged) Upper Zone 5,Tin-ao,Agusan, this City.

For the Committee's further deliberation.

ENGR. ARMEN A. CUENCA
CLENRO-Designate

Republic of the Philippines
CITY LOCAL ENVIRONMENT and NATURAL RESOURCES OFFICE
Cagayan de Oro City

ENVIRONMENTAL CLEARANCE

Date issued	:	May 22, 2018
Validity	:	December 31, 2018
Trade name	:	**SMART COMMUNICATIONS, INC.**
Project	:	Cellsite Tower
Location	:	Upper Zone 5 Tin-ao, Agusan, Cagayan de Oro City

This clearance is hereby issued for the above stated project, subject to the monitoring/inspection of the CLENRO at any given period and the herein stipulated provisions:

1. That all applicable Environmental Laws, Rules, Regulations, Policies, City Codified Ordinance and the submission of requirements, as needed, shall be observed and complied with by the Contractor and Management of the herein Telecommunication Company.
2. That the Contractor and Management of the Telecommunication Company must comply and adhere to the provisions of City Ordinance # 9119-2004.
3. The proponent shall maintain proper environmental sanitation measures within the project area and its surrounding vicinity pursuant to City Ordinance No. 8975-2003 (Waste Segregation at Source) .
4. That the Project Proponent and/or Management of the herein Telecommunication Company in all manner be held liable and accountable for compensation to loss of lives and/or damages properties and lives in any eventualities cause both by the Natural Calamities and/or Man - Made Activities thereat.
5. Strict prohibition of pollutants derived from the project area. That no activity other than the applied purpose shall be undertaken.
6. Those CLENRO personnel have the right to Entry in the conduct of Monitoring and Inspection at any given time. The proponent shall support all Environmental Programs of the City Government, as carried out by the CLENRO.
7. Any other construction or installation contrary to the specifications of this particular project is not authorized by this issued Clearance, hence, for such purpose the necessary Building Permit from the City Building Office is required.
8. Non – Renewal of this Clearance upon the date of Expiry will cause for the Stoppage and Closure of the above – stated Telecommunication Company.
9. Any other construction or installation contrary to the specifications of this particular project is not authorized by this issued Clearance, hence, for such purpose the necessary Building Permit from the City Building Office is required.
10. Complaints of any violations filed before this office and found to have sufficient legal grounds, as verified and assessed shall be subject to the Cancellation, Revocation or Suspension of the permit.

In the interest of Public Safety and General Welfare, non-compliance of the herein set of conditions or as the need arises shall cause the Stoppage/Cease of the operation.

This **CLEARANCE** is issued to form part of the requirement in processing for the issuance of the Business Permit for the above stated entity and as a Regulatory Authority of CLENRO.

This **CLEARANCE** shall be posted within the premises of the establishment and to be presented upon inspection/verification.

Recommending Approval:

BENJAMIN D. SALVADOR
Supervising Environmental Management Specialist
Chief, Environmental Management Division
CLENRO

Approved:

ENGR. ARMEN A. CUENCA, MPA
CLENRO - Designate

Conformed:

REGINER DRIO
Site Acquisition Engineer

O.R# 3851369
Date Issued: May 22, 2018

Smart

HON. OSCAR S. MORENO
City Mayor

Thru:

ARMEN A. CUENCA, MPA
Acting CLENRO

CLENRO
RECEIVED
DATE: 16 May 2018
TIME: 4:00 PM
CONTROL NO:
BY: Bridge

Subject: Letter of Intent for the propose construction, maintenance and eventual operation of Smart Communications, Inc. Cellsite.

Dear Sir/Ma`am:

SMART COMMUNICATIONS, INC. is constantly finding ways of better serving our subscribers. We provide the most modern and world-class telecommunications services nationwide. As we expand our network, we shall be able to provide better and faster services to our subscribers all over the country.

In behalf of SMART COMMUNICATIONS, INC, May we request for a LOCATIONAL CLEARANCE for the propose construction, installation and eventual operation of a Telecommunications Tower on property of Ophelia Rubio located at Upper Zone 5 Tin-ao, Brgy. Agusan, Cagayan De Oro City, Misamis Oriental.

The said facilities will result in a more efficient communication which will be helpful during emergency situation, calamities and commercial dealings.

We hope that the propose location of the cell site is in conjunction with your plans for the city and we are looking forward to up grading your communications facilities.

Very truly yours,

Mr. Reginer Drio
Site Acquisition Engineer
EGB/HUAWEI/SMART
0939-5275390 / 0917-7286571

Mr. Jomari Maghinay
Site Acquisition Officer
EGB/HUAWEI/SMART
0975-1087287

Smart

OPHELIA RUBIO
Upper Zone 5 Tin-ao, Brgy. Agusan
Cagayan De Oro City

CONFIRMATION OF LEASE / AUTHORITY TO INSTALL
FOR SMART CELLSITE

Dear Mrs. Rubio,

This letter summarizes our understanding, subject to the terms and conditions outlined below, and such other terms as maybe agreed upon by the parties, for SMART Communications, Inc. (SMART), to lease a portion of your property located at Upper Zone 5 Tin-ao, Brgy. Agusan, Cagayan De Oro City, Misamis Oriental.

1. **Lease Area** – Vacant lot, approximately **TWO HUNDRED FIFTY SIX SQUARE METERS (256 sq.m)**, with a dimension of 16m x 16m for our Antenna Tower installation and radio communication equipment shelter, plus other site development requirements.

2. **Lease Period** – Ten (10) years commencing on the day of mobilization, _____, 2018 until _____, 2028, which shall be renewable upon agreement of both parties.

3. **Monthly Rental** – The monthly rental in **PESOS: FIFTEEN THOUSAND PESOS (15,000.00)** exclusive of all other charges and fees and assessments on the leased property. The withholding tax shall be withheld by the LESSEE at the rate prescribed by law and shall be for the account of the LESSOR. The LESSEE shall provide the LESSOR the corresponding Tax Withheld Certificate at intervals mandated by the Bureau of Internal Revenue Regulations. On the other hand, the VAT shall be for the account of the LESSEE.

   The monthly rental shall be payable annually within the first fifteen (15) days of the agreed month of lease. The Documentary Stamp Tax (DST) arising from this Contract of Lease shall be for the account of the LESSOR.

4. **Escalation Rate** – The monthly rental shall be subject to Four and One Half Percent (4.5%) escalation rate starting on the fourth (4th) year of this agreement and every year thereafter.

5. **Use of the Premises** – SMART shall have the right to install the given antennas and other telecommunication, electronic and computer equipment devices, together with other necessary equipment, fixtures and appurtenances at suitable places within the Leased Premises.

6. **Contract of Lease** – Following the execution of this letter of intent to lease, the parties will enter into a Contract of Lease embodying the terms hereof containing, among other things, appropriate representation and warranties including provisions for indemnification of parties for breach of warranty and misrepresentation. Notwithstanding, however, the pendency of the execution of the Contract of Lease, SMART is hereby authorized to mobilize its manpower and equipment and commence work as it sees fit on the Leased Premises for the purpose of which it shall be devoted.

Ophelia Rubio

Site ID: M6049
Site Name: Cagayan De Oro-Agusan-Pepsi

7. **Disclosure** – In the interest of transparency and in compliance with SMART'S Corporate Governance Policies specially the conflict of Interest Policy, LESSOR hereby discloses the following:

   (a) LESSOR has no existing or previous close personal or business affiliation or relationship with a SMART Director, Employee or Consultant;

   (b) LESSOR has no relative of up to the 3rd degree in SMART, whether by consanguinity, affinity or legal adoption;

   (c) In the event that LESSOR would become aware of such a relationship or affiliation, LESSOR would immediately disclose it to SMART and take further steps, actions or measures to comply with other requirements as may be prescribed by SMART;

   (d) LESSOR acknowledges the authority of SMART to determine and impose the appropriate sanction in the event of LESSOR's violation or non-compliance with its Conflict of Interest Policy, including declaring this a breach of contract.

8. **Other Conditions** – To be specified in the Contract of Lease

   (a) That the financial terms and conditions in this Confirmation Letter is fixed and final and that no other terms and conditions could result in additional cost to SMART shall be introduced;

   (b) That upon signing this Confirmation Letter, we (SMART) shall be allowed to mobilize our equipment and prepare the site for construction;

   (c) That SMART shall be allowed 24-hour access to the site for maintenance and inspection purposes;

   (d) That the LESSOR shall assist SMART in securing the necessary permits/clearances so as not to delay our project;

   (e) That the LESSOR shall allow SMART access to the site with a road right-of-way from the main road leading to the Leased Premises free from any charges whatsoever. SMART shall guarantee that the contractor shall repair all damage to the access road.

   (f) That this Confirmation of Lease will automatically be nullified if any of the following permits have been disapproved by the authorizing agencies of the government – Barangay Clearance/Resolution, Air Transportation Office Height Clearance, Neighborhood or Homeowners' Consent, and DENR Environment Compliance Certificate;

   (g) That this Confirmation of Lease shall be nullified if the proposed lease area has failed the requirements of our soil investigation test and/or the building fails the structural investigation.

   (h) That this Confirmation of Lease shall be automatically nullified if found beyond doubt that a willful misrepresentation has been made in any or all documents during the finalization and actual signing of the Contract of Lease.

(i) That LESSOR is willing to wait for at least two (2) months from the date of mobilization for the payment and signing of the Contract of Lease. It is hereby understood that during the two (2) months waiting period, LESSOR shall not hamper or hold the construction of SMART's cell site at the Leased Premises.

That the lease rate, escalation rate, lease period and other terms in this Confirmation of Lease are not subject to change and cannot be renegotiated.

Should you have matters requiring clarifications, kindly get in touch with **ENGEL GUMAPON**, Network Contract Management, SMART Communications, Inc., 12th Floor, Rufino Pacific Tower, 6784 Ayala Ave., Makati City **Tel. Nos.(02) 511-3773** or **at mobile number 0949-8696571**. Otherwise, if the foregoing correctly sets forth our agreement in principle, please affix your signature in the space provided for your confirmation and return to us a duplicate copy hereof

Thank you.

SMART COMMUNICATIONS, INC.
By:

FEB 2018

VICTORIO COSTES JR.

CONFORME:

OPHELIA RUBIO

Date Signed: 01-30-2018

TIN: _____

Basis of Lease (BOL) – Greenfield Site				Smart	
				Doc. Ref. No.	TSD-RO-SF-BOLG
				Date:	2016-OCTOBER-11
Owner		Revision	0	Page:	Page 1 of 1

SITE ID	M	6049	CANDIDATE	C	
SITE NAME	Cagayan De Oro – Agusan Pepsi				
REGION	X				
VENDOR	HUAWEI				

DETAILS OF THE NEGOTIATION WITH THE PROPERTY OWNER FOR THE OPTION SITE	
STREET	UPPER ZONE 5 TIN-AO
BARANGAY	AGUSAN
TOWN/CITY	CAGAYAN DE ORO CITY
PROPERTY OWNER	OPHELIA RUBIO
CONTACT NUMBER	0917-7192866 C/O ANGELA RUBIO-LAGUA
LOT SIZE	16M X 16M (256 SQ.M.)
LEASE RATE	PHP 15,000.00 NET OF TAXES
ADVANCE PAYMENT	N/A
PAYMENT TERMS	ANNUALLY
LEASE PERIOD	10 YEARS
ESCALATION RATE	4.5 % ON THE FOURTH YEAR.
COMMERCIAL POWER	CAGAYAN ELECTRIC POWER AND LIGHT COMPANY, INC. (CEPALCO)
NOTES	1
	2
	3

SMART APPROVAL (INCLUDES PRELIM OWNERSHIP DOCUMENT CHECK, SEE BELOW)	
NAME	VICTORIO COSTES, JR.
SIGNATURE	
DATE	NOVEMBER 2018

The Vendor is to ensure that a copy of the following ownership documents are attached to this form:

- Certified Copy of the TCT
- Tax Declaration
- Latest Copy of Tax Receipt

CONFORME:

OPHELIA RUBIO
Lessor

MAY 16 2018 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ AT CAGAYAN DE ORO CITY AFFIANT BEING KNOWN TO ME AND PERSONALLY APPEARING BEFORE ME, EXHIBITING ID AS ABOVE REFLECTED.

DOC. NO. 325
PAGE NO. 66
BOOK NO. LXXXVII
SERIES OF 2018

ATTY. MARIA LASAM...
Notary Public
Until December 2019
PTR No. 4726944, 01-03-2018
IBP No. 1080045, 20-11-2017
Roll No. 37410
TIN No. 130-293-972
MCLE Comp. Cert. No. VI-0003...

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

cagayan de Oro
city of golden friendship

SPECIAL PERMIT ON ZONING

Date Issued	:	May 8, 2018
Expiration Date	:	December 31, 2018
Applicant/Owner	:	SMART COMMUNICATIONS, INC. / REP: Jomar Maghinay
Trade Name	:	SMART COMMUNICATIONS, INC.
Address	:	SMART Tower, 6799 Ayala Avenue, Makati City, Metro Manila
Type of Project	:	48 meters, 3 Legged Self Support Tower
Location of Project	:	Upper Zone 5 Tin-ao, Agusan, Cagayan de Oro City
Lot Number	:	22565, CSD-369-D (Lot 19446-C, CSD-10-001540-D)
Project Classification	:	Commercial
Zoning Classification	:	Medium Density Residential Zone (R2)
Right over Land	:	Leased

CONDITIONS

1. All conditions stipulated herein form part of this decision and are subject for monitoring;
2. That applicable requirements of other government agencies and applicable provisions of existing laws shall be complied with;
3. That Barangay Resolution interposing no objection and neighbors' consent within the area shall be secured;
4. That Social Acceptability from the City Mayor shall be secured upon application of building permit;
5. No building, structure or land hereafter be used or occupied and no building or part thereof be erected, constructed or reconstructed, moved or altered without securing necessary permits from the city;
6. Subject to compliance to Certificate of Non-coverage (CNC) CNC-OL-R10-2018-04-00260 issued on April 23, 2018 by the DENR;
7. Provisions as to setbacks, yard requirement, bulk easement, area, height and other restrictions shall strictly conform with the requirements of the National Building Code and other related laws;
8. In case of electrical interference, no equipment, process, which creates visual or audible interference to any radio or TV receivers off the premises or causes fluctuation;
9. That the height shall conform to Height Clearance Permit issued by Air Transportation Office;
10. Any misrepresentations, false statement or allegations material to the issuance of this permit and non compliance therewith shall be sufficient cause for its revocation.

ENGR. ISIDRO G. BORJA
City Planning & Development Coordinator

New
O.R. No. 3849908
Amount ₱5,000-
Issued on 05-10-18
Issued at Cagayan de Oro City

3rd Floor, South Wing
Administrative Building
City Hall Compound, Capistrano-Hayes Streets
Cagayan de Oro City

Republic of the Philippines
Department of Health
FOOD AND DRUG ADMINISTRATION

RADIOFREQUENCY RADIATION EVALUATION ON THE PROPOSED SMART COMMUNICATIONS, INC. MOBILE TELEPHONE BASE STATION

I. INTRODUCTION

A desktop radiation safety evaluation was done by the Center for Device Regulation, Radiation Health, and Research of the Food and Drug Administration, Department of Health (CDRRHR-FDA-DOH) on the proposed mobile telephone base station as per request of *Mr. Li Ao, Project Manager* of *Huawei Technologies Inc.* in behalf of *Smart Communications, Inc.* The evaluation was based on the technical specifications submitted to the CDRRHR by *Huawei Technologies Inc.*

II. LOCATION

Address : **M6049 - Cagayan De Oro-Agusan-Pepsi : Upper Zone 5 Tin-ao, Brgy. Agusan, Cagayan De Oro City, Misamis Oriental**
Type of Installation : **3 Legged Self Supported Tower**
Coordinates (Longitude) : **124° 44' 53.02"; (Latitude): 08° 29' 36.46"**

III. TECHNICAL DATA

A. Proposed Antenna Specifications

1. Point to Point Antenna

Antenna No.	Antenna Model	Assigned Frequency, GHz		Power Output, watt/s	Diameter, meter/s	Gain, dBi	Height Above Ground Level (AGL), meter/s
		Transmit	Receive				
1	HUAWEI A07D09HS	7.1385	7.2995	0.63	0.90	34.80	8.00
2	HUAWEI A07D09HS	7.1385	7.2995	0.63	0.90	34.80	20.00

2. Cellular Antenna

Type of Service	Antenna Model	Assigned Frequency, MHz		Power Output, watt/s	Gain, dBi	Number of Antenna: Height Above Ground Level (AGL), meter/s		
		Transmit	Receive			Sector 1	Sector 2	Sector 3
GSM/UMTS 900	ASI 4518R10v06	942.50-950.00	897.50-905.00	40.00	17.00	1:45.00	1:45.00	1:45.00
GSM/LTE 1800		1820.00-1827.50	1725.00-1732.50					
3G 2100MHz		2110.00-2125.00	1920.00-1935.00					
3G 850MHz		870.00-880.00	825.00-835.00					

B. Relevant Exposure Limits

1. Occupational Limit: 21.75 W/m^2 for 870.00-880.00 MHz;
23.56 W/m^2 for 942.50-950.00 MHz;
45.50 W/m^2 for 1820.00-1827.50 MHz; and
50.00 W/m^2 for 2110.00-2125.00 MHz and 7.1385 GHz

Not Valid Without FDA Seal
RFR Evaluation No.: 918 Series: 2018

DTN : 20180319134146

Civic Drive, Filinvest City, Alabang 1781 Muntinlupa, Philippines
Trunk Line +63 2 857 1900 Fax +63 2 807 0751
Website: www.fda.gov.ph Email: info@fda.gov.ph

2. Non-occupational Limit: 4.35 W/m^2 for 870.00-880.00 MHz;
4.71 W/m^2 for 942.50-950.00 MHz;
9.10 W/m^2 for 1820.00-1827.50 MHz; and
10.00 W/m^2 for 2110.00-2125.00 MHz and 7.1385 GHz

[based on International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines, 1998]

IV. CONCLUSION

No person shall be allowed to remain directly in front of the antenna at horizontal distances less than the calculated safe distances listed below. These horizontal distances are at the level of the antenna height above ground.

Antenna Type	Distance in meter/s	
	Occupational	Non-occupational (members of the public)
Point to Point	**1.74**	**3.89**
GSM/UMTS 900	**2.60**	**5.82**
GSM/LTE 1800	**1.87**	**4.19**
3G 2100MHz	**1.79**	**3.99**
3G 850MHz	**2.71**	**6.06**

If one considers the specified antenna heights for the point to point, GSM/UMTS 900, GSM/LTE 1800, 3G 2100MHz, and 3G 850MHz antennas, it is unlikely that members of the public will be exposed to levels exceeding the limits.

V. REQUIREMENTS

1. A perimeter fence or any appropriate structure must be constructed to prevent access of the public to the antenna.
2. Only authorized personnel shall be allowed to have access to the antenna tower. The radiofrequency source must be turned off whenever service personnel are working in areas where the power density levels are greater than the exposure limits stated above. Moreover, the antenna must not be activated in case of repair or maintenance work or whenever service personnel need to approach the antenna at less than the specified safe distances from the point to point, GSM/UMTS 900, GSM/LTE 1800, 3G 2100MHz, and 3G 850MHz antennas.
3. Should there be modifications in the RF transmission system that could affect the power density levels in the facility, the CDRRHR must be notified in writing prior to operation of the modified design.
4. Warning signs must be placed at strategic locations in the facility.
5. A radiation safety officer who has undergone RF radiation safety seminar must be designated.
6. The contractor/supplier or owner must undertake measurements to generate a radiofrequency radiation map.

BY AUTHORITY OF THE DIRECTOR-GENERAL:

ENGR. BAYANI C. SAN JUAN, MSc, MNSA, CESE
Director IV
Center for Device Regulation, Radiation Health, and Research

Date of Evaluation : 17 April 2018
O.R. No. : 0984081
Date Issued : 19 March 2018
Not Valid Without FDA Seal
RFR Evaluation No.: 918 Series: 2018

DTN : 20180319134146

Republic of the Philippines
CIVIL AVIATION AUTHORITY OF THE PHILIPPINES

No: **T-0640-17-116385**
Issue Date: JAN 0 5 2018

HEIGHT CLEARANCE PERMIT

A Height Clearance Permit is hereby granted to **SMART COMMUNICATIONS, INCORPORATED** (the "Grantee") with postal address at **Ground Floor, Smart Tower, 6799 Ayala Avenue, Makati City** for the construction of the proposed **53.50-m high Self-Supporting Tower with Lightning Arrester** with a Top Elevation of **Eighty Six and 92/100 meters (86.92m)** Above Mean Sea Level (AMSL), inclusive of any appurtenances such as antenna towers, billboards, flagpoles, lightning arresters, and etc. that may be installed atop the building/structure.

The location of the proposed structure is at **Lot 22565, Zone 5 Tin-aw, Barangay Agusan, Cagayan De Oro City, Misamis Oriental (N08° 29' 36.46" E124° 44' 53.02")** which falls **within the vicinity** of **Cagayan De Oro Airport.**

Any deviation from the data submitted and approved by this Office shall be a ground for cancellation/revocation of this permit.

In consideration of projected airport developments, the Grantee is hereby given a period of **two (2) years** from the issuance of this HCP within which to commence construction of the proposed structure. Failure to commence construction within the period shall invalidate this HCP, upon which a new permit must be applied for and secured.

Recommend Approval:

ARNEL F. BORLADO
Officer-In-Charge, ADMS

VALID UNTIL:
DATE: JAN 0 5 2020

ATTY. ANTONIO G. GONZALES
Acting Chief, ATS

ARNOLD R. BALUCATING
Acting Chief, ANS

Approved:
By Authority of the Director General:

CAPTAIN DONALDO A. MENDOZA
Deputy Director General for Operations

Not valid without dry seal

REPUBLIC OD THE PHILIPPINES
CITY OF CAGAYAN DE ORO
BARANGAY AGUSAN

OFFICE OF THE BARANGAY COUNCIL

CERTIFICATE OF SOCIAL ACCEPTABILITY

This is to certify that the undersigned has understood the implications of

SMART COMMUNICATIONS, INC.
Project Proponent

TELECOMMUNICATIONS TOWER / CELL SITE
Name / Type of Project

Upper Zone 5, Tin-ao, Agusan, Cagayan de Oro City
Project Location

to the surrounding areas. Further, I certify that I have consulted my respective constituents and they interpose no objection whatsoever against the project.

Done this **15th** day of **January, 2018** at Barangay Agusan, Cagayan de Oro City, Philippines.

ANDREW E. MELLIZA
Barangay Chairman

REPUBLIC OF THE PHILIPPINES
CITY OF CAGAYAN DE ORO
Barangay AGUSAN

OFFICE OF THE BARANGAY COUNCIL

MNUTES OF THE PUBLIC HEARING ON THE PROPOSED CONSTRUCTION, OPERATION AND MAINTENANCE OF A CELL SITE TOWER BY SMART COMMUNICATIONS AT UPPER ZONE 5, AGUSAN, CAGAYAN DE ORO CITY.

CALL TO ORDER at 2:42 in the afternoon.
INVOCATION led by Mrs. Claudia Layno.
WELCOME ADDRESS was given by the Chairman on Infrastructure and Public Works Kag. Oliver D. Abangan.

I. Presentation on the details and specifications of the proposed project by Engr. Jomari Mahinay, representative of Smart Communications, Inc., emphasizing the 2022 modernized maximization of the fiber-optic technology.

II. OPEN FORUM

- Mr. Francisco Lim, Zone 6 Representative queried on the possibility of lightning strikes in the area, citing the apprehensions that since there are already two cell site units in the area, it might cause the strike of lightning.

  Second, Mr. Lim asserted whether the said cell site unit has no effect on the functions of appliances in the neighboring households.

  Engr. Reginer Drio explained that their tower is equipped with appropriate lightning arrester, having ionized material.

  As to the safety of appliance units, it was explained that that the frequency of cell site units is far different from that of radio and broadcasting.

- Zone 6 Representative Mr. Ariel Almonte mentioned on the carriage of project materials and equipment from the national highway to the proposed site. He suggested that if manual carriage is needed, it may be possible to hire nearby residents or merely Agusan residents to work for the project.

  There was a commitment from the Smart representatives to consider Barangay Agusan residents, particularly those from the nearby areas of the project as priorities for job hiring for the project

  SMART also assure that should there be damages incurred on the concreted pathway and drainage, Smart shall shoulder

Having no other important matters to discuss, the Public Hearing was adjourned at 4:00 o'clock in the afternoon.

DONE this 5th day of January, 2018 at Barangay Agusan, Cagayan de Oro City, Philippines.

I HEREBY CERTIFY to the correctness of the above minutes.

AGNES E. YACAPIN
Barangay Secretary

ATTESTED:

OLIVER D. ABANGAN
Chairman, Committee on Infrastructure
and Public Works

NOTED:

ANDREW E. MELLIZA
Punong Barangay

Republic of the Philippines
City of Cagayan de Oro
Barangay AGUSAN

PUBLIC HEARING ON PROPOSED CELL SITE TOWER CONSTRUCTION AND OPERATION BY SMART COMMUNICATIONS, INC.
January 5, 2018 @ 2:00 P.M.
Upper Zone 5, Agusan, Cag. de Oro City

A T T E N D A N C E

NAMES	CONTACT NO.	SIGNATURE
CHANN JADE MAGSACAY		
LAYNO, HENRY		
ARIE ALMONTE		
CRIS WINO VELAYA		
CRUZ F.		
CRUZ B.		
Pete John Racay		
FRANCIS ATILANO		
Chrystian Poncho		
Prince Edmund Mortos		
Gaudil B. Lafer		
DENCN LOYLE		
MARY JOY M. MAGSACAY		
Claudia M. Layno		
KAR. OCIVER D. ABANCAN		
[illegible]		
abelle m. [illegible]		
KAILEEN D. BOMBEO		
[illegible]		
JAIME ATILANO		
Arlene M. Palomo		
Margarita Lumahang		
[illegible]		
MOMPAR RROGE		
ALQUIZAR RAY		
BOBONG BACOMO BACOMO		
Bein Jay Brian		
Magsaray John Manuel M.	2-5	
James E. [illegible]	2-6	
Francisco G. [illegible]	2-4	
Nelson Velasquez	2-5	
Thyshaine JEFF A. Poncho		
Nonilla Lumahang		
Edena Ibana		
NELSON Martinez		
LUIGITO DAGRIA		
Ignacia Fernandez		
ARIEL B. AIMONTE JR.		
Evangeline C. Bacomo		
Eleazar Bacomo		
FELVIE P. RAMAYO		
MA. FE ENTIRINA		
CARMELITO ENTERINA		
REGINER DICDO	SMART REPRESENTATIVE	
JOMARI MAGUJINAO		

NEIGHBORS CONSENT

We, the undersigned, neighbors of at least fifty (50) meters radius from proposed SMART Cellsite located at ZONE V TIN-AD, BRGY. AGUSAN, CDO, owned by OPHELIA RUBID, interposes no objection and hereby give our approval for the construction and operation of Telecommunication facilities of SMART Communications, Inc. on the said property.

Signed this 05th day of Jan., 2017.

By :

Name and Signature	Address
MARY JOY M. MACERACAY	ZONE 5 AGUSAN
MARGARITA R. LUMATAOG	
NOVA VILLA SANTIAGO JR.	
JOSUE C. FIGUEROA	
ANALOU A. PANTILLO	
CRUZ,	
NELSON MARTINEZ	
IGNACIA FERNANDEZ	
KAREEN M. BALDO	
FELIPE P. ABANES	
MA. FE G. FERRER	
CLAUDIA M. LAGO	
SHAWN JOSE MACERACAY	
MSMPO, RTG	
KAG. KARAGIN CRUZ	
DEODATO GABUCE	
MACERACAY AMELIA	

Name and Signature	Address
[illegible]	2-5 AGUSAN
BUBONG BACOMO	2-5 AGUSAN
MISTO, LAGERA	2-5 [illegible]
ARIEL B. AIMONTE	2-5 Agusan
PRINCE EDMUND MORTOS	2-5 Agusan
EDMUNDO P. MORTOS	2-5 Agusan
Pete [illegible] Rasay	2-5 Agusan
Arterie M. [illegible]	2-5 Agusan
CARMELO ERMA	2-5 Agusan
Francisco B. [illegible]	2-6 AGUSAN
IXN-[illegible]	2-5 AGUSAN
LYNIO [illegible]	
Evangeline [illegible]	
Kag. [illegible]	
FRANCIA Agusan	2-5 AGUSAN

REPUBLIC OF THE PHILIPPINES
CITY OF CAGAYAN DE ORO
Barangay AGUSAN
OFFICE OF THE BARANGAY COUNCIL

EXCERPT FROM THE MINUTES OF THE AGUSAN BARANGAY COUNCIL OFFICIALS 1ST REGULAR SESSION HELD JANUARY 9, 2018 AT BARANGAY AGUSAN SESSION HALL, AGUSAN, CAGAYAN DE ORO CITY.

PRESENT:	ANDREW E. MELLIZA	Barangay Chairman - Presiding Officer
	OLIVER D. ABANGAN	Barangay Kagawad
	ROSARIO Q. CARANZO	Barangay Kagawad
	CATALINA A. ORDIZ	Barangay Kagawad
	ALBERT B. ABATAY	Barangay Kagawad
	JEROME D. MANGUBAT	Barangay Kagawad
	ROLAND B. TIONKO	Barangay Kagawad
	LEOPOLDO C. LINGATONG	Barangay Kagawad
	AGNES E. YACAPIN	Barangay Secretary
	DIGNA S. TAPIC	Barangay Treasurer

RESOLUTION NO. 002 s'2018

RESOLUTION INTERPOSING NO OBJECTION ON THE PROPOSAL OF SMART COMMUNICATIONS, INC. TO CONSTRUCT, INSTALL AND FINALLY OPERATE A TELECOMMUNICATIONS TOWER AT RUBIO PROPERTY, UPPER ZONE 5, AGUSAN, CAGAYAN DE ORO CITY.

WHEREAS, the Smart Communications, Inc. intends to construct, install and finally operate a telecommunications tower at Upper Zone 5, Agusan, Cagayan de Oro City, with its objective of achieving a more efficient telecommunications transmission, which are deemed helpful in emergency situations, calamity and commercial dealings;

WHEREAS, in a public consultation conducted, the proposal gained the neighboring resident's acceptability of the project having clarified that it does not pose detrimental effects to their residential area and general well-being, guaranteeing all safety and precautionary measures shall be undertaken in the construction and operation stages;

WHEREAS, Smart Communications guarantees to attend to the maintenance and repair of pathway and drainage system traversed and affected by the construction proceedings, as well as prioritize local residents in the hiring of need manpower;

WHEREFORE, on MOTION of *Kag. Oliver D. Abangan*, severally seconded by the Sangguniang Barangay members present, it was

RESOLVED, AS SANGGUNANG BARANGAY OFFICIALS HEREBY RESOLVES TO INTERPOSE NO OBJECTION ON THE PROPOSAL OF SMART COMMUNICATIONS, INC. TO CONSTRUCT, INSTALL AND FINALLY OPERATE A TELECOMMUNICATIONS TOWER AT RUBIO PROPERTY, UPPER ZONE 5, AGUSAN, CAGAYAN DE ORO CITY. UNANIMOUSLY CARRIED.

DONE this 10th day of January, 2018 at Barangay Agusan, Cagayan de Oro City Philippines.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

AGNES E. YACAPIN
Barangay Secretary

Attested / Approved:

OLIVER D. ABANGAN
Barangay Kagawad

ROSARIO Q. CARANZO
Barangay Kagawad

CATALINA A. ORDIZ
Barangay Kagawad

ALBERT B. ABATAY
Barangay Kagawad

ROLAND B. TIONKO
Barangay Kagawad

JEROME D. MANGUBAT
Barangay Kagawad

LEOPOLDO C. LINGATONG
Barangay Kagawad

DIGNA S. TAPIC
Barangay Treasurer

ANDREW B. MELLIZA
Barangay Chairman / Presiding Officer

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

Communication Number: **Received by:**

From : **Date:**

SUBJECT MATTER: Proposed Resolution endorsing with social acceptability the installation and operation of a cell site tower at Zone 4, Kisol, Barangay Pagatpat, this city, by the Smart Communications, Incorporated, represented by Mr. Reginer Drio, Site Acquisition Officer of EGB/Huawe/Smart, subject to the rules and regulations provided for under the City Codified Ordinance and City Ordinance No. 9119-2004, and of other government agencies covering such operation and submission by the barangay secretary of Barangay Pagatpat of a certification attesting that the signatories of the neighbor's consent are actual residents of the barangay whose properties are adjoining the tower.

Respectfully referred to the **COMMITTEE of the WHOLE**, *the herein communications for study, investigation, report and recommendation.*

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 13, 2018

2 for inclusion

HON RAINEIR JOAQUIN V. UY, *Chairman*	**HON. NADYA EMANO-ELIPE,** *Member*
HON. ZALDY O. OCON, *Member*	**HON. MARIA LOURDES S. GAANE,** *Member*
HON. LORDAN G. SUAN, *Member*	**HON. DOMETILO C. ACENAS, JR,** *Member*
HON. EDNA M. DAHINO, *Member*	**HON. IAN MARK Q. NACAYA,** *Member*
HON. JAY R. PASCUAL, *Member*	**HON. LEON M. GAN JR,** *Member*
HON. ROMEO V. CALIZO, *Member*	**HON.TEODULFO E. LAO JR,** *Member*
HON. GEORGE S. GOKING, *Member*	**HON. SUZETTE M. DABA,** *Member*
HON. ANNIE Y. DABA, *Member*	**HON. ENRICO D. SALCEDO,** *Member*
HON. REUBEN R. DABA, *Member*	**HON. YAN LAM LIM,** *Ex-Officio Member*

DISSENTING

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

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

DATE: JUN 19 2018

FROM: CLENRO

SUBJECT MATTER: APPLICATION FOR ISSUANCE OF A SOCIAL ACCEPTABILITY CERTIFICATION OF SMART COMMUNICATIONS INC., REP. BY REGINER DRIO, FOR THE PROPOSED ESTABLISHMENT AND OPERATION OF A SMART COMMUNICATIONS CELL SITE TOWER (48 METERS FOUR LEGGED) ZONE 4, KISOL, PAGATPAT, THIS CITY.

ACTION: REFER TO COMMITTEE ON **ENVIRONMENT AND NATURAL RESOURCES..**

HON. RAINEIR JOAQUIN V. UY
CITY VICE MAYOR

HON. RAINEIR JOAQUIN V. UY
City Vice Mayor

Republic of the Philippines
CITY LOCAL ENVIRONMENTand NATURAL RESOURCES OFFICE
Cagayan de Oro City

1st Endorsement

May 29, 2018

Respectfully transmitted to the **Honorable ZALDY O. OCON**, City Councilor, Chairman, City Council Committee on Environment and Natural Resources the herein set of documents relative to the application for issuance of a SOCIAL ACCEPTABILITY CERTIFICATION of SMART COMMUNICATIONS INC. Represented by: REGINER DRIO, for the proposed establishment and operation of a SMART COMMUNICATIONS Cell Site Tower(48 meters four legged) Zone 4,Kisol,Pagatpat, this City.

For the Committee's further deliberation.

ENGR. ARMEN A. CUENCA
CLENRO-Designate

Republic of the Philippines
CITY LOCAL ENVIRONMENT and NATURAL RESOURCES OFFICE
Cagayan de Oro City

ENVIRONMENTAL CLEARANCE

Date issued	:	May 22, 2018
Validity	:	December 31, 2018
Trade name	:	**SMART COMMUNICATIONS, INC.**
Project	:	Cellsite Tower
Location	:	Zone 4, Kisol, Pagatpat, Cagayan de Oro City

This clearance is hereby issued for the above stated project, subject to the monitoring/inspection of the CLENRO at any given period and the herein stipulated provisions:

1. That all applicable Environmental Laws, Rules, Regulations, Policies, City Codified Ordinance and the submission of requirements, as needed, shall be observed and complied with by the Contractor and Management of the herein Telecommunication Company.
2. That the Contractor and Management of the Telecommunication Company must comply and adhere to the provisions of City Ordinance # 9119-2004.
3. The proponent shall maintain proper environmental sanitation measures within the project area and its surrounding vicinity pursuant to City Ordinance No. 8975-2003 (Waste Segregation at Source) .
4. That the Project Proponent and/or Management of the herein Telecommunication Company in all manner be held liable and accountable for compensation to loss of lives and/or damages properties and lives in any eventualities cause both by the Natural Calamities and/or Man - Made Activities thereat.
5. Strict prohibition of pollutants derived from the project area. That no activity other than the applied purpose shall be undertaken.
6. Those CLENRO personnel have the right to Entry in the conduct of Monitoring and Inspection at any given time. The proponent shall support all Environmental Programs of the City Government, as carried out by the CLENRO.
7. Any other construction or installation contrary to the specifications of this particular project is not authorized by this issued Clearance, hence, for such purpose the necessary Building Permit from the City Building Office is required.
8. Non – Renewal of this Clearance upon the date of Expiry will cause for the Stoppage and Closure of the above – stated Telecommunication Company.
9. Any other construction or installation contrary to the specifications of this particular project is not authorized by this issued Clearance, hence, for such purpose the necessary Building Permit from the City Building Office is required.
10. Complaints of any violations filed before this office and found to have sufficient legal grounds, as verified and assessed shall be subject to the Cancellation, Revocation or Suspension of the permit.

In the interest of Public Safety and General Welfare, non-compliance of the herein set of conditions or as the need arises shall cause the Stoppage/Cease of the operation.

This **CLEARANCE** is issued to form part of the requirement in processing for the issuance of the Business Permit for the above stated entity and as a Regulatory Authority of CLENRO.

This **CLEARANCE** shall be posted within the premises of the establishment and to be presented upon inspection/verification.

Recommending Approval:

BENJAMIN D. SALVADOR
Supervising Environmental Management Specialist
Chief, Environmental Management Division
CLENRO

Approved:

ENGR. ARMEN A. CUENCA, MPA
CLENRO - Designate

Conformed:

REGINER DRIO
Site Acquisition Engineer

O.R# 3851368
Date Issued: May 22, 2018

Smart

HON. OSCAR S. MORENO
City Mayor

Thru:

ARMEN A. CUENCA, MPA
Acting CLENRO

CLENRO
RECEIVED
DATE: 16 May 2018
TIME: 4:06 PM
CONTROL NO:
BY: Bridge

5/3/18

Subject: Letter of Intent for the propose construction, maintenance and eventual operation of Smart Communications, Inc. Cellsite.

Dear Sir/Ma`am:

SMART COMMUNICATIONS, INC. is constantly finding ways of better serving our subscribers. We provide the most modern and world-class telecommunications services nationwide. As we expand our network, we shall be able to provide better and faster services to our subscribers all over the country.

In behalf of SMART COMMUNICATIONS, INC, May we request for a LOCATIONAL CLEARANCE for the propose construction, installation and eventual operation of a Telecommunications Tower on property of Arnida Galimba located at Zone 4 Kisol, Brgy. Pagatpat, Cagayan De Oro City, Misamis Oriental.

The said facilities will result in a more efficient communication which will be helpful during emergency situation, calamities and commercial dealings.

We hope that the propose location of the cell site is in conjunction with your plans for the city and we are looking forward to up grading your communications facilities.

Very truly yours,

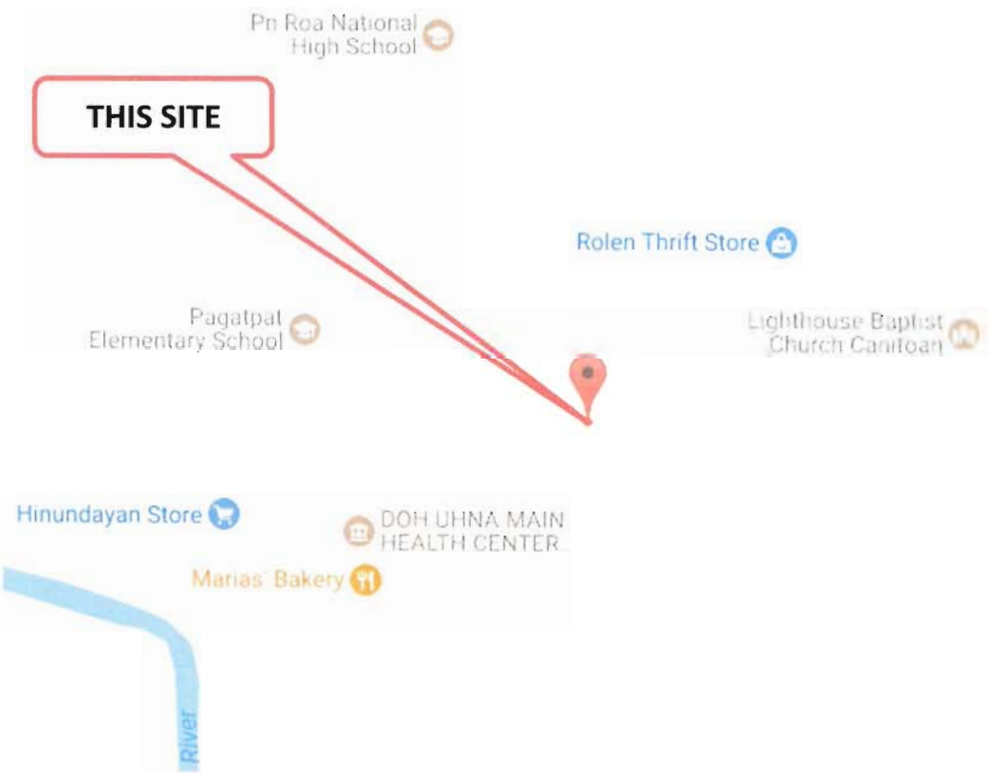
Mr. Reginer Drio
Site Acquisition Engineer
EGB/HUAWEI/SMART
0939-5275390 / 0917-7286571

Mr. Jomari Maghinay
Site Acquisition Officer
EGB/HUAWEI/SMART
0975-1087287

VICINITY MAP OF CDO-PAGATPAT SITE

Coordinates:

Lat.: 8.46201
Long.: 124.58693



REPUBLIC OF THE PHILIPPINES
Department of Transportation and Communications
NATIONAL TELECOMMUNICATIONS COMMISSION
Quezon City

SMART COMMUNICATIONS, INC.
Applicant.

Re: CPCN to establish, install, maintain, lease and operate an enhanced Cellular Mobile Telephone Service and to charge rates.
x ——— x

NTC CASE NO. 92-303

SMART COMMUNICATIONS, INC.,
Applicant.

Re: CPCN to establish, install, operate and maintain International Gateway Facility.
x ——— x

NTC CASE NO. 93-367

SMART COMMUNICATIONS, INC.,
Applicant.

Re: CPCN to establish, install, maintain, lease and operate an Integrated Local Exchange Telephone Service, Domestic Toll Service and Private Line Service.
x ——— x

NTC CASES NOS. 93-482
94-197

NTC - CENTRAL OFFICE
RECEIVED
PAD
4/17/98

CONSOLIDATED DECISION

Applicant, SMART COMMUNICATIONS, INC., is a corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines, and a grantee of a legislative franchise by virtue of Republic Act 7294 to provide public domestic and international telecommunications services. Predicated upon this franchise, applicant was granted by the Commission, on May 17, 1993, a Provisional Authority (NTC Case No. 92-303) to provide an enhanced cellular mobile telephone system (CMTS), and, on May 2, 1994, a Provisional Authority (NTC Case No. 93-367) to provide an international gateway facilities (IGF) in Metro Manila.

In compliance with Executive Order No. 109 (E.O. 109) and its Implementing Guidelines (NTC Memorandum Circular No. 11-9-93) which require an authorized CMTS operator to provide at least 400,000 local exchange lines, and an authorized IGF Operator, 300,000 local exchange lines, applicant filed applications (NTC Case Nos. 93-482 and 94-197) for authority to operate an integrated local exchange service

National Telecommunications Commission
Office of the President
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Chief, Commission Secretariat

nationwide. After hearings on the merits, the Commission issued an Order dated December 28, 1994, granting applicant a Provisional Authority to operate and maintain an integrated local exchange telephone service, domestic toll service, and private lines service, public payphone facilities and public calling offices (PCO's) in applicant's assigned areas in accordance with the Roll-Out Plan approved by the Commission.

Applicant's assigned service areas are the following:

NCR :

Las Pinas
Muntinlupa
Paranaque
Pasay
Pateros
Taguig

ABRA
BENGUET
ILOCOS NORTE
ILOCOS SUR
LA UNION
MT. PROVINCE
PANGASINAN
BATAAN
BULACAN
NUEVA ECIJA
PAMPANGA
TARLAC
ZAMBALES

NTC - CENTRAL OFFICE
AUTHENTICATION FEE
PAID
SUSAN S. TORRE

On June 13, 2000, applicant filed an ex-parte motion, reiterated in a *"Second Ex-Parte Motion For Issuance of CPCN"* alleging that this will result in the continuity of the service for the benefit of the general public. In support thereof, applicant submitted the required status report of its Cellular Mobile Telephone System dated June 19, 2002, to wit:

COVERAGE	*TOTAL*	*MINIMUM REQUIREMENT*	*ACCOMPLISHMENT AS OF 31 DECEMBER 2001*
Provincial Capital	*75*	*60 (80%)*	*69 (92%)*
City/Chartered City	*75*	*75 (100%)*	*74 (99%)*
27 Specified	*27*	*27 (100%)*	*25 (93%)*

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Office of the President
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Chief Commission Secretariat

No. of Subscribers	:	*5,407,032*
Number of BTS & RBS	:	*2,284*

Metro Manila = 858
Northern Luzon = 462
Southern Luzon = 378

Municipalities/Cities Covered : 700

As regards the installation of local exchange lines, applicant submitted its revised roll-out plan on installed lines as of the 1st quarter of 1998, to wit:

REGION	*COMMITTED LINES*	*INSTALLED LINES As of January 28, 1998*
NCR D	*478,000*	*483,449*
I	*53,250*	*82,776*
III	*146,900*	*137,848*
PCO CREDITS	*22,160*	
TOTAL	*700,310*	*704,073*

On October 28, 1999, this Commission issued a certification that SMART Communications, Inc. has installed 761,963 local exchange (LE) lines which exceed the required number of Local Exchange lines pursuant to EO 109 and RA 7925. The certification, however, does not include compliance with the coverage areas and the 10:1 urban to rural LE lines ratio as required by EO 109 and RA 7925.

On March 24, 2000, the Commission approved the transfer of LEC services of SMART Communications, Inc. to PLDT under Case No. 2000-004 and the application to secure financing under Section 20 (g) of the Public Service Act. Under the Memorandum of Understanding , SMART agreed to sell and transfer to PLDT, among other things, its rights, privileges and interest as well as all its liabilities and obligations, related to its PA for LEC, including any and all other permits and licenses and authorizations issued for the installation, construction, maintenance and operation of SMART LEC's service.

NTC - CENTRAL OFFICE AUTHENTICATION FEE PAID TORRE 4/11/18

National Telecommunications Commission
Office of the President
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Chief, Commission Secretariat

Pursuant to MC No. 20-12-92, a nationwide CMTS must cover at least 80% of all provincial capitals, including all chartered cities, within a period of seven (7) years. Based on the submitted status report by SMART for the year 2001, the applicant has already covered 60 out of 75 provincial capital, which is 80% compliance. In its report submitted to this Commission dated 19 June 2002, the provincial capital coverage had increased from 60 to 69, which constitutes to 92% compliance. To date, applicant's total number of subscribers is about 4.8 million. CMTS covers about 656 municipalities/cities nationwide.

Considering that applicant has already installed LEC lines more than what is required pursuant to EO 109 and RA 7925, and has fully complied with the minimum requirement of MC No. 20-12-92, issuance of a permanent authority (CPCN) is, therefore, in order.

WHEREFORE, it appearing to the satisfaction of the Commission that applicant is legally, financially and technically capable of operating and maintaining the services authorized in the three (3) above-captioned cases and that it has fully complied with the requirements prescribed by E.O. 109, reinforced by R.A. 7925, the Commission believes and so holds that applicant's Provisional Authorities should be, as they are hereby made ***PERMANENT.***

NTC-CENTRAL OFFICE
AUTHENTICATION FEE
PAID
SUSAN S. TORRE
Cashier III
5/17/18

Consequently, applicant ***SMART COMMUNICATIONS, INC.*** is hereby granted a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY to operate and maintain an enhanced cellular mobile telephone system (CMTS) (NTC Case No. 92-303); and for its international gateway facilities (IGF) in Metro Manila (NTC Case No. 93-367), predicated upon and coterminus with its legislative franchise (R.A. 7294). Since applicant has transferred its obligation to provide an integrated local exchange telephone service, Domestic Toll service and Private Line Service, (NTC Case Nos. 93-482; 94-197) under Case No. 2000-004, applicant-grantee Smart Communications, Inc. together with PLDT who is deemed as its affiliate to undertake the obligation of Smart, shall be subject to the applicable conditions set forth in its Provisional Authorities hereinabovementioned and subject further to the following:

National Telecommunications Commission
Office of the President
COMMISSION SECRETARIAT
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ADRIANO B. CONSUNJI
Chief Commission Secretariat

C O N D I T I O N S :

1. That grantee within a period of fifteen (15) days from receipt hereof, shall file with this Commission its written acceptance of the terms and conditions of the authority (CPCN) herein granted;

2. That grantee within a period of three (3) months from receipt hereof, submit to the Commission for its approval the list of municipalities covered by its commitment where it failed to install, local exchange lines to be provided with at least a public calling station and/or telecenter within a period of three (3) years from date of this Decision. The number of municipalities to be covered shall be 40% on the first year; 30% on the 2nd year and 30% on the third year. Priority shall be given to municipalities without any local exchange service or public calling station.

3. That grantee shall adhere strictly to the laws, rules and regulations on interconnection as are now existing, or may hereafter be enacted and promulgated;

4. That grantee shall be subject to the sanctions provided for under EO 109, RA 7925 and other pertinent and applicable laws.

ENTERED.

Quezon City, Philippines. JUL 22 2002

ELISEO M. RIO, JR.
Commissioner

KATHLEEN G. HECETA
Deputy Commissioner

ARMI JANE R. BORJE
Deputy Commissioner

SVG/veb

COPY FURNISHED:

Applicant, c/o Atty. Rogelio V. Quevedo
Counsel for the applicant
12th Floor Rufino Pacific Tower
6784 Ayala Avenue, Makati City

Oppositors, c/o Atty. Mario Luza Bautista
Counsel for GMCR, INC.
Castillo Laman Tan & Pantaleon
2nd, 3rd and 4th Floors. Valero Towers
Valero Street, Salcedo Village
Makati City

PILIPINO TELEPHONE CORPORATION
16th Floor Pacific Bank Building
6776 Ayala Avenue, Makati City

NTC - CENTRAL OFFICE
AUTHENTICATION FEE
PAID
SUSAN S. TORRE
Cashier III

National Telecommunications Commission
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ADRIANO B. CONSUNJI
Chief, Commission Secretariat

c/o Atty. Fernando Ma. Alberto
counsel for EXTELCOM
Rm. 501-A, Legaspi Towers
200 Paseo de Roxas, Makati City

PHILIPPINE WIRELESS, INC.
Retelco Foundation Center
San Antonio Village, Pasig City

PAPTELCO
P.O. box No. EA 457
Ermita, Post Office
Ermita, Manila

C/o Atty. Fernando Ma. Sobierra
Counsel for oppositor, PLDT
11th Floor, R. Cojuangco Building
Makati Avenue, Makati City

EASTERN TELECOMMUNICATIONS PHILS. INC.
9th Floor Telecoms Plaza Building
Sen. Gil Puyat Avenue, Salcedo Village
Makati City

PHILIPPINE GLOBAL COMMUNICATIONS, INC.
3rd Floor Vemida IV Building
Alfaro Street Salcedo Village
Makati City

NTC - CENTRAL OFFICE
AUTHENTICATION SEE
PAID
SUSAN S. TORRE 4/4/18
Cashier III

ISLA COMMUNICATIONS
4th Floor SGV II Building 6758 Ayala Avenue
Makati City

BELL TELECOMS
Rm. 801 V. Madrigal Building
6793 Ayala Avenue, Makati City

c/o Atty. Ricardo Dira
counsel for oppositor DIGITEL
110 E. Rodriguez Jr. Avenue
Bagumbayan, 1110 Quezon City

C/o Atty. Mariano U. Palisoc
Counsel for oppositor, CRUZTELCO
4298 Montejo Street
Makati City

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ADRIANO B. CONSUNJI
Chief, Commission Secretariat
4/17/18

TELECOMMUNICATIONS OFFICE
Office of the Solicitor General
Amorsolo Street, Legaspi Village
Makati City

C/o Atty. Manuel Manuel
Counsel for NOTELCO
3rd Floor Bernal Building
153 Rizal Street, Dagupan City

Dir. Edgardo V. Cabarios, CCAD, this Commission

The Department of Transportation and Communications
The Columbia Tower Ortigas Avenue, Mandaluyong City

A TRUE COPY:

IMZVIMINDA J. CENTENO
Board Secretary III

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

cagayan de Oro
city of golden friendship

SPECIAL PERMIT ON ZONING

Date Issued	:	May 9, 2018
Expiration Date	:	December 31, 2018
Applicant/Owner	:	SMART COMMUNICATIONS, INC. /EGB/ HUAWEI Rep.: Jomari Maghinay
Trade Name	:	SMART COMMUNICATIONS, INC.
Address	:	SMART Tower, 6799 Ayala Avenue, Makati City, Metro Manila
Type of Project	:	53.50 meters High Self Supporting Tower
Location of Project	:	Zone 4, Kisol, Pagatpat, Cagayan de Oro City
Lot Number	:	Lot 4016-5 & 6, Csd-10-023022 (Portion only)
Area	:	256 sq. m.
Project Classification	:	Commercial
Zoning Classification	:	Agricultural Zone (AGZ)
Right over Land	:	Leased

CONDITIONS

1. All conditions stipulated herein form part of this decision and are subject for monitoring;
2. That applicable requirements of other government agencies and applicable provisions of existing laws shall be complied with;
3. That Barangay Resolution interposing no objection and neighbors' consent within the area shall be secured;
4. That Social Acceptability from the City Mayor shall be secured upon application of building permit;
5. No building, structure or land hereafter be used or occupied and no building or part thereof be erected, constructed or reconstructed, moved or altered without securing necessary permits from the city;
6. Subject to compliance of E.C.C. issued by the DENR;
7. Provisions as to setbacks, yard requirement, bulk easement, area, height and other restrictions shall strictly conform with the requirements of the National Building Code and other related laws;
8. In case of electrical interference, no equipment, process, which creates visual or audible interference to any radio or TV receivers off the premises or causes fluctuation;
9. That the height shall conform to Height Clearance Permit issued by Air Transportation Office;
10. Any misrepresentations, false statement or allegations material to the issuance of this permit and non compliance therewith shall be sufficient cause for its revocation.

ENGR. ISIDRO G. BORJA
City Planning & Development Coordinator

5/9/18

New
O.R. No. 2841588
Amount ₱ 500
Issued on ₱ 44646
Issued at Cagayan de Oro City

3rd Floor, South Wing
Administrative Building
City Hall Compound, Capistrano-Hayes Streets
Cagayan de Oro City
Phone Nos. 857-3148, 857-2264

Republic of the Philippines
Department of Health
FOOD AND DRUG ADMINISTRATION

RADIOFREQUENCY RADIATION EVALUATION ON THE PROPOSED SMART COMMUNICATIONS, INC. MOBILE TELEPHONE BASE STATION

I. INTRODUCTION

A desktop radiation safety evaluation was done by the Center for Device Regulation, Radiation Health, and Research of the Food and Drug Administration, Department of Health (CDRRHR-FDA-DOH) on the proposed mobile telephone base station as per request of *Mr. Li Ao, Project Manager* of *Huawei Technologies Inc.* in behalf of *Smart Communications, Inc.* The evaluation was based on the technical specifications submitted to the CDRRHR by *Huawei Technologies Inc.*

II. LOCATION

Address : **M6041 - Cagayan De Oro-Pagatpat**
Zone 4 Kisol, Brgy. Pagatpat, Cagayan de Oro, Misamis Oriental
Type of Installation : **3 Legged Self Supported Tower**
Coordinates (Longitude) : **124° 35' 12.95"; (Latitude): 08° 27' 43.24"**

III. TECHNICAL DATA

A. Proposed Antenna Specifications

1. Point to Point Antenna

Antenna No.	Antenna Model	Assigned Frequency, GHz		Power Output, watt/s	Diameter, meter/s	Gain, dBi	Height Above Ground Level (AGL), meter/s
		Transmit	Receive				
1	HUAWEI A07D09HS	7.1385	7.2995	0.63	0.90	34.80	15.00
2	HUAWEI A07D09HS	7.1385	7.2995	0.63	0.90	34.80	15.00
3	HUAWEI A07D09HS	7.1385	7.2995	0.63	0.90	34.80	21.00

2. Cellular Antenna

Type of Service	Antenna Model	Assigned Frequency, MHz		Power Output, watt/s	Gain, dBi	Number of Antenna: Height Above Ground Level (AGL), meter/s		
		Transmit	Receive			Sector 1	Sector 2	Sector 3
GSM/UMTS 900	ASI 4518R10v06	942.50-950.00	897.50-905.00	40.00	17.00	1:47.00	1:47.00	1:47.00
GSM/LTE 1800		1820.00-1827.50	1725.00-1732.50		16.60			
3G 2100MHz		2110.00-2125.00	1920.00-1935.00		17.00			
3G 850MHz		870.00-880.00	825.00-835.00		16.70			
GSM/UMTS 900	ASI 4518R10v06	942.50-950.00	897.50-905.00	40.00	17.00	1:35.00	1:35.00	1:35.00
GSM/LTE 1800		1820.00-1827.50	1725.00-1732.50		16.60			
3G 2100MHz		2110.00-2125.00	1920.00-1935.00		17.00			
3G 850MHz		870.00-880.00	825.00-835.00		16.70			

Not Valid Without FDA Seal
RFR Evaluation No.: 622 Series: 2018

DTN : 20180226152006

Civic Drive, Filinvest City, Alabang 1781 Muntinlupa, Philippines
Trunk Line +63 2 857 1900
Website: www.fda.gov.ph
Fax +63 2 807 0751
Email: info@fda.gov.ph

ISO 9001:2008 Management System
TÜVRheinland CERTIFIED

B. Relevant Exposure Limits

1. Occupational Limit: 21.75 W/m^2 for 870.00-880.00 MHz;
23.56 W/m^2 for 942.50-950.00 MHz;
45.50 W/m^2 for 1820.00-1827.50 MHz; and
50.00 W/m^2 for 2110.00-2125.00 MHz and 7.1385 GHz

2. Non-occupational Limit: 4.35 W/m^2 for 870.00-880.00 MHz;
4.71 W/m^2 for 942.50-950.00 MHz;
9.10 W/m^2 for 1820.00-1827.50 MHz; and
10.00 W/m^2 for 2110.00-2125.00 MHz and 7.1385 GHz

[based on International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines, 1998]

IV. CONCLUSION

No person shall be allowed to remain directly in front of the antenna at horizontal distances less than the calculated safe distances listed below. These horizontal distances are at the level of the antenna height above ground.

Antenna Type	Distance in meter/s	
	Occupational	Non-occupational (members of the public)
Point to Point	**1.74**	**3.89**
GSM/UMTS 900	**2.60**	**5.82**
GSM/LTE 1800	**1.79**	**4.00**
3G 2100MHz	**1.79**	**3.99**
3G 850MHz	**2.62**	**5.85**

If one considers the specified antenna heights for the point to point, GSM UMTS 900, GSM LTE 1800, 3G 2100MHz, and 3G 850MHz antennas, it is unlikely that members of the public will be exposed to levels exceeding the limits.

V. REQUIREMENTS

1. A perimeter fence or any appropriate structure must be constructed to prevent access of the public to the antenna.

2. Only authorized personnel shall be allowed to have access to the antenna tower. The radiofrequency source must be turned off whenever service personnel are working in areas where the power density levels are greater than the exposure limits stated above. Moreover, the antenna must not be activated in case of repair or maintenance work or whenever service personnel need to approach the antenna at less than the specified safe distances from the point to point, GSM/UMTS 900, GSM/LTE 1800, 3G 2100MHz, and 3G 850MHz antennas.

3. Should there be modifications in the RF transmission system that could affect the power density levels in the facility, the CDRRHR must be notified in writing prior to operation of the modified design.

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RFR Evaluation No.: 622 Series: 2018

DTN : 20180226152006

4. Warning signs must be placed at strategic locations in the facility.

5. A radiation safety officer who has undergone RF radiation safety seminar must be designated.

6. The contractor/supplier or owner must undertake measurements to generate a radiofrequency radiation map.

BY AUTHORITY OF THE DIRECTOR-GENERAL:

ENGR. BAYANI C. SAN JUAN, MSc, MNSA, CESE
Director IV
Center for Device Regulation, Radiation Health, and Research

Date of Evaluation : 03 April 2018
O.R. No. : 0970095
Date Issued : 26 February 2018
Not Valid Without FDA Seal
RFR Evaluation No.: 622 Series: 2018

DTN : 20180226152006

Republic of the Philippines
CIVIL AVIATION AUTHORITY OF THE PHILIPPINES

No: **T-0641-17-998443**
Issue Date: JAN 0 5 2018

HEIGHT CLEARANCE PERMIT

A Height Clearance Permit is hereby granted to **SMART COMMUNICATIONS, INCORPORATED** (the "Grantee") with postal address at **Ground Floor, Smart Tower, 6799 Ayala Avenue, Makati City** for the construction of the proposed **53.50-m high Self-Supporting Tower with Lightning Arrester** with a Top Elevation of **Eighty Nine and 23/100 meters (89.23m)** Above Mean Sea Level (AMSL), inclusive of any appurtenances such as antenna towers, billboards, flagpoles, lightning arresters, and etc. that may be installed atop the building/structure.

The location of the proposed structure is at **Lot 4018-5, Zone 4 Kisol, Barangay Pagatpat, Cagayan De Oro City, Misamis Oriental (N08° 27' 43.24" E124° 35' 12.95")** which falls **within the vicinity** of **Cagayan De Oro Airport.**

Any deviation from the data submitted and approved by this Office shall be a ground for cancellation/revocation of this permit.

In consideration of projected airport developments, the Grantee is hereby given a period of **two (2) years** from the issuance of this HCP within which to commence construction of the proposed structure. Failure to commence construction within the period shall invalidate this HCP, upon which a new permit must be applied for and secured.

Recommend Approval:

VALID UNTIL:
DATE: JAN 0 5 2020

ARNEL F. BORLADO
Officer-In-Charge, ADMS

ATTY. ANTONIO G. GONZALES
Acting Chief, ATS

ARNOLD R. BALUCATING
Acting Chief, ANS

Approved:
By Authority of the Director General:

CAPTAIN DONALDO A. MENDOZA
Deputy Director General for Operations

Not valid without dry seal

Republic of the Philippines
City of Cagayan de Oro
BARANGAY PAGATPAT

EXCERPTS FROM THE MINUTES OF THE REGULAR OF THE BARANGAY PAGATPAT, CAGAYAN DE ORO CITY, DATED JANUARY 16, 2017 AT THE BARANGAY PAGATPAT SESSION HALL.

Present:

Presiding Officer	Roel Y. Gabo	Acting Punong Barangay
	Rey P. Mabunay	Barangay Kagawad
	Edna P. Ebanalo	Barangay Kagawad
	Elger E. Daayata	Barangay Kagawad
	Rio B. Gayla	Barangay Kagawad
	Jowel E. Pabilona	Barangay Kagawad

RESOLUTION NO. 001
Series of 2018

A RESOLUTION PASSED AND APPROVED BY THE BARANGAY COUNCIL OF PAGATPAT, THIS CITY, INTERPOSING NO OBJECTION OF THE PROPOSED OPERATION OF SMART COMMUNICATION INC.THE CONSTRUCTION AND INSTALLATION OPERATION OF A TELECOMMUNICATION CELLSITE AND ANTENA FACILITY LOCATED AT ZONE 4 KISOL, BARANGAY PAGATPAT, CAGAYAN DE ORO CITY.

WHEREAS, Barangay Council of Pagatpat this City on the Public Hearing has passed approved resolution interposing no objection for the proposed operation of SMART *COMMUNICATION, INC.*, Telecommunication Antenna located at Zone 4 Kisol Pagatpat, this City.

NOWHEREFORE, after mature & thorough deliberation on the matter motion by Kagawad Jowel E. Pabilona and duly seconded by Kagawad Elger E. Daayata.

RESOLVED FURTHER,,as it is hereby resolved to passed and approved by the Barangay Council of Pagatpat this City, interposing no objection of the application of Smart Telecommunication, Inc., the construction, and installation operation of telecommunication cellsite and antenna facility located at Zone 4 Kisol Barangay Pagatpat, Cagayan de Oro City.

UNANIMOUSLY APPROVED.

REY P. MABUNAY
Barangay Kagawad

HONORIO S. CERVANTES
Barangay Kagawad

ELGER E. DAAYATA
Barangay Kagawad

EDNA P. EBANALO
Barangay Kagawad

RIO B. GAYLA
Barangay Kagawad

JOWEL E. PABILONA
Barangay Kagawad

Done this 16th day of January 2018 at Barangay Pagatpat, Cagayan de Oro City.

I HEREBY CERTIFY to the correctness of the above resolution.

Prepared by:

GINA E. CABALLERO
Barangay Secretary

Attested by:

ROEL Y. GABO
Acting Punong Barangay

BARANGAY PAGATPAT

ATTENDANCE

PUBLIC HEARING

January 9, 2018 @ 2:00 pm

AGENDA: **Construction of the proposed operation Smart Telecommunication Tower**

	NAME	AGENCY	SIGNATURE
1.	Andresa V. Yañez		
2.	Rosalinda E. Daayata		Rdayata
3.	BERTILO LIM	OBO	
4.	JOWEL E PABILONA	KAGAWAD	
5.	Momic Daayata		
6.	Gloribel L. Galimba	Zone Leader	
7.	Amanda Y. Galimbo		Galimbo
8.	Mario C. Galimbo		
9.	ROBERTO A. YAÑEZ	Labuenas BP CDO	
10.	Robert Daayata.		
11.	Luz A. Clan		
12.	REGINER DATO	SMART REPS	
13.	JOMARI MACHINGIL	SMART REPS	
14.	Maricel P. Sacapilo		
15.	Sandee Valera		
16.	OSCAR R. LOPEZ		in-charge
17.	ADEMAR S. DELOS JR	CHO I	Sanitary inspector
18.	Elgar E. Daayata	LGU - Barangay	
19.	Michille D. Olaoa		
20.	DADAR ANDY		

Republic of the Philippines
City of Cagayan de Oro
BARANGAY PAGATPAT

OFFICE OF THE PUNONG BARANGAY

CERTIFICATE OF SOCIAL ACCEPTABILITY

This is to certify that the undersigned has understood the implications of

SMART COMMUNICATIONS, INC.
Project Proponent

TELECOMMUNICATIONS TOWER/CELL SITE
Name/Type of Project

Zone 4 Kisol Pagatpat, Cagayan de Oro City
Project Location

To the surrounding areas/ Further, I certify that I have consulted my respective constituents and they interpose no objection whatsoever against the project.

Done this 16th day of January 2018 at Barangay Pagatpat, Cagayan de Oro City, Philippines.

ROEL Y. GABO
Acting Punong Barangay

Republic of the Philippines
City of Cagayan de Oro
BARANGAY PAGATPAT

EXCERPTS FROM THE MINUTES OF THE REGULAR OF THE BARANGAY PAGATPAT, CAGAYAN DE ORO CITY, DATED JANUARY 16, 2017 AT THE BARANGAY PAGATPAT SESSION HALL.

Present:

Presiding Officer	Roel Y. Gabo	Acting Punong Barangay
	Rey P. Mabunay	Barangay Kagawad
	Edna P. Ebanalo	Barangay Kagawad
	Elger E. Daayata	Barangay Kagawad
	Rio B. Gayla	Barangay Kagawad
	Jowel E. Pabilona	Barangay Kagawad

RESOLUTION NO. 001
Series of 2018

A RESOLUTION PASSED AND APPROVED BY THE BARANGAY COUNCIL OF PAGATPAT, THIS CITY, INTERPOSING NO OBJECTION OF THE PROPOSED OPERATION OF SMART COMMUNICATION INC.THE CONSTRUCTION AND INSTALLATION OPERATION OF A TELECOMMUNICATION CELLSITE AND ANTENA FACILITY LOCATED AT ZONE 4 KISOL, BARANGAY PAGATPAT, CAGAYAN DE ORO CITY.

WHEREAS, Barangay Council of Pagatpat this City on the Public Hearing has passed approved resolution interposing no objection for the proposed operation of SMART COMMUNICATION, INC., Telecommunication Antenna located at Zone 4 Kisol Pagatpat, this City.

NOWHEREFORE, after mature & thorough deliberation on the matter motion by Kagawad Jowel E. Pabilona and duly seconded by Kagawad Elger E. Daayata.

RESOLVED FURTHER,,as it is hereby resolved to passed and approved by the Barangay Council of Pagatpat this City, interposing no objection of the application of Smart Telecommunication, Inc., the construction, and installation operation of telecommunication cellsite and antenna facility located at Zone 4 Kisol Barangay Pagatpat, Cagayan de Oro City.

UNANIMOUSLY APPROVED.

REY P. MABUNAY
Barangay Kagawad

HONORIO S. CERVANTES
Barangay Kagawad

ELGER E. DAAYATA
Barangay Kagawad

EDNA P. EBANALO
Barangay Kagawad

RIO B. GAYLA
Barangay Kagawad

JOWEL E. PABILONA
Barangay Kagawad

Done this 16th day of January 2018 at Barangay Pagatpat, Cagayan de Oro City.

I HEREBY CERTIFY to the correctness of the above resolution.

Prepared by:

GINA E. CABALLERO
Barangay Secretary

Attested by:

ROEL Y. GABO
Acting Punong Barangay

NEIGHBORS CONSENT

We, the undersigned, neighbors of at least fifty (50) meters radius from proposed SMART Cellsite located at Zone 4 Kisol, Pagatpat, CDO, owned by Jun-Arvida Galimba, interposes no objection and hereby give our approval for the construction and operation of Telecommunication facilities of SMART Communications, Inc. on the said property.

Signed this 9th day of JAN. 2018

By :

Name and Signature	Address
1. Andresa V. Yanez	Zone 4- Kisol pagatpat CDO
2. Robert Daagata	Zone 4 Kisol Pagatpat
3. Michille Olaco	Zone 4 Kisol Pagatpat
4. Mario Galimba	Zone 4 Kisol Pagatpat
5. Arnida Galimba	Zone 4 Kisol Pagatpat
6. Maricel Sacapilo	Zone 4 kisol Pagatpat
7. Rosalinda Daagata	Zone 4 kisol Pagatpat
8. Gloribel L. Galimba	zone 4 Kisol pagatpat
9. Momic L Daagata	Zone 4 Kisol Pagatpat
10. ROBERTO A. YANEZ	ZONE 4 KISOL Pagatpat
11. Jung A Chan	Zone 4 Kisol pagatpat
12. ANDY DAPAR	ZONE4 KISOL PAGATPAT
13. Sandee C. Valera	Zone 4. Kisol Pagatpat CDO
14. Bryan B Galimba	Zone 4 Kisol Pagatpat

ERWIN SY

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

Communication Number: **Received by:**

From : **Date:**

SUBJECT MATTER: Proposed Resolution interposing no objection to the application of Ororama Bingo Arcade, Incorporated, represented by Ms. Genevieve See, to operate a traditional bingo and electronic bingo at Ororama Supercenter, J.R. Borja Street, Barangay No. 39, Cagayan de Oro City; provided, that all the requirements, rules and regulations covering the operation thereof are complied with.

Respectfully referred to the **COMMITTEE of the WHOLE**, *the herein communications for study, investigation, report and recommendation.*

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 13, 2018

> for inclusion

HON RAINEIR JOAQUIN V. UY, *Chairman*	**HON. NADYA EMANO-ELIPE,** *Member*
HON. ZALDY O. OCON, *Member*	**HON. MARIA LOURDES S. GAANE,** *Member*
HON. LORDAN G. SUAN, *Member*	**HON. DOMETILO C. ACENAS, JR,** *Member*
HON. EDNA M. DAHINO, *Member*	**HON. IAN MARK Q. NACAYA,** *Member*
HON. JAY R. PASCUAL, *Member*	**HON. LEON M. GAN JR,** *Member*
HON. ROMEO V. CALIZO, *Member*	**HON.TEODULFO E. LAO JR,** *Member*
HON. GEORGE S. GOKING, *Member*	**HON. SUZETTE M. DABA,** *Member*
HON. ANNIE Y. DABA, *Member*	**HON. ENRICO D. SALCEDO,** *Member*
HON. REUBEN R. DABA, *Member*	**HON. YAN LAM LIM,** *Ex-Officio Member*

DISSENTING

_____ _____

July 4, 2018

HON. JOAQUIN UY
Vice Mayor
Cagayan de Oro City

Dear Hon. Vice Mayor:

Greetings!

We are writing to your good office to respectfully request for a City Council Resolution of No Objection for the renewal of PAGCOR license to operate traditional and electronic bingo games of ORORAMA BINGO ARCADE, Inc.

ORORAMA BINGO ARCADE has been in operation since October 2001. Please see attached our Mayor's Permit for 2018, SEC Certification of Incorporation, Clearance from Regulatory and Complaint Board, and letter from Pagcor.

Thank you and we hope for your favorable reply.

Yours,

GENEVIEVE SEE

Philippine Amusement and Gaming Corporation

A Sure Bet for Progress in Gaming, Entertainment and Nation Building

May 25, 2018

MR. ERWIN BRYAN O. SEE
President
ORORAMA BINGO ARCADE, INC.
J.R. Borja St.,
Cagayan de Oro City

Dear **Mr. See:**

This has reference to the renewal of your gaming license for bingo operations at **G/F Ororama Supercenter, J. R. Borja Street, Cagayan de Oro City** which will expire on **June 15, 2018**.

Please be informed that pursuant to Item 7 Section 2 Regulation 6 of the Gaming Site Regulatory Manual (GSRM) version 3.0 for Bingo Games, you are hereby required to submit a Council Resolution or Ordinance stating no objection in the establishment of the above gaming site as a pre-requisite for the renewal of your gaming license.

For your strict compliance.

Thank you.

Very truly yours,

RAMON STEPHEN R. VILLAFLOR
Assistant Vice President
Gaming Licensing and Development Department

cc: OCCEO

GLDD CTS# 2018053O - 10284 9

REPUBLIC OF THE PHILIPPINES

SECURITIES AND EXCHANGE COMMISSION

SEC Building, EDSA, Greenhills

City of Mandaluyong, Metro Manila

CAGAYAN DE ORO EXTENSION OFFICE

PHILIPPINE CENTENNIAL 1898 - 1998 100 KALAYAAN

COMPANY REG. NO. H200200188

CERTIFICATE OF INCORPORATION

KNOW ALL MEN BY THESE PRESENTS:

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

ORORAMA BINGO ARCADE, INC.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of this Commission to be affixed at Cagayan de Oro City, Philippines, this 8th day of May Two Thousand Two.

BY AUTHORITY OF THE COMMISSION:

RENATO V. EGYPTO
Director
SEC-Cag. de Oro Extn. Office

Republic of the Philippines
Cagayan de Oro City

REGULATORY AND COMPLAINT BOARD FOR THE MOVIEHOUSES AND AMUSEMENT PLACES

(RCB)

CLEARANCE

Clearance is hereby issued to **ORORAMA BINGO ARCADE INC. REP. BY VICTOR JUBANE** to support his/her application for the Business Permit/License for **CY 2018** to operate a/an **SERVICES BINGO** under the trade name "**ORORAMA BINGO ARCADE INC.**" located at **INSIDE ORORAMA SUPERCENTER J.R. BORJA ST., BRGY. # 39** this City, provided, however, that provisions of the Codified Ordinance of Cagayan de Oro City shall be strictly observed.

Issued this **6th February , 2018** in the City of Cagayan de Oro.

ATTY. BEDA JOY B. ELOT, CPA, MM, REB
City Accountant
RCB Co-Chairpersons

OR. NO. : 3680363A
Date Issued : Jan. 29 2018
Checked By :
Date :

2018
CDO-15577

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

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that **ORORAMA BINGO ARCADE INC.** (OWNER)

with **JUBANE, VICTOR** (REPRESENTATIVE), as representative, operating under the

Trade Name **ORORAMA BINGO ARCADE INC.** (TRADE NAME)

located at **INSIDE ORORAMA SUPERCENTER,J.R. BORJA ST.** (BUSINESS ADDRESS) **BARANGAY 39** (BARANGAY)

Cagayan de Oro City, with home address at **CDO** (HOME ADDRESS) and

Business Registration Plate No. **201716287** (PLATE NO.) has been granted **RENEWED** (APPLICATION) Business License under

this Certificate No. **2018-16238** (CERT. NO.) which is valid until **Dec 31, 2018** (VALIDITY), to operate the particular kind of

business indicated hereunder.

KIND OF BUSINESS	REMARKS
SERVICES BINGO * * * * * Nothing Follows * * * * *	S# CDO 2018-15577 ; SUBJECT TO FSIC

OTHER DETAILS		PAYMENT PARTICULARS
Ownership:	CORP STOCK	REGULATORY FEES OR#: 3677746, DATED: 1/14/2018
No of Employees:	11	ABIF - P834.00; BF - P400.00; BMF - P100.00; BRP - P60.00; CTC - P8,242.00; GF - P7,667.00; HC - P550.00; MPF - P3,960.00; OPF - P1,100.00; SPF - P1,500.00.
Mobile No.:	09228363922	
Floor Area (sq.m):	200	
DTI No.:		BASIC TAX:
DTI Date:		
SEC No.:		1ST QTR. P1,250.00 OR#: 3677746 DTD: 1/14/2018
SEC Date:		2ND QTR. P1,250.00 OR#: 3677746 DTD: 1/14/2018
CDA No.:		3RD QTR. P1,250.00 OR#: 3677746 DTD: 1/14/2018
CDA Date:		4TH QTR. P1,250.00 OR#: 3677746 DTD: 1/14/2018
TIN No.:		
Business Plate Expiry:	Dec. 31, 2019	

This certifies further that the license to operate the aboved-mentioned business may be revoked for violation of any ordinance, laws and regulations pertaining to the aforestated business which are now enforced or may hereinafter be issued on the matter.

Issued on **Tuesday, February 6, 2018** in the City of Cagayan de Oro, Philippines.

IMPORTANT

Failure to renew this Business Permit/License within the prescribed period shall subject the taxpayer to a twenty five (25%) surcharge and two (2%) interest per month. This permit shall be posted conspicuously at the place where the business is being conducted and shall be presented and/or surrendered to concerned authorities upon demand. Upon closure of business, this certificate, together with the Business Registration Plate should be surrendered with the Office of the City Treasurer within 30 days from date of closure to avoid penalty.

OSCAR S. MORENO
City Mayor

APRILROSE.CMO
2/6/2018 4:46:51 PM

THIS PERMIT IS NON TRANSPERABLE AND VALID ONLY WITH CORRESPONDING OFFICIAL RECEIPTS SHOWING PAYMENT OF SPECIFIC PERMIT FEES. ANY ERASURE OR ALTERATION WILL INVALIDATE THIS PERMIT.

2018
CDO-15576

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

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that **ORORAMA BINGO ARCADE INC.** (OWNER), with **SEE, HONG CUA** (REPRESENTATIVE), as representative, operating under the Trade Name **ORORAMA BINGO ARCADE INC.** (TRADE NAME) located at **J.R. BORJA ST.ORORAMA SUPER BINGO ARCADE** (BUSINESS ADDRESS), **BARANGAY 39** (BARANGAY), Cagayan de Oro City, with home address at **LAPASAN, CDO** (HOME ADDRESS) and Business Registration Plate No. **201716288** (PLATE NO.) has been granted **RENEWED** (APPLICATION) Business License under this Certificate No. **2018-16236** (CERT. NO.) which is valid until **Dec 31, 2018** (VALIDITY), to operate the particular kind of business indicated hereunder

KIND OF BUSINESS	REMARKS
E-BINGO AMUSEMENT * * * * * Nothing Follows * * * * *	S# CDO 2018-15576 : SUBJECT TO FSIC

OTHER DETAILS		PAYMENT PARTICULARS
Ownership:	CORP STOCK	REGULATORY FEES OR#: 3677747, DATED: 1/14/2018
No. of Employees:	2	ABIF - P2,747.20; BF - P200.00; BMF - P100.00; BRP - P60.00; CTC - P2,216.00; GF - P3,840.00; HC - P100.00; MPF - P3,600.00; OPF - P200.00; SPF - P500.00;
Mobile No.:	09228363922	
Floor Area (sq.m):	0	BASIC TAX:
DTI No.		1ST QTR. P1,250.00 OR#: 3677747 DTD: 1/14/2018
DTI Date:		2ND QTR. P1,250.00 OR#: 3677747 DTD: 1/14/2018
SEC No.:		3RD QTR. P1,250.00 OR#: 3677747 DTD: 1/14/2018
SEC Date:		4TH QTR. P1,250.00 OR#: 3677747 DTD: 1/14/2018
CDA No.:		
CDA Date:		
TIN No.:		
Business Plate Expiry:	Dec. 31, 2019	

This certifies further that the license to operate the aboved-mentioned business may be revoked for violation of any ordinance, laws and regulations pertaining to the aforestated business which are now enforced or may hereinafter be issued on the matter.

Issued on **Tuesday, February 6, 2018** in the City of Cagayan de Oro, Philippines.

IMPORTANT

Failure to renew this Business Permit/License within the prescribed period shall subject the taxpayer to a twenty five (25%) surcharge and two (2%) interest per month. This permit shall be posted conspicuously at the place where the business is being conducted and shall be presented and/or surrendered to concerned authorities upon demand. Upon closure of business, this certificate, together with the Business Registration Plate should be surrendered with the Office of the City Treasurer within 30 days from date of closure to avoid penalty.

OSCAR S. MORENO
City Mayor

APRILROSE CMO
2/6/2018 4:45:31 PM

THIS CERTIFICATION IS VALID ONLY WITH CORRESPONDING OFFICIAL RECEIPT SHOWING PAYMENT OF SPECIAL PERMIT AND FOR THE PURPOSE STATED HEREIN.

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

Communication Number: **Received by:**

From : **Date:**

SUBJECT MATTER: Proposed Resolution expressing the City's desire and interest to forge a sister city relation or twinning agreement with the City of Verona, Veneto Region, Italy, with the end in view of promoting mutual understanding and goodwill as well as technical exchange and cooperation on the various dimensions of local governance thereby assuring their peoples peace and prosperity.

Proponent: City Vice Mayor Raineir Joaquin V. Uy

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

FOR THE CITY VICE MAYOR & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: July 13, 2018

> for inclusion

HON. IAN MARK Q. NACAYA, *Chairman*

HON. ZALDY O. OCON, *Vice Chairman*

HON. GEORGE S. GOKING, *Member*

HON. ROMEO V. CALIZO, *Member*

HON. ENRICO S. SALCEDO, *Member*

DISSENTING

WIKIPEDIA

Coordinates: 45°26′N 10°59′E

Verona

Verona (Italian pronunciation: [ve'ro:na] (listen); Venetian: *Verona* or *Veròna*) is a city on the Adige river in Veneto, Italy, with approximately 257,000 inhabitants and one of the seven provincial capitals of the region. It is the second largest city municipality in the region and the third largest in northeast Italy. The metropolitan area of Verona covers an area of 1,426 km² (550.58 sq mi) and has a population of 714,274 inhabitants.[1] It is one of the main tourist destinations in northern Italy, owing to its artistic heritage, several annual fairs, shows, and operas, such as the lyrical season in the Arena, the ancient amphitheater built by the Romans.

Two of Shakespeare's plays are set in Verona: *Romeo and Juliet* and *The Two Gentlemen of Verona*. It is unknown if Shakespeare ever visited Verona or Italy at all, but his plays have lured many visitors to Verona and surrounding cities. The city has been awarded World Heritage Site status by UNESCO because of its urban structure and architecture.

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Verona

Comune

Città di Verona

A collage of Verona, clockwise from top left to right: View of Piazza Bra from Verona Arena, House of Juliet, Verona Arena, Ponte Pietra at sunset, Statue of Madonna Verona's fountain in Piazza Erbe, view of Piazza Erbe from Lamberti Tower

Flag

Location of Verona in Veneto

Show map of Veneto
Show map of Italy
Show map of Europe
Show all

Coordinates: 45°26′N 10°59′E

Country	Italy
Region	Veneto
Province	Verona (VR)
Frazioni	Avesa, San Michele Extra, San Massimo all'Adige, Quinzano, Quinto di Valpantena, Poiano di Valpantena, Parona di Valpolicella, Montorio Veronese, Mizzole, Marchesino,

Etymology

According to a theory that considers the geographical position of the city, Verona was a key step for those from Eastern Gaul across the Alps to Rome along the Via Claudia Augusta. Verona is short for *Versus Romae* which means "In the direction of Rome". The -ona suffix, found in many Gallic names, is a simple deformation due to incorrect auditory perception that leads any person to hear the sound of a foreign language as a common sound in their own language, so to pronounce it and write it incorrectly.

The exclamation *Vae Romae* if understood in Latin means "Alas Rome". In fact, to express distress or denounce a disgrace ancient Romans used the Latin interjection *vae*. So, you also explain the famous poem by William Shakespeare "*There* is *no world* without *Verona walls*, But *purgatory, torture, hell itself*. Hence-*banished* is *banish*'d from the *world*, And *world's exile* is *death*.". The writer would express a Roman concept through its character named Romeo, a name that invokes Rome, according to which the city of Verona was a boundary between the Roman world and barbaric one. Verona was a place of passage and to place horses, for those who wanted to go and had walked the Via Claudia Augusta, the Roman road that led over the Alps, or that led to Rome. So the expression *Vae Romae* "Alas Rome" would indicate spirit of the place, the "*genius loci*" of the city, expression of a spirit then called Verona. The exclamation

Vae Romae would be the expression of the spirit that pervaded the Romans who left the place with a sense of anguish, this expression would later become the name for the place, that is "Alas Roma", which then turned into Verona.

Another theory is that it is connected to the river. "Vera" was a name of the river Adige before the adoption of the current name. As in many similar instances in Europe the name of the town is formed with the addition of suffix *-ona* which means settlement over.

Historically Verona was called *Bern* in German, with variations like *Welschbern* and *Dietrichsbern* serving to differentiate the town from Bern in Switzerland.

History

The precise details of Verona's early history remain a mystery. One theory is it was a city of the Euganei, who were obliged to give it up to the Cenomani (550 BC). With the conquest of the Valley of the Po the Veronese territory became Roman (about 300 BC). Verona became a Roman *colonia* in 89 BC, and then a *municipium* in 49 BC when its citizens were ascribed to the Roman tribe *Poblilia* or *Publicia*.

The city became important because it was at the intersection of several roads. Stilicho defeated Alaric and his Visigoths here in 403. But, after Verona was conquered by the Ostrogoths in 489, the Gothic domination of Italy began. Theoderic the Great was said to have built a palace there. It remained under the power of the Goths throughout the Gothic War (535–552), except for a single day in 541, when the Byzantine officer Artabazes made an entrance. The defections that took place among the Byzantine generals with regard to the booty made it possible for the Goths to regain possession of the city. In 552 Valerian vainly endeavored to enter the city, but it was only when they were fully overthrown that the Goths surrendered it.

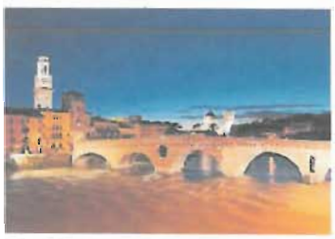
In 569, it was taken by Alboin, King of the Lombards, in whose kingdom it was, in a sense, the second most important city. There, Alboin himself was killed by his own wife in 572. The dukes of Treviso often resided there. At Verona Adalgisus, son of Desiderius, in 774 made his last desperate resistance to Charlemagne, who had destroyed the Lombard kingdom. Verona was then the ordinary residence of the kings of Italy, the government of the city becoming hereditary in the family of Count Milo, progenitor of the counts of San Bonifacio. From 880 to 951 the two Berengarii resided there. Otto I ceded to Verona the marquisate dependent on the Duchy of Bavaria.

When Ezzelino III da Romano was elected podestà, in 1226, he was able to convert the office into a permanent lordship, and in 1257 he caused the slaughter of 11,000 Paduans on the plain of Verona (Campi di Verona). Upon his death the Great Council elected as podestà Mastino I della Scala, and he converted the "signoria" into a family possession, though leaving the burghers a share in the government. Failing to be re-elected podestà in 1262, be effected a coup d'état, and was acclaimed capitano del popolo, with the command of the communal troops. It was not without long internal discord that he succeeded in establishing this new office, to which was attached the function of confirming the podestà. In 1277, Mastino della Scala was killed by the faction of the nobles.

The reign of his son Alberto as capitano (1277–1302) was one incessant war against the counts of San Bonifacio, who were aided by the House of Este. Of his sons, Bartolomeo, Alboino and Cangrande I, only the last shared the government (1308); he was great as warrior, prince, and patron of the arts; he protected Dante, Petrarch, and Giotto. By war or treaty, he brought under his control the cities of Padua (1328), Treviso (1308) and Vicenza. At this time before the Black death the city was home to more than 40,000 people.[2]

Cangrande was succeeded by Mastino II (1329–1351) and Alberto, sons of Alboino. Mastino continued his uncle's policy, conquering Brescia in 1332 and carrying his power beyond the Po. He purchased Parma (1335) and Lucca (1339). After the King of France, he was the richest prince of his time. But a powerful league was formed against him in 1337 – Florence, Venice, the Visconti, the Este, and the Gonzaga. After a three years war, the Scaliger dominions were reduced to Verona and Vicenza (Mastino's daughter Regina-Beatrice della Scala married to Barnabò Visconti). Mastino's son Cangrande II (1351–1359) was a cruel, dissolute, and suspicious tyrant; not trusting his own subjects, he surrounded himself with Brandenburg mercenaries. He was killed by his brother Cansignorio (1359–1375), who beautified the city with palaces, provided it with aqueducts and bridges, and founded the state treasury. He also killed his other brother, Paolo Alboino. Fratricide seems to have become a family custom, for Antonio (1375–87), Cansignorio's natural brother, slew his brother Bartolomeo, thereby

	Chievo, Cà di David e Moruri
Government	
• **Mayor**	Federico Sboarina (FI)
Area	
• **Total**	206.63 km^2 (79.78 sq mi)
Elevation	59 m (194 ft)
Population (2015)	
• **Total**	257,276
• **Density**	1,200/km^2 (3,200/sq mi)
Demonym(s)	Veronesi or Scaligeri
Time zone	CET (UTC+1)
• **Summer (DST)**	CEST (UTC+2)
Postal code	37100
Dialing code	045
Patron saint	Saint Zeno of Verona
Saint day	12 April
Website	Official website (http://portale.comune.verona.it/nqcontent.cfm?a_id=1)
UNESCO World Heritage Site	
Criteria	Cultural: ii, iv
Reference	797 (http://whc.unesco.org/en/list/797)
Inscription	2000 (24th Session)
Area	444.4 ha
Buffer zone	303.98 ha



The Roman Ponte Pietra in Verona

Equestrian Statue of Cangrande I

arousing the indignation of the people, who deserted him when Gian Galeazzo Visconti of Milan made war on him. Having exhausted all his resources, he fled from Verona at midnight (19 October 1387), thus putting an end to the Scaliger domination, which, however, survived in its monuments.

The Lion of Saint Mark, located in Piazza delle Erbe, symbol of Venetian Verona

The year 1387 is also the year of the famous Battle of Castagnaro, between Giovanni Ordelaffi, for Verona, and John Hawkwood, for Padua, who was the winner.

Antonio's son Canfrancesco attempted in vain to recover Verona (1390). Guglielmo (1404), natural son of Cangrande II, was more fortunate; with the support of the people, he drove out the Milanese, but he died ten days after, and Verona then submitted to Venice (1405). The last representatives of the Scaligeri lived at the imperial court and repeatedly attempted to recover Verona by the aid of popular risings.

From 1508 to 1517, the city was in the power of the Emperor Maximilian I. There were numerous outbreaks of the plague, and in 1629–33 Italy was struck by its worst outbreak in modern times. Around 33,000 people died in Verona (over 60 per cent of the population at the time) in 1630–1631.[3]

In 1776 was developed a method of bellringing called Veronese bellringing art. Verona was occupied by Napoleon in 1797, but on Easter Monday the populace rose and drove out the French. It was then that Napoleon made an end of the Venetian Republic. Verona became Austrian territory when Napoleon signed the Treaty of Campo Formio in October 1797. The Austrians took control of the city on 18 January 1798. It was taken from Austria by the Treaty of Pressburg in 1805 and became part of Napoleon's Kingdom of Italy, but was returned to Austria following Napoleon's defeat in 1814, when it became part of the Austrian-held Kingdom of Lombardy-Venetia.

The Congress of Verona, which met on 20 October 1822, was part of the series of international conferences or congresses that opened with the Congress of Vienna in 1814–15 - and marked the effective breakdown of the "Concert of Europe".

In 1866, following the Six Weeks War, Verona, along with the rest of Venetia, became part of United Italy.

The advent of fascism added another dark chapter to the annals of Verona. As throughout Italy, the Jewish population was hit by the Manifesto of Race, a series of anti-Semitic laws passed in 1938, and after the invasion by Nazi Germany in 1943, deportations to Nazi concentration camps. An Austrian Fort (now a church, the Santuario della Madonna di Lourdes), was used to incarcerate and torture Allied troops, Jews and anti-fascists, especially after 1943, when Verona became part of the Italian Social Republic.

The Arche scaligere, tombs of the ancient lords of Verona.

As in Austrian times, Verona became of great strategic importance to the regime. Galeazzo Ciano, Benito Mussolini's son-in-law, was accused of plotting against the republic; in a show trial staged by the Nazi and fascist hierarchy at Castelvecchio (the Verona trial), Ciano was executed on the banks of the Adige with many other officers on what is today Via Colombo. This marked another turning point in the escalation of violence that would only end with the final liberation by allied troops and partisans in 1945.

After World War II, as Italy entered into NATO, Verona once again acquired its strategic importance, due to its closeness to the Iron Curtain. The city became the seat of SETAF (South European Allied Terrestrial Forces) and had during the whole duration of the Cold War period a strong military presence, especially American, which is decreasing only in these recent years. Now Verona is an important and dynamic city, very active in terms of economy, and also a very important tourist attraction thanks to its history, where the Roman past lives side by side with the Middle Age Verona, which in some senses brings about its architectural and artistic motifs.

Geography

Climate

Verona has a humid subtropical climate characteristic of Northern Italy's inland plains, with hot summers and cold, humid winters, even though Lake Garda has a partial influence on the city.[4] The relative humidity is high throughout the year, especially in winter when it causes fog, mainly from dusk until late morning, although the phenomenon has become increasingly less frequent in recent years.

Climate data for Verona (1971–2000, extremes 1946–present)

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year
Record high °C (°F)	19.8 (67.6)	22.1 (71.8)	27.2 (81)	31.8 (89.2)	36.6 (97.9)	36.4 (97.5)	38.2 (100.8)	39.0 (102.2)	33.2 (91.8)	29.2 (84.6)	23.6 (74.5)	18.8 (65.8)	39.0 (102.2)
Average high °C (°F)	6.1 (43)	8.9 (48)	13.4 (56.1)	17.2 (63)	22.7 (72.9)	26.3 (79.3)	29.2 (84.6)	28.8 (83.8)	24.4 (75.9)	18.0 (64.4)	11.0 (51.8)	6.7 (44.1)	17.7 (63.9)
Daily mean °C (°F)	2.5 (36.5)	4.5 (40.1)	8.4 (47.1)	12.0 (53.6)	17.2 (63)	20.8 (69.4)	23.6 (74.5)	23.3 (73.9)	19.0 (66.2)	13.3 (55.9)	7.1 (44.8)	3.1 (37.6)	12.9 (55.2)
Average low °C (°F)	−1.2 (29.8)	0.1 (32.2)	3.4 (38.1)	6.8 (44.2)	11.7 (53.1)	15.4 (59.7)	18.0 (64.4)	17.8 (64)	13.7 (56.7)	8.7 (47.7)	3.2 (37.8)	−0.4 (31.3)	8.1 (46.6)
Record low °C (°F)	−18.4 (−1.1)	−18.4 (−1.1)	−10.4 (13.3)	−2.2 (28)	0.0 (32)	3.8 (38.8)	7.3 (45.1)	8.1 (46.6)	2.0 (35.6)	−4.6 (23.7)	−7.9 (17.8)	−15.5 (4.1)	−18.4 (−1.1)
Average precipitation mm (inches)	50.9 (2.004)	43.3 (1.705)	48.7 (1.917)	70.4 (2.772)	74.2 (2.921)	87.2 (3.433)	62.6 (2.465)	81.7 (3.217)	76.2 (3)	91.0 (3.583)	64.8 (2.551)	52.5 (2.067)	803.5 (31.634)
Average precipitation days (≥ 1.0 mm)	6.8	5.1	6.0	8.9	8.6	8.6	5.5	5.8	6.0	7.4	7.1	6.2	82.0
Average relative humidity (%)	85	78	73	75	73	73	73	74	76	81	84	84	77
Mean monthly sunshine hours	94	102	156	180	241	255	304	262	199	158	72	81	2,104

Source #1: Servizio Meteorologico (humidity 1961–1990)[5][6][7]

Source #2: Danish Meteorological Institute (sun, 1931–1960)[8]

Demographics

In 2009, there were 265,368 people residing in Verona, located in the province of Verona, Veneto, of whom 47.6% were male and 52.4% were female. Minors (children aged 0–17) totalled 16.05% of the population compared to pensioners who number 22.36%. This compares with the Italian average of 18.06% (minors) and 19.94%(pensioners). The average age of Verona residents is 43 compared to the Italian average of 42. In the five years between 2002 and 2007, the population of Verona grew by 3.05%, while Italy as a whole grew by 3.85%.[9] The current birth rate of Verona is 9.24 births per 1,000 inhabitants compared to the Italian average of 9.45 births.

As of 2009, 87% of the population was Italian.[10] The largest immigrant group comes from other European nations (the largest coming from Romania): 3.60%, South Asia: 2.03%, and sub-saharan Africa 1.50%. The city is predominantly Roman Catholic, but due to immigration now has some Orthodox Christian, and Muslim followers.

2017 largest resident foreign-born groups[11]

Country of birth	Population
Romania	12,520
Sri Lanka	7,234
Moldova	5,008
Nigeria	3,233
Morocco	2,857
Albania	2,500
China	1,975
Ghana	1,444

Panoramic view of the city from Castel San Pietro

Government

Since local government political reorganization in 1993, Verona has been governed by the City Council of Verona, which is based in *Palazzo Barbieri*. Voters elect directly 33 councilors and the Mayor of Verona every five years. Verona is also the capital of its own province. The Provincial Council is seated in *Palazzo del Governo*. The current Mayor of Verona is Federico Sboarina (LN), elected on 26 June 2017.

This is a list of the mayors of Verona since 1946:

Mayor	Term start	Term end	Party
Aldo Fedeli	1946	1951	PSI
Giovanni Uberti	1951	1956	DC
Giorgio Zanotto	1956	1965	DC
Renato Gozzi	1965	1970	DC
Carlo Delaini	1970	1975	DC
Renato Gozzi	1975	1980	DC
Gabriele Sboarina	1980	1990	DC
Aldo Sala	1990	1993	DC
Enzo Erminero	1993	1994	DC
Michela Sironi Mariotti	27 June 1994	28 May 2002	FI
Paolo Zanotto	28 May 2002	28 May 2007	DL
Flavio Tosi	28 May 2007	26 June 2017	LN
Federico Sboarina	26 June 2017	*incumbent*	FI

Palazzo Barbieri is Verona City Hall.

Palazzo del Governo is the seat of the Province of Verona.

Main sights

Because of the value and importance of its many historical buildings, Verona has been named a UNESCO World Heritage Site. Verona preserved many ancient Roman monuments (including magnificent Arena), no longer in use, in the early Middle Ages, but much of this and much of its early medieval edifices were destroyed or heavily damaged by the earthquake of 3 January 1117, which led to a massive Romanesque rebuilding. The Carolingian period *Versus de Verona* contains an important description of Verona in the early medieval era.

The Ponte Scaligero, completed in 1356

Roman edifices

The Roman military settlement in what is now the centre of the city was to expand through the cardines and decumani that intersect at right angles. This structure has been kept to the present day and is clearly visible from the air. Further development has not reshaped the original map. Though the Roman city with its basalt-paved roads is mostly hidden from view it stands virtually intact about 6 m below the surface. Most palazzi and houses have cellars built on Roman artifacts that are rarely accessible to visitors. Piazza delle Erbe, near the Roman forum was rebuilt by Cangrande I and Cansignorio della Scala I, lords of Verona, using material (such as marble blocks and statues) from Roman spas and villas.

Verona Arena

Verona is famous for its Roman amphitheatre, the Arena, found in the city's largest piazza, the Piazza Bra. Completed around 30 AD, it is the third largest in Italy after Rome's Colosseum and the arena at Capua. It measures 139 metres long and 110 metres wide, and could seat some 25,000 spectators in its 44 tiers of marble seats. The *ludi* (shows and gladiator games) performed within its walls were so famous that they attracted

spectators from far beyond the city. The current two-story façade is actually the internal support for the tiers; only a fragment of the original outer perimeter wall in white and pink limestone from Valpolicella, with three stories remains.The interior is very impressive and is virtually intact, and has remained in use even today for public events, fairs, theatre and open-aired opera during warm summer nights.

Porta Borsari

There is also a variety of other Roman monuments to be found in the town, such as the Roman theatre of Verona. This theatre was built in the 1st century BC, but through the ages had fallen in disuse and had been built upon to provide housing. In the 18th century Andrea Monga, a wealthy Veronese, bought all the houses that in time had been built over the theatre, demolished them, and saved the monument. Not far from it is the Ponte di Pietra ("Stone Wall Bridge"), another Roman landmark that has survived to this day.

The *Arco dei Gavi* (Gavi Arch) was built in the 1st century AD, and is famous for having the name of the builder (architect Lucius Vitruvius Cordone) engraved on it, a rare case in the architecture of the epoque. It originally straddled the main Roman road into the city, now the Corso Cavour. It was demolished by French troops in 1805 and rebuilt in 1932.

Nearby is the *Porta Borsari*, an archway at the end of Corso Porta Borsari. This is the façade of a 3rd-century gate in the original Roman city walls. The inscription is dated 245 AD and gives the city name as *Colonia Verona Augusta*. Corso Porta Borsari, the road passing through the gate is the original Via Sacra of the Roman city. Today, it is lined with several Renaissance palazzi and the ancient Church of Santi Apostoli, a few metres from Piazza delle Erbe.

Piazza dei Signori

Porta Leoni is the 1st century BC ruin of what was once part of the Roman city gate. A substantial portion is still standing as part of the wall of a medieval building. The street itself is an open archaeological site, and the remains of the original Roman street and gateway foundations can be seen a few feet below the present street level. As can be seen from there, the gate contains a small court guarded by towers. Here, carriages and travelers were inspected before entering or leaving the city.

Medieval architecture

- The *Basilica of San Zeno Maggiore* is Romanesque style church, the third such structure on its site, built from 1123–1135, over the 4th-century shrine to Verona's patron saint, St. Zeno (died 380). The façade dominates the large square, and is flanked with a beautiful 72 metres tall bell tower, which is mentioned by Dante in Canto 18 of Purgatory in the Divine Comedy. The weathered Veronese stone gives a warm golden glow, and the restrained lines of the pillars, columns, and cornices, and the gallery with its double windows, give the façade an air of harmonious elegance. The huge rose window is decorated as a Wheel of Fortune. The lintels above the portal have carvings of the months of the year. Each side of the doorway is embellished with 18 bas-relief panels of biblical scenes, and the inner bronze door panels have 48 primitive but forceful depictions of Biblical scenes and episodes from the life of St Zeno. The meaning of some of the scenes is now unknown, but the extraordinarily vivid energy of the figures is a superb blend of traditional and Ottonian influences. The interior of the church is divided into the Lower Church, occupying about ⅔ of the structure, and the Upper Church, occupying the remainder. The walls are covered with 12th and 14th century frescos and the ceiling of the nave is a magnificent example of a ship's keel ceiling. The vaulted crypt contains the tomb of St. Zeno, the first Bishop of Verona, as well as the tombs of several other saints. North of the church is a pleasant cloister. The church also houses the tomb of King Pippin of Italy (777–810).
- The *Basilica of San Lorenzo* is another Romanesque church, albeit smaller. It dates from around 1177, but was built on the site of a Paleochristian church, fragments of which remain. The church is built of alternating tracks of brick and stone, and has two cylindrical towers, housing spiral staircases to the women's galleries. The interior is sober, but still quiet. The striped bands of stone and brick and the graceful arches complement the setting.
- *Santa Maria Antica* is a small Romanesque church that served as the private chapel of the Scaligeri clan, and is famous for the Gothic Scaliger Tombs. The *Duomo* is also a notable Romanesque church.
- Sant'Anastasia is a huge and lofty church built from 1290–1481 by the Dominicans to hold the massive congregations attracted by their sermons. The Pellegrini chapel houses the famous fresco *St. George and the Princess of Trebizond* by Pisanello as well as the grave of Wilhelm von Bibra. An art festival is held in the square each may.

San Zeno Basilica; like many other Veronese churches, is built with alternating layers of white stone and bricks

With a span length of 48.70 m (159.78 ft), the segmental arch bridge Ponte Scaligero featured, at the time of its completion in 1356, the world's largest bridge arch.

Piazza delle Erbe

Notable people

- Aleardo Aleardi, a poet
- Paolo Bellasio, composer of the Renaissance; member of the Roman School
- Stefano Bernardi, baroque composer
- Massimo Bubola, singer-songwriter born in Terrazzo
- Paolo Caliari, well known as "Veronese" painter
- Lou Campi, professional bowler
- Mario Capecchi, Nobel prize in Medicine, 2007
- Giovanni Francesco Caroto, painter

- Catullus, Latin poet
- Walter Chiari, actor
- Gigliola Cinquetti, singer who brought Italy its first Eurovision Song Contest win in 1964
- Damiano Cunego, former world number 1 cyclist and former Giro d'Italia winner
- Giorgio de Stefani, tennis player, finalist at the 1932 French Open
- Franco Donatoni, composer
- Gino Fano, mathematician
- Girolamo Fracastoro, also known as Fracastorius, renowned scholar, physician and poet
- Giovanni Giocondo, architect and scholar
- Girolamo dai Libri, illuminator of manuscripts and painter
- Romano Guardini, theologian
- Marc' Antonio Ingegneri, composer, teacher of Claudio Monteverdi
- Ernestine von Kirchsberg, Austrian landscape painter
- Cesare Lombroso, criminologist
- Scipione Maffei, writer and historian
- Matteo Manassero, British amateur golf champion, 2009
- Arnoldo Mondadori, editor
- Romeo Montague and Juliet Capulet, fictional characters from the well known Shakespearian play *Romeo and Juliet*
- Marcantonio Negri, Baroque composer, associate of Monteverdi
- Carlo Pedrotti, 19th-century composer, conductor, voice teacher and opera administrator
- St. Peter Martyr, Dominican preacher and saint
- Ippolito Pindemonte, poet
- Ratherius, Medieval bishop and writer
- Francesca Rettondini, actress
- Vincenzo Ruffo, composer of the Renaissance
- Emilio Salgari, novelist
- Antonio Salieri, composer
- Michele Sammicheli, architect
- Sara Simeoni, former world high jump primatist and Olympic gold medalist
- Marco Stroppa, composer
- Bartolomeo Tromboncino, composer of the Renaissance period
- Giorgio Zancanaro, baritone

The balcony of Juliet's house

The Portoni della Bra

The Verona Cathedral

Verona was the birthplace of Catullus, and the town that Julius Caesar chose for relaxing stays. It has had an association with many important people and events that have been significant in the history of Europe, such as Theoderic the Great, king of Ostrogoths, Alboin and Rosamund, the Lombard Dukes, Charlemagne and Pippin of Italy, Berengar I, and Dante. Conclaves were held here, as were important congresses. Verona featured in the travel diaries of Goethe, Stendhal, Paul Valéry and Michel de Montaigne.

The Santa Maria Antica

Sport

Stadio Marcantonio Bentegodi, which was used as a venue at the 1990 FIFA World Cup is home to Verona's major football clubs Hellas Verona and Chievo Verona.

The city has three professional football teams. Historically, the city's major team has been Hellas Verona. Hellas Verona won the Italian Serie A championship in 1984-85, and played in the European Cup the following year. Chievo Verona represents Chievo, a suburb of Verona. As of the 2017-18 season, both clubs play in the first division of Italian football, Serie A. The teams contest the Derby della Scala and share the 38,402-seater Stadio Marcantonio Bentegodi, which was used as a venue at the 1990 FIFA World Cup. Virtus Vecomp Verona is another Verona-based football club.

Verona is home to the volleyball team Marmi Lanza Verona (now in Serie A1), the rugby team Franklin and Marshall Cus Verona Rugby (now in Serie A1), and the basketball team Scaligera Basket (now in Legadue).

The city has twice hosted the UCI Road World Championships, in 1999 (with Treviso as co-host) and in 2004. The city also regularly hosts stages of the Giro d'Italia annual cycling race. Verona also hosted the baseball world cup in 2009, and the Volleyball World Cup in September–October 2010. Verona is hosting the Volleyball Women's World Championship in September–October 2014.[12]

Infrastructure and transport

Buses

Buses are operated by the provincial public transport company, *Azienda Trasporti Verona* (ATV).

Railways

Verona lies at a major route crossing where the north-south rail line from the Brenner Pass to Rome intersects with the east-west line between Milan and Venice, giving the city rail access to most of Europe. In addition to regional and local services the city is served by direct international trains to Zurich, Innsbruck and Munich and by overnight sleeper services to Paris and Dijon (Thello), Munich and Vienna (ÖBB).

Verona's main station is Verona Porta Nuova railway station, to the south of the city centre. It is considered to be the ninth busiest railway station in Italy, handling approximately 68,000 passengers per day, or 25 million passengers per year.[13]

There is a lesser station to the east of the city at Porta Vescovo, which used to be the main station in Verona, but now only receives trains between Venice and Porta Nuova.

Verona Porta Nuova railway station

Airport

Verona Airport is located 10 km (6.2 mi) southwest of Verona. It handles around 3 million passengers per year. It is linked to Porta Nuova railway station by a frequent bus service.[13]

There are direct flights between Verona and Rome Fiumicino, Munich, Berlin, Moscow, Naples, Frankfurt, Catania, Paris Charles De Gaulle, London Gatwick, Dublin, Palermo,Cork, Manchester, Vienna Schwechat, Liverpool[14] and Cagliari among others.

Verona airport

International relations

Twin towns and sister cities

Verona is twined with eight cities:[15]

- Munich, Germany[15]
- Nîmes, France, has a similar Roman amphitheatre[15]
- Saint-Josse-ten-Noode, Belgium[15]
- Salzburg, Austria[15]
- Pula, Croatia, has a similar Roman amphitheatre[15][16]
- Albany, New York, United States[15]
- Nagahama, Japan[15]
- Fresno, California, United States

See also

- Idea Verona, an Italian language, art, and culture school for foreigners visiting or living in Verona

Notes

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External links

Media related to Verona at Wikimedia Commons

- Official website of Verona municipality (http://portale.comune.verona.it/)
- Official website of Pro Loco di Verona (http://www.verona.net/)
- Outdoor Activities in Verona (https://web.archive.org/web/20130728082442/http://www.italiaoutdoors.com/verona-ital)

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