



20th City Council CAGAYAN DE ORO CITY

AGENDA



HON. JOCELYN B. RODRIGUEZ
City Vice Mayor



80TH REGULAR SESSION

Monday / 13 May 2024 / 2:30 PM

Session Hall, City Hall, Cagayan de Oro City

Copy of:

FILE

CAGAYAN DE ORO MARCH

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

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

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

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

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

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



**cagayan
de Oro**
city of golden friendship

Republic of the Philippines
CITY OF CAGAYAN DE ORO

OFFICE OF THE CITY COUNCIL

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



10 May 2024

THE HONORABLE MEMBERS
20TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD)
CAGAYAN DE ORO CITY

Gentlemen and Ladies:

Please be informed of the 80th Regular Session of the 20th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro on Monday, 13th May 2024 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
20TH CITY COUNCIL (SANGGUNIANG PANLUNGSOD)
CAGAYAN DE ORO CITY

HON. JOCELYN B. RODRIGUEZ
CITY VICE MAYOR

First District

Second District

HON. AGAPITO ERIBERTO G. SUAN
CITY COUNCILOR

HON. YEVONNA YACINE B. EMANO
CITY COUNCILOR

HON. ROGER G. ABADAY
CITY COUNCILOR

HON. MARIA LOURDES S. GAANE
CITY COUNCILOR

HON. JAY R. PASCUAL
CITY COUNCILOR

HON. JOYLEEN MERCEDES L. BALABA
CITY COUNCILOR

HON. IMEE ROSE P. MORENO
CITY COUNCILOR

HON. JAMES K. JUDITH II
CITY COUNCILOR

HON. ROMEO V. CALIZO
CITY COUNCILOR

HON. IAN MARK Q. NACAYA
CITY COUNCILOR

HON. GEORGE S. GOKING
CITY COUNCILOR

HON. EDGAR S. CABANLAS
CITY COUNCILOR

HON. JOSE PEPE S. ABBU, JR.
CITY COUNCILOR

HON. CHRISTIAN RUSTICO M. ACHAS
CITY COUNCILOR

HON. MALVERN A. ESPARCIA
CITY COUNCILOR

HON. SUZETTE G. MAGTAJAS-DABA
CITY COUNCILOR

Ex-Officio Members

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

HON. KENNETH JOHN D. SACALA
CITY COUNCILOR
CITY SK FEDERATION PRESIDENT

Order of Business

- A. CALL TO ORDER BY THE PRESIDING OFFICER, HONORABLE CITY VICE MAYOR JOCELYN B. RODRIGUEZ**
- B. INVOCATION BY HONORABLE COUNCILOR MALVERN A. ESPARCIA**
- C. SINGING OF THE LUPANG HINIRANG**
- D. SINGING OF THE CAGAYAN DE ORO MARCH**
- E. ROLL CALL AND DETERMINATION OF QUORUM BY THE SANGGUNIANG PANLUNGSOD SECRETARY**
- F. READING, CORRECTIONS, IF ANY; AND APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR SESSION ON MAY 6, 2024**
(SEE APPENDIX "A" / Pages 1-46)
- G. ON SPECIAL REPORT**
- 1) Councilor James K. Judith II RE: boundary of Mambatangan, Manolo Fortich and Cagayan de Oro City.
 - 2) Councilor Ian Mark Q. Nacaya RE: correction of the misspelled name of Toribio Chaves Street.

H. BUSINESS OF THE DAY:

- 1) PROPOSED RESOLUTION NO. 2024-730** – returning to the Barangay Council of Barangay F.S. Catanico, this City, its Ordinance No. 002, Series of 2024, covering its Annual Budget for CY 2024 with an Estimated Income of ₱5,177,423.00, with the information that said Ordinance is operative in its entirety.

(SEE APPENDIX "B" / Pages 47-52)

Document/s on file:

- Endorsement of Office of the City Budget Officer dated May 9, 2024
- Ordinance No. 002, Series of 2024 of Barangay F.S. Catanico
- Resolution No. 005, Series of 2024 of Barangay F.S. Catanico
- Barangay Development Council Resolution No. 010-2024
- Barangay Resolution No. 011 Series of 2024
- Budget of Expenditures and Sources of Financing, FY 2024
- Programmed Appropriation by PPA, Expense Class, Object of Expenditure and Expected Results, FY 2024
- FY 2024 Annual Investment Program (AIP)
- List of Projects Chargeable against the 20% Development Fund, FY 2024
- Plantilla of Personnel, FY 2024
- Summary –General Services -Job Order
- Certified Statement of Income
- Major Final Output
- Statement of Statutory and Contractual Obligations, CY 2024
- Certification Issued by the Barangay

COMMITTEE SPONSOR/S:

- COMMITTEE ON **BARANGAY AFFAIRS**
 - COUNCILOR YAN LAM S. LIM, CHAIRPERSON
 - COUNCILOR KENNETH JOHN D. SACALA, VICE CHAIRPERSON
 - COUNCILOR ROGER G. ABADAY, MEMBER
 - COUNCILOR GEORGE S. GOKING, MEMBER
 - COUNCILOR MARIA LOURDES S. GAANE, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
 - COUNCILOR EDGAR S. CABANLAS, EX-OFFICIO MEMBER
- COMMITTEE ON **LAWS AND RULES**
 - COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
 - COUNCILOR ROMEO V. CALIZO, VICE CHAIRPERSON
 - COUNCILOR GEORGE S. GOKING, MEMBER
 - COUNCILOR ROGER G. ABADAY, MEMBER

- COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER
- COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER

2) PROPOSED RESOLUTION NO. 2024-731 – returning to the Barangay Council of Barangay Macasandig, this City, its Ordinance No. 01, Series of 2024, covering its Annual Budget for CY 2024 with an Estimated Income of ₱28,138,212.00, with the information that said Ordinance is operative in its entirety.

(SEE APPENDIX "C" / Pages 53-58)

Document/s on file:

- Endorsement of Office of the City Budget Officer dated May 7, 2024
- Ordinance No. 1, Series of 2024 of Barangay Macasandig
- Resolution No. 015-24, Series of 2024 of Barangay Macasandig
- Resolution No. 019-2024 (Adoption of AIP)
- Resolution No. 020-2024
- Budget of Expenditures and Sources of Financing, FY 2024
- Programmed Appropriation by PPA, Expense Class, Object of Expenditure and Expected Results, FY 2024
- FY 2024 Annual Investment Program (AIP)
- List of Projects Chargeable against the 20% Development Fund, FY 2024
- Plantilla of Personnel, FY 2024
- Summary –General Services –Job Order
- Certified Statement of Income
- Major Final Output
- Statement of Statutory and Contractual Obligations, CY 2024
- Certification Issued by the Barangay Treasurer

COMMITTEE SPONSOR/S:

- COMMITTEE ON **BARANGAY AFFAIRS**
 - COUNCILOR YAN LAM S. LIM, CHAIRPERSON
 - COUNCILOR KENNETH JOHN D. SACALA, VICE CHAIRPERSON
 - COUNCILOR ROGER G. ABADAY, MEMBER
 - COUNCILOR GEORGE S. GOKING, MEMBER
 - COUNCILOR MARIA LOURDES S. GAANE, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
 - COUNCILOR EDGAR S. CABANLAS, EX-OFFICIO MEMBER
- COMMITTEE ON **LAWS AND RULES**
 - COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
 - COUNCILOR ROMEO V. CALIZO, VICE CHAIRPERSON
 - COUNCILOR GEORGE S. GOKING, MEMBER
 - COUNCILOR ROGER G. ABADAY, MEMBER
 - COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER

3) PROPOSED RESOLUTION NO. 2024-732– returning to the Barangay Council of Barangay Puerto, this City, its Ordinance No. 01, Series of 2024, covering its Annual Budget for CY 2024 with an Estimated Income of ₱17,687,329.00, with the information that said Ordinance is operative in its entirety.

(SEE APPENDIX "D" / Pages 59-65)

Document/s on file:

- Endorsement of Office of the City Budget Officer dated May 8, 2024
- Letter of Hon. Lolita L. Wahing, Punong Barangay of Puerto
- Ordinance No. 01, Series of 2024 of Barangay Puerto
- Resolution No. 05, Series of 2024 of Barangay Puerto
- Plantilla of Personnel, FY 2024
- Summary of Job Order
- Programmed Appropriation by PPA, Expense Class, Object of Expenditure and Expected Results, FY 2024
- List of Projects Chargeable against the 20% Development Fund, FY 2024
- Certified Statement of Income
- Major Final Output
- Statement of Statutory and Contractual Obligations, CY 2024
- Certification Issued by the Barangay Treasurer
- Resolution No. 03, Series of 2024
- Resolution No. 04, Series of 2024
- Secretary's Certification
- CY 2024 Annual Investment Program (AIP)

COMMITTEE SPONSOR/S:

- COMMITTEE ON **BARANGAY AFFAIRS**
 - COUNCILOR YAN LAM S. LIM, CHAIRPERSON
 - COUNCILOR KENNETH JOHN D. SACALA, VICE CHAIRPERSON
 - COUNCILOR ROGER G. ABADAY, MEMBER
 - COUNCILOR GEORGE S. GOKING, MEMBER
 - COUNCILOR MARIA LOURDES S. GAANE, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
 - COUNCILOR EDGAR S. CABANLAS, EX-OFFICIO MEMBER
- COMMITTEE ON **LAWS AND RULES**
 - COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
 - COUNCILOR ROMEO V. CALIZO, VICE CHAIRPERSON
 - COUNCILOR GEORGE S. GOKING, MEMBER
 - COUNCILOR ROGER G. ABADAY, MEMBER
 - COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER

4) PROPOSED RESOLUTION NO. 2024-733 – returning to the Sangguniang Kabataan of Barangay Gusa, this City, its Resolution No. 8, Series of 2024,

covering its Annual Budget for CY 2024 with an Estimated Income of ₱3,479,671.00, with the information that said Resolution is operative in its entirety.

(SEE APPENDIX "E" / Pages 66-73)

Document/s on file:

- Endorsement of Office of the City Budget Officer
- SK Resolution No. 8, Series of 2024 of Barangay Gusa
- Programmed Appropriation by Program/Project/Activity, Expense Class, Object of Expenditures, Expected Results and Performance Indicators, FY 2024
- Plantilla of Personnel, FY 2024
- Certification issued by the Barangay Gusa
- SK Resolution No. 6, Series of 2024
- Annual Barangay Youth Investment Program (ABYIP), CY 2024

COMMITTEE SPONSOR/S:

- COMMITTEE ON **SPORTS AND YOUTH DEVELOPMENT**
 - COUNCILOR KENNETH JOHN D. SACALA, CHAIRPERSON
 - COUNCILOR ROGER G. ABADAY, VICE CHAIRPERSON
 - COUNCILOR JAY R. PASCUAL, MEMBER
 - COUNCILOR YEVONNA YACINE B. EMANO, MEMBER
 - COUNCILOR AGAPITO ERIBERTO G. SUAN, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
 - COUNCILOR EDGAR S. CABANLAS, EX-OFFICIO MEMBER
 - VICE MAYOR JOCELYN B. RODRIGUEZ, EX-OFFICIO MEMBER
- COMMITTEE ON **LAWS AND RULES**
 - COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
 - COUNCILOR ROMEO V. CALIZO, VICE CHAIRPERSON
 - COUNCILOR GEORGE S. GOKING, MEMBER
 - COUNCILOR ROGER G. ABADAY, MEMBER
 - COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
 - VICE MAYOR JOCELYN B. RODRIGUEZ, EX-OFFICIO MEMBER

5) **PROPOSED RESOLUTION NO. 2024-734** – adopting the Order of the Committee on Ethics and Blue Ribbon on BR Case No. 2022-06, entitled: "Mr. Elmer L. October (*Complainant*) against Hon. Albert E. Adecer, Punong Barangay of Barangay No. 26 (*Respondent*), for Administrative Adjudication", dismissing the said case since the complaint has no basis in fact and in law.

(SEE APPENDIX "F" / Pages 74-80)

Document/s on file:

- Decision BR Case No. 2022-06
- Motion to allow to submit the Position Paper of complainant dated May 29, 2023
- Position Paper of Atty. Robert James T. Daba, Counsel for the complainant, dated May 29, 2023
- Verification and Certification of Non-Forum Shopping of Mr. Elmer L. Octubre dated May 29, 2024
- Position Paper of Atty. Noel B. VEDAD, Counsel for the respondent, dated April 26, 2023
- Verification of Hon. Albert E. Adecer
- Supplemental Judicial Counter Affidavit Preliminary Statement dated April 24, 2023
- Order BR Case No. 2022-06 dated March 30, 2023, for submission of Position Paper
- Order BR Case No. 2022-06 dated February 16, 2023, to reschedule the Committee hearing
- Order BR Case No. 2022-06 dated October 27, 2022, to submit Judicial Affidavit Complaint and Judicial Counter-Affidavit
- Motion to Reset dated February 14, 2023
- Transmittal letter of Atty. Noel B. VEDAD dated December 23, 2022
- Judicial Counter Affidavit Preliminary Statement dated Dec. 23, 2022
- Judicial Affidavit dated November 4, 2022
- Order BR Case No. 2022-06 dated September 15, 2022, to submit Judicial Affidavit Complaint and Judicial Counter-Affidavit
- Letter of Hon. Albert E. Adecer dated August 26, 2022
- Barangay 26 Resolution No. 009-2022, Series of 2022
- Transmittal letter of Atty. Noel B. VEDAD dated August 17, 2022
- Counter Affidavit dated August 17, 2022
- Order BR Case No. 2022-06 dated August 10, 2022, to submit Judicial Counter Affidavit
- Endorsement of the Office of the Ombudsman dated June 15, 2022
- Endorsement IC-OMC-20-0123, of the Office of the Ombudsman dated November 19, 2020
- Affidavit of Complaint dated November 13, 2020
- USB
- Verification and Certification of Non-Forum Shopping of Mr. Elmer L. Octubre dated November 17, 2020

COMMITTEE SPONSOR/S:

- COMMITTEE ON **ETHICS AND BLUE RIBBON**
 - COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
 - COUNCILOR JOSE PEPE S. ABBU, JR., VICE CHAIRMAN
 - COUNCILOR ROGER G. ABADAY, MEMBER
 - COUNCILOR ROMEO V. CALIZO, MEMBER
 - COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER
- COMMITTEE ON **LAWS AND RULES**
 - COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
 - COUNCILOR ROMEO V. CALIZO, VICE CHAIRPERSON
 - COUNCILOR GEORGE S. GOKING, MEMBER
 - COUNCILOR ROGER G. ABADAY, MEMBER
 - COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER

- 6) **PROPOSED RESOLUTION NO. 2024-735** – adopting the Order of the Committee on Ethics and Blue Ribbon on BR Case No. 2023-06, entitled: “Mr. Melrick Rey S. Paez (*Complainant*) against Hon. Alexander V. Torralba, Punong Barangay of Barangay Lumbia (*Respondent*), for Grave Abuse of Authority and Violation of Section 3(E),(J) of Republic Act No. 3019, Anti-Graft and Corrupt Practices Act”, dismissing the said case for lack of merit.

(SEE APPENDIX “G” / Pages 81-90)

Document/s on file:

- Resolution BR Case No. 2023-06
- Order BR Case No. 2023-06 dated April 27, 2023, to submit all the required documents
- Order BR Case No. 2023-06 dated April 27, 2023, for the case to be submitted for decision
- Affidavit-Complaint dated May 6, 2023
- Special Power of Attorney of Melrick Rey S. Paez dated April 27, 2023
- Photos
- Counter Affidavit dated May 4, 2023
- Affidavit-Complaint dated July 4, 2022
- Verification and Certification against Forum Shopping dated July 4, 2022
- Endorsement of the Office of the Ombudsman dated February 28, 2023
- Endorsement CRD-2022-07-0173, dated July 8, 2022

COMMITTEE SPONSOR/S:

- COMMITTEE ON **ETHICS AND BLUE RIBBON** - COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
- COUNCILOR JOSE PEPE S. ABBU, JR., VICE CHAIRMAN
- COUNCILOR ROGER G. ABADAY, MEMBER
- COUNCILOR ROMEO V. CALIZO, MEMBER
- COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER
- COMMITTEE ON **LAWS AND RULES** - COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
- COUNCILOR ROMEO V. CALIZO, VICE CHAIRPERSON
- COUNCILOR GEORGE S. GOKING, MEMBER
- COUNCILOR ROGER G. ABADAY, MEMBER
- COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER

- 7) **PROPOSED ORDINANCE NO. 2024-457** – changing the nomenclature of the vacant position Museum Curator (Item No. 111/SG-22) to Museum Curator I (SG-22) in the plantilla of the Office of the City Mayor, this City, to comply with the Department of Budget and Management (DBM) Local Budget Circular No. 137-2021, entitled: “*Index Of Occupational Services, Position Titles And Salary Grades In The Local Government (IOS-LGU), Cy 2021 Edition*”.

(SEE APPENDIX “H” / Pages 91-94)

Document/s on file:

- Endorsement of the Office of the City Mayor dated April 11, 2024
- Index of Occupational Services, Position Titles and Salary Grades in the Local Government

COMMITTEE SPONSOR/S:

- COMMITTEE ON **FINANCE, BUDGET AND APPROPRIATIONS** - COUNCILOR YAN LAM S. LIM, CHAIRPERSON
- COUNCILOR JOYLEEN MERCEDES L. BALABA, VICE CHAIRPERSON
- COUNCILOR ROMEO V. CALIZO, MEMBER
- COUNCILOR EDGAR S. CABANLAS, MEMBER
- COUNCILOR KENNETH JOHN D. SACALA, MEMBER
- COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
- VICE MAYOR JOCELYN B. RODRIGUEZ, EX-OFFICIO MEMBER
- COMMITTEE ON **LAWS AND RULES** - COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
- COUNCILOR ROMEO V. CALIZO, VICE CHAIRPERSON
- COUNCILOR GEORGE S. GOKING, MEMBER
- COUNCILOR ROGER G. ABADAY, MEMBER
- COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER
- COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
- VICE MAYOR JOCELYN B. RODRIGUEZ, EX-OFFICIO MEMBER

- 8) **PROPOSED ORDINANCE NO. 2024-458** – appropriating the sum of ₱24,258.45 from the item: “Non-Office: General Public Services-Terminal Leave Benefits/Monetization of Earned Leave Credits (*earmarked for Ms. Marilyn P. Babia, Administrative Officer V of the Office of the City Budget Officer*)” in the 2024 Annual Budget to be made available for the payment of the deficiency of Terminal Leave Pay of the late Franklin N. Yamaro, former Administrative Aide I of the Office of the City Librarian, who died last March 11, 2023.

(SEE APPENDIX “I” / Pages 95-103)

Document/s on file:

- Endorsement of Hon. City Mayor Rolando A. Uy dated April 23, 2024
- Certificate of Availability of Fund (CAF No. 088-2024)
- Local Finance Committee Resolution No. 050-2024
- Letter of Loreta A. Deloso dated March 19, 2024
- Waiver of Marilyn D. Babia dated March 19, 2024
- Clearance Form dated October 24, 2023
- Certification of Leave Credits dated April 28, 2023
- Death Certificate

COMMITTEE SPONSOR/S:

- COMMITTEE ON **FINANCE, BUDGET AND APPROPRIATIONS**
 - COUNCILOR YAN LAM S. LIM, CHAIRPERSON
 - COUNCILOR JOYLEEN MERCEDES L. BALABA, VICE CHAIRPERSON
 - COUNCILOR ROMEO V. CALIZO, MEMBER
 - COUNCILOR EDGAR S. CABANLAS, MEMBER
 - COUNCILOR KENNETH JOHN D. SACALA, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
 - VICE MAYOR JOCELYN B. RODRIGUEZ, EX-OFFICIO MEMBER
- COMMITTEE ON **LAWS AND RULES**
 - COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
 - COUNCILOR ROMEO V. CALIZO, VICE CHAIRPERSON
 - COUNCILOR GEORGE S. GOKING, MEMBER
 - COUNCILOR ROGER G. ABADAY, MEMBER
 - COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
 - VICE MAYOR JOCELYN B. RODRIGUEZ, EX-OFFICIO MEMBER

9) PROPOSED ORDINANCE NO. 2024-459 – appropriating the sum of ₱88,233.33 from the item: “*Personal Services-Salaries and Wages (Savings) under Item No. 3 (Professor 1) of the City College of Cagayan de Oro for the period January 1-31, 2024*” in the 2024 Annual Budget to be made available for the payment of unpaid salaries and wages and other benefits for the period December 12-31, 2023 of Dr. Jestoni P. Babia, Professor III of said school, who was appointed under the permanent position effective December 12, 2023.

(SEE APPENDIX “J” / Pages 104-108)

Document/s on file:

- Endorsement of Hon. City Mayor Rolando A. Uy
- Certificate of Availability of Fund 089-2024 of the Office of the City Budget Officer dated April 12, 2024
- Local Finance Committee Resolution No. 055-2024
- Letter of Jestoni P. Babia dated March 18, 2024
- Appointment Transmittal and Action Form (CSC Form No. 1)
- Appointment Form (CSC Form No. 33-A)

COMMITTEE SPONSOR/S:

- COMMITTEE ON **FINANCE, BUDGET AND APPROPRIATIONS**
 - COUNCILOR YAN LAM S. LIM, CHAIRPERSON
 - COUNCILOR JOYLEEN MERCEDES L. BALABA, VICE CHAIRPERSON
 - COUNCILOR ROMEO V. CALIZO, MEMBER
 - COUNCILOR EDGAR S. CABANLAS, MEMBER
 - COUNCILOR KENNETH JOHN D. SACALA, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
 - VICE MAYOR JOCELYN B. RODRIGUEZ, EX-OFFICIO MEMBER
- COMMITTEE ON **LAWS AND RULES**
 - COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
 - COUNCILOR ROMEO V. CALIZO, VICE CHAIRPERSON
 - COUNCILOR GEORGE S. GOKING, MEMBER
 - COUNCILOR ROGER G. ABADAY, MEMBER
 - COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
 - VICE MAYOR JOCELYN B. RODRIGUEZ, EX-OFFICIO MEMBER

10) PROPOSED ORDINANCE NO. 2024-460 – appropriating the sum of ₱124,170.40 from the item: “*Personal Services-Salaries and Wages (Savings) of the various positions under the City Economic Enterprises and Business Development Administration (CEEBDA) for the period January 1-31, 2024*” in the 2024 Annual Budget to be made available for the payment of the salary differential and other benefits from January to December 2023 due to step increment of the herein CEEBDA personnel.

(SEE APPENDIX “K” / Pages 109-115)

Document/s on file:

- Endorsement of Hon. City Mayor Rolando A. Uy
- Certificate of Availability of Fund (CAF #093-2024) dated April 24, 2024
- Local Finance Committee Resolution No. 056-2024
- Letter of Mary Sean L. Molig dated March 25, 2023
- CEEBDA list of salary differential and other benefits
- Notice of Step Increments (Acain, Erma B., et. al)

COMMITTEE SPONSOR/S:

▪ COMMITTEE ON **FINANCE, BUDGET AND APPROPRIATIONS**

- COUNCILOR YAN LAM S. LIM, CHAIRPERSON
- COUNCILOR JOYLEEN MERCEDES L. BALABA, VICE CHAIRPERSON
- COUNCILOR ROMEO V. CALIZO, MEMBER
- COUNCILOR EDGAR S. CABANLAS, MEMBER
- COUNCILOR KENNETH JOHN D. SACALA, MEMBER
- COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
- VICE MAYOR JOCELYN B. RODRIGUEZ, EX-OFFICIO MEMBER

▪ COMMITTEE ON **LAWS AND RULES**

- COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
- COUNCILOR ROMEO V. CALIZO, VICE CHAIRPERSON
- COUNCILOR GEORGE S. GOKING, MEMBER
- COUNCILOR ROGER G. ABADAY, MEMBER
- COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER
- COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
- VICE MAYOR JOCELYN B. RODRIGUEZ, EX-OFFICIO MEMBER

11) A. PROPOSED ORDINANCE NO. 2024-461 – authorizing the Honorable City Mayor Rolando A. Uy, representing the City Government of Cagayan de Oro, to enter into and sign the Memorandum of Agreement (MOA) with the Department of Environment and Natural Resources-Region 10 (DENR), represented by its Regional Executive Director, Henry A. Adornado, PhD, covering the partnership in the management of the Kweba de Oro Cave (*classified as Class II, per DENR Memorandum Circular No. 2012-03*), located in Barangay Bayanga, this City, under the terms and conditions stipulated therein.

B. PROPOSED ORDINANCE NO. 2024-462 – authorizing the Honorable City Mayor Rolando A. Uy, representing the City Government of Cagayan de Oro, to enter into and sign the Memorandum of Agreement (MOA) with the Department of Environment and Natural Resources-Region 10 (DENR), represented by its Regional Executive Director, Henry A. Adornado, PhD, covering the partnership in the preservation, development and management of the Mambuaya Crystal Cave (*classified as Class II, per DENR Memorandum Circular No. 2012-03*), located in Barangay Mambuaya, this City, under the terms and conditions stipulated therein.

C. PROPOSED ORDINANCE NO. 2024-463 – authorizing the Honorable City Mayor Rolando A. Uy, representing the City Government of Cagayan de Oro, to enter into and sign the Memorandum of Agreement (MOA) with the Department of Environment and Natural Resources-Region 10 (DENR), represented by its Regional Executive Director, Henry A. Adornado, PhD, covering the partnership in the preservation, development and management of the Macahambus Cave (*classified as Class II, per DENR Memorandum Circular No. 2012-03*), located in Barangay Bayanga, this City, under the terms and conditions stipulated therein.

D. PROPOSED ORDINANCE NO. 2024-464 – authorizing the Honorable City Mayor Rolando A. Uy, representing the City Government of Cagayan de Oro, to enter into and sign the Memorandum of Agreement (MOA) with the Department of Environment and Natural Resources-Region 10 (DENR), represented by its Regional Executive Director, Henry A. Adornado, PhD, covering the partnership in the preservation, development and management of the Langag Cave (*classified as Class II, per DENR Memorandum Circular No. 2012-03*), located in Barangay Dansolihon, this City, under the terms and conditions stipulated therein.

(SEE APPENDIX "L" / Pages 116-136)

Document/s on file:

- Endorsement of the Office of the City Administrator dated April 24, 2024
- Endorsement of the Office of the City Legal Officer dated April 16, 2024
- MOA-Kweba de Oro Cave
- MOA-Mambuaya Crystal Cave

- *Endorsements of the Office of the City Environment and Natural Resources Officer dated April 18, 2024 and February 26, 2024*
- *MOA-Macahambus Cave*
- *MOA- Langag Cave*

COMMITTEE SPONSOR/S:

- COMMITTEE ON **ENVIRONMENT**
 - COUNCILOR ROGER G. ABADAY, CHAIRPERSON
 - COUNCILOR KENNETH JOHN D. SACALA, VICE CHAIRPERSON
 - COUNCILOR MARIA LOURDES S. GAANE, MEMBER
 - COUNCILOR YAN LAM S. LIM, MEMBER
 - COUNCILOR MALVERN A. ESPARCIA, MEMBER
 - COUNCILOR ROMEO V. CALIZO, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
 - VICE MAYOR JOCELYN B. RODRIGUEZ, EX-OFFICIO MEMBER

- COMMITTEE ON **LAWS AND RULES**
 - COUNCILOR EDGAR S. CABANLAS, CHAIRPERSON
 - COUNCILOR ROMEO V. CALIZO, VICE CHAIRPERSON
 - COUNCILOR GEORGE S. GOKING, MEMBER
 - COUNCILOR ROGER G. ABADAY, MEMBER
 - COUNCILOR JOYLEEN MERCEDES L. BALABA, MEMBER
 - COUNCILOR CHRISTIAN RUSTICO M. ACHAS, EX-OFFICIO MEMBER
 - VICE MAYOR JOCELYN B. RODRIGUEZ, EX-OFFICIO MEMBER

For inclusion:

- 12) PROPOSED ORDINANCE NO. 2024-465** – adopting the use of Document Security Seal by all frontline offices/departments of the City Government of Cagayan de Oro on official and original documents issued to transacting persons and/or entities, appropriating funds therefor and for other purposes.

(SEE APPENDIX "M" / Pages 137-141)

NOTE: CERTIFIED URGENT BY HONORABLE CITY MAYOR ROLANDO A. UY

Document/s on file:

- *Letter of Honorable City Mayor Rolando A. Uy dated May 6, 2024*
- *Draft Ordinance*

**MINUTES OF THE 79TH REGULAR SESSION OF THE 20TH CITY COUNCIL
(SANGGUNIANG PANLUNGSOD) OF CAGAYAN DE ORO ON
MAY 6, 2024**

1 City Vice Mayor Jocelyn B. Rodriguez, Presiding Officer called the session to order at exactly
2 2:34 PM.

3 The members present were the following:

4 *First District:*

- 5 - City Councilor **AGAPITO ERIBERTO G. SUAN**
- 6 - City Councilor **ROGER G. ABADAY**
- 7 - City Councilor **JAY R. PASCUAL**
- 8 - City Councilor **GEORGE S. GOKING**
- 9 - City Councilor **IMEE ROSE P. MORENO**
- 10 - City Councilor **ROMEO V. CALIZO**
- 11 - City Councilor **JOSE PEPE S. ABBU, JR.**
- 12 - City Councilor **MALVERN A. ESPARCIA**

13 *Second District:*

- 14 - City Councilor **YEVONNA YACINE B. EMANO**
- 15 - City Councilor **MARIA LOURDES S. GAANE, M.D.**
- 16 - City Councilor **JOYLEEN MERCEDES L. BALABA**
- 17 - City Councilor **JAMES K. JUDITH II**
- 18 - City Councilor **IAN MARK Q. NACAYA**
- 19 - City Councilor **EDGAR S. CABANLAS**
- 20 - City Councilor **CHRISTIAN RUSTICO M. ACHAS**
- 21 - City Councilor **SUZETTE G. MAGTAJAS-DABA**

22 *Ex-Officio Member:*

- 23 - City Councilor **YAN LAM S. LIM** (*President, Liga ng mga Barangay*)
- 24 - City Councilor **KENNETH JOHN D. SACALA** (*President, City SK Federation*)

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

26 **A. ON MINUTES OF THE 79TH REGULAR SESSION ON APRIL 29, 2024 AND SPECIAL**
27 **SESSION ON MAY 1, 2024**

28 **MOTION NO. 27537-2024**

29 MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE PREVIOUS REGULAR
30 SESSION ON APRIL 29, 2024, AND THE SPECIAL SESSION ON MAY 1, 2024; AND TO CONSIDER
31 THE FURNISHING OF COPIES THEREOF TO EACH MEMBER AS THE READING ITSELF

32 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Malvern A. Esparcia,
33 Roger G. Abaday and James K. Judith II, UNANIMOUSLY CARRIED.

34 **MOTION NO. 27538-2024**

35 MOTION TO APPROVE THE MINUTES OF THE PREVIOUS REGULAR SESSION ON APRIL 29, 2024,
36 AND THE SPECIAL SESSION ON MAY 1, 2024

37 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Romeo V. Calizo,
38 Roger G. Abaday and Agapito Eriberto G. Suan, UNANIMOUSLY CARRIED.

39 **B. ON SPECIAL REPORT**

- 40 i) Councilor Malvern A. Esparcia proposed to endorse the Philippine Chamber of
41 Commerce and Industry's (PCCI) plea for a balanced and rational strategy towards
42 decarbonizing industries. The proposal aims to address environmental concerns
43 while considering the economic implications of transitioning towards sustainable
44 practices. If approved, it could signal a proactive step towards aligning local policies
45 with broader environmental goals.
- 46

47 Action Taken: The report was referred to the Committee on Climate Change Adaptation &
 48 Mitigation and Disaster Risk Reduction for study and appropriate action.
 49

50 ii) Councilor Ian Mark Q. Nacaya reported about the alarming rise of cases involving
 51 the "basag-salamin" *modus operandi* used by thieves in the city. This method involves
 52 breaking windows of cars to gain unauthorized entry inside the vehicles. Councilor
 53 Nacaya emphasized the need for heightened awareness and community vigilance
 54 to combat this criminal activity effectively.
 55

56 Action Taken: The Report was referred to the Committee on Public Order and Safety
 57 for appropriate action.

58 **B. ON MINUTES OF THE 78TH REGULAR SESSION ON MAY 6, 2024**

59 **RESOLUTION NO. 14927-2024**

60 RESOLUTION RETURNING TO THE BARANGAY COUNCIL OF BARANGAY NO. 38, THIS CITY, ITS
 61 ORDINANCE NO. 01, SERIES OF 2024, COVERING ITS ANNUAL BUDGET FOR CY 2024 WITH AN
 62 ESTIMATED INCOME OF ₱3,358,958.00, WITH THE INFORMATION THAT SAID ORDINANCE IS
 63 OPERATIVE IN ITS ENTIRETY

64 Moved by Councilor Yan Lam S. Lim, duly seconded by Councilors Roger G. Abaday and
 65 George S. Goking, UNANIMOUSLY APPROVED.

66 **MOTION NO. 27539-2024**

67 MOTION TO APPROVE ON SECOND READING **RESOLUTION NO. 14927-2024**

68 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Romeo V. Calizo and
 69 James K. Judith II, UNANIMOUSLY CARRIED.

70 **RESOLUTION NO. 14919-2024**

71 RESOLUTION INTERPOSING NO OBJECTION TO THE APPLICATION OF PETRO DE ORO
 72 CORPORATION FOR MISCELLANEOUS LEASE AGREEMENT WITH THE DEPARTMENT OF
 73 ENVIRONMENT AND NATURAL RESOURCES-REGION 10 (DENR-10) COVERING A PORTION OF
 74 FORESHORE LAND FRONTING ITS PROPERTY LOCATED IN BARANGAY TABLON, THIS CITY, FOR
 75 THE CONSTRUCTION OF ITS PROPOSED MARINE FACILITY AS PART OF ITS PETROLEUM
 76 TERMINAL PROJECT, SUBJECT TO THE COMPLIANCE OF EXISTING LAWS, RULES, AND
 77 REGULATIONS PERTINENT THERETO

78 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilor Romeo V. Calizo,
 79 APPROVED BY MAJORITY.

- | | | | |
|-------------------|---------------------------|----------------------------------------|--------------------------------------|
| <u>In favor:</u> | 1 st District: | - Councilor Agapito Eriberto G. Suan | - Councilor Roger G. Abaday |
| | | - Councilor Jay R. Pascual | - Councilor George S. Goking |
| | | - Councilor Romeo V. Calizo | - Councilor Malvern A. Esparcia |
| | 2 nd District: | - Councilor Yevonna Yacine B. Emano | - Councilor Maria Lourdes S. Gaane |
| | | - Councilor Joyleen Mercedes L. Balaba | - Councilor James K. Judith II |
| | | - Councilor Edgar S. Cabanlas | - Councilor Suzette G. Magtajas-Daba |
| | | - Councilor Ian Mark Q. Nacaya | |
| | Ex-Officio: | - Councilor Yan Lam S. Lim | - Councilor Kenneth John D. Sacala |
| <u>Against:</u> | | - Councilor Christian Rustico M. Achas | |
| <u>Abstained:</u> | | - Councilor Imee Rose P. Moreno | - Councilor Jose Pepe S. Abbu, Jr. |

81 **MOTION NO. 27540-2024**

82 MOTION TO APPROVE ON SECOND READING **RESOLUTION NO. 14919-2024**

83 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Romeo V. Calizo and
 84 James K. Judith II, UNANIMOUSLY CARRIED.

- | | | | |
|------------------|---------------------------|--------------------------------------|---------------------------------|
| <u>In favor:</u> | 1 st District: | - Councilor Agapito Eriberto G. Suan | - Councilor Roger G. Abaday |
| | | - Councilor Jay R. Pascual | - Councilor George S. Goking |
| | | - Councilor Romeo V. Calizo | - Councilor Malvern A. Esparcia |

- 2nd District: - Councilor Yevonna Yacine B. Emano - Councilor Maria Lourdes S. Gaane
- Councilor Joyleen Mercedes L. Balaba - Councilor James K. Judith II
- Councilor Edgar S. Cabanlas - Councilor Suzette G. Magtajas-Daba
- Councilor Ian Mark Q. Nacaya
Ex-Officio: - Councilor Yan Lam S. Lim - Councilor Kenneth John D. Sacala
Against: - Councilor Christian Rustico M. Achas
Abstained: - Councilor Imee Rose P. Moreno - Councilor Jose Pepe S. Abbu, Jr.

85

86

RESOLUTION NO. 14920-2024

87 RESOLUTION ACCREDITING THE CITIZEN CRIME WATCH-CAGAYAN DE ORO CITY CHAPTER FOR
88 PURPOSES OF ITS MEMBERSHIP IN THE LOCAL SPECIAL BODIES, PURSUANT TO DILG CIRCULAR
89 NO. 2022-083 AND ARTICLE 64, RULE XIII OF THE RULES AND REGULATIONS IMPLEMENTING
90 THE 1991 LOCAL GOVERNMENT CODE, OR FUNDING ITS PROJECTS FROM THE CITY OR OTHER
91 SOURCES AS REQUIRED UNDER THE COA CIRCULAR PERTINENT THERETO; AND FOR ITS
92 MEMBERSHIP IN THE COMMITTEE ON PEOPLE'S ORGANIZATION OF THE CITY DEVELOPMENT
93 COUNCIL (CDC), PURSUANT TO ORDINANCE NO. 14334-2022

94 Moved by Councilor Ian Mark Q. Nacaya, duly seconded by Councilors Romeo V. Calizo and
95 Kenneth John D. Sacala, UNANIMOUSLY APPROVED.

96

MOTION NO. 27541-2024

97 MOTION TO APPROVE ON SECOND READING **RESOLUTION NO. 14920-2024**

98 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Romeo V. Calizo and
99 George S. Goking, UNANIMOUSLY CARRIED.

100

RESOLUTION NO. 14921-2024

101 RESOLUTION INTERPOSING NO OBJECTION TO THE REQUEST OF THE DEPARTMENT OF
102 INFORMATION AND COMMUNICATIONS TECHNOLOGY-REGION 10 (DICT-10), REPRESENTED BY
103 ITS REGIONAL DIRECTOR, SITTI RAHMA V. ALAWI, MTM, CSSGB, TO ALLOW ITS FIBER OPTIC
104 CABLE TO TRAVERSE ALONG J.R. BORJA BRIDGE, THIS CITY, AS PART OF THE IMPLEMENTATION
105 OF ITS CAGAYAN DE ORO GOVERNMENT NETWORK (CDO GOVNET) PROJECT, SUBJECT TO THE
106 COMPLIANCE OF EXISTING LAWS, RULES, AND REGULATIONS PERTINENT THERETO

107 Moved by Councilor Roger G. Abaday, duly seconded by Councilors Jay R. Pascual and
108 Romeo V. Calizo, UNANIMOUSLY APPROVED.

109

MOTION NO. 27542-2024

110 MOTION TO APPROVE ON SECOND READING **RESOLUTION NO. 14921-2024**

111 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Kenneth John D.
112 Sacala and Malvern A. Esparcia, UNANIMOUSLY CARRIED.

113

RESOLUTION NO. 14922-2024

114 RESOLUTION INTERPOSING NO OBJECTION TO THE TRANSFER OF LOCATION OF THE
115 ELECTRONIC GAMES/ELECTRONIC BINGO OF GGJ ENTERTAINMENT CORPORATION FROM
116 MONTALVAN-VELEZ STREETS, BARANGAY NO. 14 TO THE 1ST AND 2ND FLOORS, B4 L1, PEDRO
117 MABULAY STREET, BARANGAY NO. 27, THIS CITY

118 Moved by Councilor Roger G. Abaday, duly seconded by Councilors Jose Pepe S. Abbu, Jr.
119 and Kenneth John D. Sacala, UNANIMOUSLY APPROVED.

120

MOTION NO. 27543-2024

121 MOTION TO APPROVE ON SECOND READING **RESOLUTION NO. 14922-2024**

122 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors James K. Judith II,
123 Malvern A. Esparcia and Romeo V. Calizo, UNANIMOUSLY CARRIED.

124

ORDINANCE NO. 14782-2024

125 AN ORDINANCE APPROPRIATING THE SUM OF ₱19,951.73 FROM THE ITEM: "NON-OFFICE:
126 GENERAL PUBLIC SERVICES-TERMINAL LEAVE BENEFITS/ MONETIZATION OF EARNED LEAVE
127 CREDITS (EARMARKED FOR ENGR. ALLAN O. VILLALBA OF THE OFFICE OF THE CITY PUBLIC
128 SERVICES OFFICER)" IN THE 2024 ANNUAL BUDGET TO BE MADE AVAILABLE FOR THE PAYMENT
129 OF THE TERMINAL LEAVE PAY OF MR. MANUEL B. PAGARAN, FORMER ADMINISTRATIVE AIDE I
130 (CASUAL) OF SAME OFFICE, WHOSE TERM ENDED LAST JULY 1, 2013

131 Moved by Councilor Joyleen Mercedes L. Balaba, duly seconded by Councilors Roger G.
132 Abaday and Agapito Eriberto G. Suan, UNANIMOUSLY APPROVED.

133

MOTION NO. 27544-2024

134 MOTION TO APPROVE ON SECOND AND FINAL READING **ORDINANCE NO. 14782-2024**

135 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Romeo V. Calizo,
136 Roger G. Abaday and George S. Goking, UNANIMOUSLY CARRIED.

137

ORDINANCE NO. 14783-2024

138 AN ORDINANCE APPROPRIATING THE SUM OF ₱86,306.13 FROM THE ITEM: "PERSONAL
139 SERVICES-SALARIES AND WAGES (SAVINGS) UNDER ITEM NO. 3 (MEDICAL OFFICER III) OF THE
140 CAGAYAN DE ORO CITY HOSPITAL-TABLON, J.R. BORJA GENERAL HOSPITAL (ANNEX), FOR THE
141 PERIOD JANUARY 1 TO FEBRUARY 11, 2024)" IN THE 2024 ANNUAL BUDGET TO BE MADE
142 AVAILABLE FOR THE PAYMENT OF THE UNPAID CLAIM FOR SALARIES AND WAGES AND OTHER
143 BENEFITS FOR THE PERIOD DECEMBER 1-31, 2023 OF DR. NIÑA DAFFODIL G. BAGUIO, MEDICAL
144 OFFICER III, OF SAME HOSPITAL

145 Moved by Councilor Yan Lam S. Lim, duly seconded by Councilors Romeo V. Calizo, George
146 S. Goking and Roger G. Abaday, UNANIMOUSLY APPROVED.

147

MOTION NO. 27545-2024

148 MOTION TO APPROVE ON SECOND AND FINAL READING **ORDINANCE NO. 14783-2024**

149 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Romeo V. Calizo,
150 UNANIMOUSLY CARRIED.

151

ORDINANCE NO. 14784-2024

152 AN ORDINANCE APPROPRIATING THE SUM OF ₱6,073.76 FROM THE ITEM: "PERSONAL SERVICES-
153 SALARIES AND WAGES (SAVINGS) UNDER ITEM NO. 156 (CONSTRUCTION AND MAINTENANCE
154 MAN) OF THE OFFICE OF THE CITY ENGINEER FOR THE PERIOD JANUARY 1-15, 2024)" IN THE
155 2024 ANNUAL BUDGET TO BE MADE AVAILABLE FOR THE PAYMENT OF THE TWO-MONTH
156 SALARY DIFFERENTIAL FOR THE PERIOD NOVEMBER-DECEMBER 2023 OF MR. EDWIN E.
157 PABILONA, ADMINISTRATIVE AIDE V (MASON II) OF SAID OFFICE

158 Moved by Councilor Romeo V. Calizo, duly seconded by Councilors Malvern A. Esparcia
159 and Kenneth John D. Sacala, UNANIMOUSLY APPROVED.

160

MOTION NO. 27546-2024

161 MOTION TO APPROVE ON SECOND AND FINAL READING **ORDINANCE NO. 14784-2024**

162 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Malvern A. Esparcia
163 and Romeo V. Calizo, UNANIMOUSLY CARRIED.

164

ORDINANCE NO. 14785-2024

165 AN ORDINANCE APPROPRIATING THE SUM OF ₱19,164.79 FROM THE ITEM: "NON-OFFICE:
166 GENERAL PUBLIC SERVICES-TERMINAL LEAVE BENEFITS/MONETIZATION OF EARNED LEAVE
167 CREDITS (EARMARKED FOR ENGR. FERDINAND P. DY, PLANNING OFFICER III OF THE OFFICE OF
168 THE CITY PLANNING AND DEVELOPMENT COORDINATOR)" IN THE 2024 ANNUAL BUDGET TO BE

169 MADE AVAILABLE FOR THE PAYMENT OF THE DEFICIENCY OF TERMINAL LEAVE PAY OF MR.
170 RAMIR M. BALQUIN, FORMER ASSISTANT CITY PLANNING AND DEVELOPMENT COORDINATOR,
171 WHO RETIRED FROM THE GOVERNMENT SERVICE LAST DECEMBER 11, 2023

172 Moved by Councilor Kenneth John D. Sacala, duly seconded by Councilors Romeo V. Calizo
173 and Malvern A. Esparcia, UNANIMOUSLY APPROVED.

174 **MOTION NO. 27547-2024**

175 MOTION TO APPROVE ON SECOND AND FINAL READING **ORDINANCE NO. 14785-2024**

176 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors Malvern A. Esparcia
177 and Romeo V. Calizo, UNANIMOUSLY CARRIED.

178 **ORDINANCE NO. 14786-2024**

179 AN ORDINANCE AUTHORIZING THE CITY ACCOUNTANT TO CHARGE THE SUM OF ₱49,920.00 TO
180 THE ITEM: "MAINTENANCE AND OTHER OPERATING EXPENSES (MOOE)-OTHER MAINTENANCE
181 AND OPERATING EXPENSES (OMOE) UNDER THE OFFICE OF THE CITY GENERAL SERVICES
182 OFFICER" IN THE 2024 ANNUAL BUDGET TO COVER PAYMENT OF THE UNPAID MEAL
183 ALLOWANCES OF THE CITY INVENTORY TEAM FOR THE PERIOD SEPTEMBER TO DECEMBER 2023,
184 PER MEMORANDUM NO. 2184-2023 DATED SEPTEMBER 4, 2023 OF THE HONORABLE CITY
185 MAYOR

186 Moved by Councilor Christian Rustico M. Achas, duly seconded by Councilors Romeo V.
187 Calizo, UNANIMOUSLY APPROVED.

188 **MOTION NO. 27548-2024**

189 MOTION TO APPROVE ON SECOND AND FINAL READING **ORDINANCE NO. 14786-2024**

190 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors James K. Judith II,
191 UNANIMOUSLY CARRIED.

192 **ORDINANCE NO. 14787-2024**

193 AN ORDINANCE APPROVING THE ALTERATION OF PLAN OF A PORTION OF CONSOLACION
194 VILLAGE SUBDIVISION PROJECT, LOCATED IN BARANGAY CONSOLACION, THIS CITY,
195 PARTICULARLY BLOCK 4 (LOTS 30-39), BLOCK 5 (LOTS 25-27), BLOCK 6 (LOTS 1-20), BLOCK 11,
196 OPEN SPACE (OLD) BLOCK 8, ROAD (LOTS 5 & 7), OPEN SPACE (NEW): BLOCK 4 (LOTS 1, 3, 5 &
197 7), WITH TOTAL AFFECTED AREA OF 25,631 SQUARE METERS, BY CONSOLIDATING THE SAID 40
198 LOTS INTO 2 LOTS FOR COMMERCIAL PROJECT PURPOSES, AS APPLIED FOR BY THE CD
199 CORPORATION, REPRESENTED BY MR. JUNELLO N. MACARIÑAS; SUBJECT TO THE CONDITIONS
200 IMPOSED BY THE CITY HOUSING BOARD, CITY HOUSING AND URBAN DEVELOPMENT
201 DEPARTMENT, AND THE OFFICE OF THE CITY ENGINEER

202 Moved by Councilor Maria Lourdes S. Gaane, duly seconded by Councilors Jose Pepe S.
203 Abbu, Jr. and James K. Judith II, UNANIMOUSLY APPROVED.

204 **MOTION NO. 27549-2024**

205 MOTION TO APPROVE ON SECOND AND FINAL READING **ORDINANCE NO. 14787-2024**

206 Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors James K. Judith II and
207 Romeo V. Calizo, UNANIMOUSLY CARRIED.

208 **ORDINANCE NO. 14788-2024**

209 AN ORDINANCE PROVIDING FOR THE ROAD SAFETY IN THE CITY OF CAGAYAN DE ORO,
210 IMPOSING PENALTIES TO OFFENDERS, AND APPROPRIATING FUNDS THEREFOR; AND FOR
211 OTHER PURPOSES

212 Moved by Councilor Romeo V. Calizo, severally seconded by all members present,
213 UNANIMOUSLY APPROVED.

214

MOTION NO. 27550-2024

215

MOTION TO APPROVE ON SECOND AND FINAL READING **ORDINANCE NO. 14788-2024**

216

Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors James K. Judith II,
217 UNANIMOUSLY CARRIED.

218

MOTION NO. 27551-2024

219

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

220

13) PROPOSED ORDINANCE NO. 2024-456 – approving the application of Mr. Victor P.
221 Cabeltes for a permit to conduct a 3-Wins Hackfight at the Indahag Square Garden,
222 Barangay Indahag, this City, on May 15, 2024, on the occasion of the celebration of the
223 feast of San Isidro Labrador

224

Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilor James K. Judith II,
225 UNANIMOUSLY CARRIED.

226

ORDINANCE NO. 14789-2024

227

AN ORDINANCE APPROVING THE APPLICATION OF MR. VICTOR P. CABELTES FOR A PERMIT TO
228 CONDUCT A 3-WINS HACKFIGHT AT THE INDAHAG SQUARE GARDEN, BARANGAY INDAHAG,
229 THIS CITY, ON MAY 15, 2024, ON THE OCCASION OF THE CELEBRATION OF THE FEAST OF SAN
230 ISIDRO LABRADOR

231

Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors James K. Judith II and
232 Malvern A. Esparcia, UNANIMOUSLY APPROVED.

233

MOTION NO. 27552-2024

234

MOTION TO APPROVE ON SECOND AND FINAL READING **ORDINANCE NO. 14789-2024**

235

Moved by Councilor Edgar S. Cabanlas, duly seconded by Councilors James K. Judith II and
236 Malvern A. Esparcia, UNANIMOUSLY CARRIED.

237

MOTION NO. 27553-2024

238

MOTION TO ADJOURN THE 79TH REGULAR SESSION OF THE 20TH CITY COUNCIL (*Sangguniang*
239 *Panlungsod*) OF CAGAYAN DE ORO

240

Moved by Councilor Edgar S. Cabanlas, severally seconded by the members present,
241 UNANIMOUSLY CARRIED.

242

The session adjourned at 4:00 PM, May 6, 2024.

I hereby certify to the correctness of the foregoing Minutes.

ARTURO S. DE SAN MIGUEL

CITY COUNCIL SECRETARY

Attested as correct:

JOCELYN B. RODRIGUEZ

CITY VICE MAYOR
PRESIDING OFFICER



ORDINANCE NO. 14782-2024

AN ORDINANCE APPROPRIATING THE SUM OF ₱19,951.73 FROM THE ITEM: "NON-OFFICE: GENERAL PUBLIC SERVICES-TERMINAL LEAVE BENEFITS/ MONETIZATION OF EARNED LEAVE CREDITS (EARMARKED FOR ENGR. ALLAN O. VILLALBA OF THE OFFICE OF THE CITY PUBLIC SERVICES OFFICER)" IN THE 2024 ANNUAL BUDGET TO BE MADE AVAILABLE FOR THE PAYMENT OF THE TERMINAL LEAVE PAY OF MR. MANUEL B. PAGARAN, FORMER ADMINISTRATIVE AIDE I (CASUAL) OF SAME OFFICE, WHOSE TERM ENDED LAST JULY 1, 2013

BE IT ORDAINED by the 20th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session that:

SECTION 1. The sum of ₱19,951.73 is hereby appropriated from the item: "Non-Office: General Public Services-Terminal Leave Benefits/ Monetization of Earned Leave Credits (*earmarked for Engr. Allan O. Villalba of the Office of the City Public Services Officer*)" in the 2024 Annual Budget to be made available for the payment of the terminal leave pay of Mr. Manuel B. Pagaran, former Administrative Aide I (*Casual*) of same Office, whose term ended last July 1, 2013.

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

UNANIMOUSLY APPROVED.

- | | | | |
|-----------------|---------------------------|----------------------------------------|----------------------------------------|
| <u>Present:</u> | 1 st District: | - Councilor Agapito Eriberto G. Suan | - Councilor Roger G. Abaday |
| | | - Councilor Jay R. Pascual | - Councilor George S. Goking |
| | | - Councilor Imee Rose P. Moreno | - Councilor Jose Pepe S. Abbu, Jr. |
| | | - Councilor Romeo V. Calizo | - Councilor Malvern A. Esparcia |
| | 2 nd District: | - Councilor Yevonna Yacine B. Emano | - Councilor James K. Judith II |
| | | - Councilor Maria Lourdes S. Gaane | - Councilor Ian Mark Q. Nacaya |
| | | - Councilor Joyleen Mercedes L. Balaba | - Councilor Christian Rustico M. Achas |
| | | - Councilor Edgar S. Cabanlas | - Councilor Suzette G. Magtajas-Daba |
| | Ex-Officio: | - Councilor Yan Lam S. Lim | - Councilor Kenneth John D. Sacala |

ENACTED this 6th day of May 2024 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:

JOCELYN B. RODRIGUEZ
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

ROLANDO A. UY
CITY MAYOR

Attested:

ATTY. ROY HILARIO P. RAAGAS
CITY ADMINISTRATOR



ORDINANCE NO. 14783-2024

AN ORDINANCE APPROPRIATING THE SUM OF ₱86,306.13 FROM THE ITEM: "PERSONAL SERVICES-SALARIES AND WAGES (SAVINGS) UNDER ITEM NO. 3 (MEDICAL OFFICER III) OF THE CAGAYAN DE ORO CITY HOSPITAL-TABLON, J.R. BORJA GENERAL HOSPITAL (ANNEX), FOR THE PERIOD JANUARY 1 TO FEBRUARY 11, 2024)" IN THE 2024 ANNUAL BUDGET TO BE MADE AVAILABLE FOR THE PAYMENT OF THE UNPAID CLAIM FOR SALARIES AND WAGES AND OTHER BENEFITS FOR THE PERIOD DECEMBER 1-31, 2023 OF DR. NIÑA DAFFODIL G. BAGUIO, MEDICAL OFFICER III, OF SAME HOSPITAL

BE IT ORDAINED by the 20th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session that:

SECTION 1. The sum of ₱86,306.13 is hereby appropriated from the item: "*Personal Services-Salaries and Wages (Savings) under Item No. 3 (Medical Officer III) of the Cagayan de Oro City Hospital-Tablon, J.R. Borja General Hospital (Annex), for the period January 1 to February 11, 2024*)" in the 2024 Annual Budget to be made available for the payment of the unpaid claim for salaries and wages and other benefits for the period December 1-31, 2023 of Dr. Niña Daffodil G. Baguio, Medical Officer III, of same hospital, viz:

Particulars	Amount
Personal Services:	
Salaries and Wages	₱ 63,997.00
Other Compensation	
Personal Economic Relief Allowance (PERA)	2,000.00
Subsistence Allowance	1,500.00
Laundry Allowance	150.00
Hazard Pay	8,319.61
Personnel Benefits Contribution	
Life and Retirement Insurance Premiums	7,679.64
Pag-ibig Contribution	1,279.94
PhilHealth Contributions	1,279.94
Employees Compensation Insurance Premiums	100.00

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

UNANIMOUSLY APPROVED.

Present:

1 st District:	- Councilor Agapito Eriberto G. Suan	- Councilor Roger G. Abaday
	- Councilor Jay R. Pascual	- Councilor George S. Goking
	- Councilor Imee Rose P. Moreno	- Councilor Jose Pepe S. Abbu, Jr.
	- Councilor Romeo V. Calizo	- Councilor Malvern A. Esparcia
2 nd District:	- Councilor Yevonna Yacine B. Emano	- Councilor James K. Judith II
	- Councilor Maria Lourdes S. Gaane	- Councilor Ian Mark Q. Nacaya
	- Councilor Joyleen Mercedes L. Balaba	- Councilor Christian Rustico M. Achas
	- Councilor Edgar S. Cabanlas	- Councilor Suzette G. Magtajas-Daba
Ex-Officio:	- Councilor Yan Lam S. Lim	- Councilor Kenneth John D. Sacala

ENACTED this 6th day of May 2024 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:

JOCELYN B. RODRIGUEZ
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

ROLANDO A. UY
CITY MAYOR

Attested:

ATTY. ROY HILARIO P. RAAGAS
CITY ADMINISTRATOR



ORDINANCE NO. 14784-2024

AN ORDINANCE APPROPRIATING THE SUM OF ₱6,073.76 FROM THE ITEM: "PERSONAL SERVICES-SALARIES AND WAGES (SAVINGS) UNDER ITEM NO. 156 (CONSTRUCTION AND MAINTENANCE MAN) OF THE OFFICE OF THE CITY ENGINEER FOR THE PERIOD JANUARY 1-15, 2024)" IN THE 2024 ANNUAL BUDGET TO BE MADE AVAILABLE FOR THE PAYMENT OF THE TWO-MONTH SALARY DIFFERENTIAL FOR THE PERIOD NOVEMBER-DECEMBER 2023 OF MR. EDWIN E. PABILONA, ADMINISTRATIVE AIDE V (MASON II) OF SAID OFFICE

BE IT ORDAINED by the 20th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session that:

SECTION 1. The sum of ₱6,073.76 is hereby appropriated from the "Personal Services-Salaries and Wages (Savings) under Item No. 156 (Construction and Maintenance Man) of the Office of the City Engineer for the period January 1-15, 2024)" in the 2024 Annual Budget to be made available for the payment of the two-month salary differential for the period November-December 2023 of Mr. Edwin E. Pabilona, Administrative Aide V (Mason II) of said office, viz:

PARTICULARS	OLD RATE	NEW RATE	DIFFERENCE (2 MOS.)
Personal Services:			
Salaries and Wages (November – December 2023)	₱13,925.00	₱16,543.00	₱ 5,236.00
Retirement & life Insurance Premium			628.32
Pag-ibig Contribution			104.72
PhilHealth Contribution			104.72

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

UNANIMOUSLY APPROVED.

Present:

1 st District:	- Councilor Agapito Eriberto G. Suan	- Councilor Roger G. Abaday
	- Councilor Jay R. Pascual	- Councilor George S. Goking
	- Councilor Imee Rose P. Moreno	- Councilor Jose Pepe S. Abbu, Jr.
	- Councilor Romeo V. Calizo	- Councilor Malvern A. Esparcia
2 nd District:	- Councilor Yevonna Yacine B. Emamo	- Councilor James K. Judith II
	- Councilor Maria Lourdes S. Gaane	- Councilor Ian Mark Q. Nacaya
	- Councilor Joyleen Mercedes L. Balaba	- Councilor Christian Rustico M. Achas
	- Councilor Edgar S. Cabanlas	- Councilor Suzette G. Magtajas-Daba
Ex-Officio:	- Councilor Yan Lam S. Lim	- Councilor Kenneth John D. Sacala

ENACTED this 6th day of May 2024 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:

JOCELYN B. RODRIGUEZ
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

ROLANDO A. UY
CITY MAYOR

Attested:

ATTY. ROY HILARIO P. RAAGAS
CITY ADMINISTRATOR



ORDINANCE NO. 14785-2024

AN ORDINANCE APPROPRIATING THE SUM OF ₱19,164.79 FROM THE ITEM: "NON-OFFICE: GENERAL PUBLIC SERVICES-TERMINAL LEAVE BENEFITS/MONETIZATION OF EARNED LEAVE CREDITS (EARMARKED FOR ENGR. FERDINAND P. DY, PLANNING OFFICER III OF THE OFFICE OF THE CITY PLANNING AND DEVELOPMENT COORDINATOR)" IN THE 2024 ANNUAL BUDGET TO BE MADE AVAILABLE FOR THE PAYMENT OF THE DEFICIENCY OF TERMINAL LEAVE PAY OF MR. RAMIR M. BALQUIN, FORMER ASSISTANT CITY PLANNING AND DEVELOPMENT COORDINATOR, WHO RETIRED FROM THE GOVERNMENT SERVICE LAST DECEMBER 11, 2023

BE IT ORDAINED by the 20th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session that:

SECTION 1. The sum of ₱19,164.79 is hereby appropriated from the item: "Non-Office: General Public Services-Terminal Leave Benefits/Monetization of Earned Leave Credits (*earmarked for Engr. Ferdinand P. Dy, Planning Officer III of the Office of the City Planning and Development Coordinator*)" in the 2024 Annual Budget to be made available for the payment of the deficiency of terminal leave pay of Mr. Ramir M. Balquin, former Assistant City Planning and Development Coordinator, who retired from the government service last December 11, 2023.

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

UNANIMOUSLY APPROVED.

<u>Present:</u>	1 st District:	- Councilor Agapito Eriberto G. Suan	- Councilor Roger G. Abaday
		- Councilor Jay R. Pascual	- Councilor George S. Goking
		- Councilor Imee Rose P. Moreno	- Councilor Jose Pepe S. Abbu, Jr.
		- Councilor Romeo V. Calizo	- Councilor Malvern A. Esparcia
	2 nd District:	- Councilor Yevonna Yacine B. Emano	- Councilor James K. Judith II
		- Councilor Maria Lourdes S. Gaane	- Councilor Ian Mark Q. Nacaya
		- Councilor Joyleen Mercedes L. Balaba	- Councilor Christian Rustico M. Achas
		- Councilor Edgar S. Cabanlas	- Councilor Suzette G. Magtajas-Daba
	Ex-Officio:	- Councilor Yan Lam S. Lim	- Councilor Kenneth John D. Sacala

ENACTED this 6th day of May 2024 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:

JOCELYN B. RODRIGUEZ
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

ROLANDO A. UY
CITY MAYOR

Attested:

ATTY. ROY HILARIO P. RAAGAS
CITY ADMINISTRATOR



ORDINANCE NO. 14786-2024

AN ORDINANCE AUTHORIZING THE CITY ACCOUNTANT TO CHARGE THE SUM OF ₱49,920.00 TO THE ITEM: "MAINTENANCE AND OTHER OPERATING EXPENSES (MOOE)- OTHER MAINTENANCE AND OPERATING EXPENSES (OMOE) UNDER THE OFFICE OF THE CITY GENERAL SERVICES OFFICER" IN THE 2024 ANNUAL BUDGET TO COVER PAYMENT OF THE UNPAID MEAL ALLOWANCES OF THE CITY INVENTORY TEAM FOR THE PERIOD SEPTEMBER TO DECEMBER 2023, PER MEMORANDUM NO. 2184-2023 DATED SEPTEMBER 4, 2023 OF THE HONORABLE CITY MAYOR ROLANDO A. UY

BE IT ORDAINED by the 20th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session that:

SECTION 1. The City Accountant is hereby authorized to charge the sum of ₱49,920.00 to the item: "Maintenance and other operating Expenses (MOOE)-Other Maintenance and Operating Expenses (OMOE) under the Office of the City General Services Officer" in the 2024 Annual Budget to cover payment of the unpaid meal allowances of the City Inventory Team for the period September to December 2023, per Memorandum No. 2184-2023 dated September 4, 2023 of the Honorable City Mayor Rolando A. Uy.

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

UNANIMOUSLY APPROVED.

- | | | | |
|-----------------|---------------------------|----------------------------------------|----------------------------------------|
| <u>Present:</u> | 1 st District: | - Councilor Agapito Eriberto G. Suan | - Councilor Roger G. Abaday |
| | | - Councilor Jay R. Pascual | - Councilor George S. Goking |
| | | - Councilor Imee Rose P. Moreno | - Councilor Jose Pepe S. Abbu, Jr. |
| | | - Councilor Romeo V. Calizo | - Councilor Malvern A. Esparcia |
| | 2 nd District: | - Councilor Yevonna Yacine B. Emano | - Councilor James K. Judith II |
| | | - Councilor Maria Lourdes S. Gaane | - Councilor Ian Mark Q. Nacaya |
| | | - Councilor Joyleen Mercedes L. Balaba | - Councilor Christian Rustico M. Achas |
| | | - Councilor Edgar S. Cabanlas | - Councilor Suzette G. Magtajas-Daba |
| | Ex-Officio: | - Councilor Yan Lam S. Lim | - Councilor Kenneth John D. Sacala |

ENACTED this 6th day of May 2024 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:

JOCELYN B. RODRIGUEZ
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

ROLANDO A. UY
CITY MAYOR

Attested:

ATTY. ROY HILARIO P. RAAGAS
CITY ADMINISTRATOR



ORDINANCE NO. 14787-2024

AN ORDINANCE APPROVING THE ALTERATION OF PLAN OF A PORTION OF CONSOLACION VILLAGE SUBDIVISION PROJECT, LOCATED IN BARANGAY CONSOLACION, THIS CITY, PARTICULARLY BLOCK 4 (LOTS 30-39), BLOCK 5 (LOTS 25-27), BLOCK 6 (LOTS 1-20), BLOCK 11, OPEN SPACE (OLD) BLOCK 8, ROAD (LOTS 5 & 7), OPEN SPACE (NEW): BLOCK 4 (LOTS 1, 3, 5 & 7), WITH TOTAL AFFECTED AREA OF 25,631 SQUARE METERS, BY CONSOLIDATING THE SAID 40 LOTS INTO 2 LOTS FOR COMMERCIAL PROJECT PURPOSES, AS APPLIED FOR BY THE CD CORPORATION, REPRESENTED BY MR. JUNELLO N. MACARIÑAS; SUBJECT TO THE CONDITIONS IMPOSED BY THE CITY HOUSING BOARD, CITY HOUSING AND URBAN DEVELOPMENT DEPARTMENT, AND THE OFFICE OF THE CITY ENGINEER

BE IT ORDAINED by the 20th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session that:

SECTION 1. The Alteration of Plan of a portion of Consolacion Village Subdivision Project, located in Barangay Consolacion, this City, particularly Block 4 (Lots 30-39), Block 5 (Lots 25-27), Block 6 (Lots 1-20), Block 11, Open Space (old) Block 8, Road (Lots 5 & 7), Open Space (new): Block 4 (Lots 1, 3, 5 & 7), with total affected area of 25,631 square meters, by consolidating the said 40 lots into 2 lots for commercial project purposes, as applied for by the CD Corporation, represented by Mr. Junello N. Macariñas, is hereby approved; subject to the conditions imposed by the City Housing Board, City Housing and Urban Development Department, and the Office of the City Engineer.

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

UNANIMOUSLY APPROVED.

- | | | | |
|-----------------|---------------------------|----------------------------------------|----------------------------------------|
| <u>Present:</u> | 1 st District: | - Councilor Agapito Eriberto G. Suan | - Councilor Roger G. Abaday |
| | | - Councilor Jay R. Pascual | - Councilor George S. Goking |
| | | - Councilor Imee Rose P. Moreno | - Councilor Jose Pepe S. Abbu, Jr. |
| | | - Councilor Romeo V. Calizo | - Councilor Malvern A. Esparcia |
| | 2 nd District: | - Councilor Yevonna Yacine B. Emano | - Councilor James K. Judith II |
| | | - Councilor Maria Lourdes S. Gaane | - Councilor Ian Mark Q. Nacaya |
| | | - Councilor Joyleen Mercedes L. Balaba | - Councilor Christian Rustico M. Achas |
| | | - Councilor Edgar S. Cabanlas | - Councilor Suzette G. Magtajas-Daba |
| | Ex-Officio: | - Councilor Yan Lam S. Lim | - Councilor Kenneth John D. Sacala |

ENACTED this 6th day of May 2024 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:

JOCELYN B. RODRIGUEZ
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

ROLANDO A. UY
CITY MAYOR

Attested:

ATTY. ROY HILARIO P. RAAGAS
CITY ADMINISTRATOR



ORDINANCE NO. 14788-2024

AN ORDINANCE PROVIDING FOR THE ROAD SAFETY IN THE CITY OF CAGAYAN DE ORO, IMPOSING PENALTIES TO OFFENDERS, AND APPROPRIATING FUNDS THEREFOR; AND FOR OTHER PURPOSES

WHEREAS, the World Health Organization has identified that road traffic injuries are among the top three (3) causes of death for those aged 5-24 years old;

WHEREAS, in the Philippines, the number of road crashes in the Philippines has been steadily increasing since 2006, with road crashes being among the leading causes of death of children in the country;

WHEREAS, the Cagayan De Oro City Police Office – Traffic Enforcement Unit recorded high numbers of road crashes resulting in death, injuries, and damage to property, with 5,882 road crashes in 2019, 49 of which resulted in deaths, 1,666 crashes that led to physical injuries, and 4,167 resulting in damage to property, with 49 road crashes involving children;

WHEREAS, while the City Government of Cagayan de Oro has adopted ordinances designed to promote road safety, it recognizes the need to improve the enforcement of existing road safety ordinances and introduce new interventions to further reduce the number of road crashes in the City;

WHEREAS, the City Government of Cagayan de Oro recognizes that road safety is a shared responsibility, and that those who design and regulate the roads have as much responsibility in preventing road injury and deaths as those who use the roads.

NOW, THEREFORE,

BE IT ORDAINED by the 20th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session assembled that:

ARTICLE I - GENERAL PROVISIONS

SECTION 1. Title - This Ordinance shall be known as the "**Road Safety Ordinance of Cagayan de Oro City.**"

SECTION 2. Declaration of Principles - It is the policy of the City to ensure the safety of all road users within the territorial jurisdiction of Cagayan de Oro City and to promote public health, safety and convenience. Toward this end, the City Government of Cagayan de Oro adopts the Safe System approach to road safety and recognizes the following principles:

- a. The five (5) road safety pillars, *i.e.* (1) Road Safety Management; (2) Safer Roads and Mobility; (3) Safer Vehicles; (4) Safer Road Users; and (5) Post-Crash Response, must be strengthened to ensure that road crashes resulting from common human error do not result in death or serious injury;
- b. Road safety is a shared responsibility between those who design and regulate the road and those who use the road;
- c. Road safety is a multi-sectoral public health issue that requires the participation of all sectors, including the private sector and civil society organizations;
- d. Road design and setting of speed limits must take into consideration the need to protect vulnerable road users such as pedestrians, bicycle riders, and motorcycle riders; and
- e. Known effective interventions must be maximized in order to significantly reduce the number of road crash injuries and fatalities in Cagayan de Oro City.

SECTION 3. Interpretation - Words and phrases not defined in this Ordinance shall be given their plain or customary meanings unless the context requires otherwise. All words, phrases, and provisions shall be interpreted in a manner that is consistent with the purpose and spirit of this Ordinance.



SECTION 4. Coverage - This ordinance shall apply to all road users within or passing through Cagayan De Oro City, including but not limited to motor vehicles, bicycles and other modes of transportation, the drivers and owners thereof, and pedestrians, other private individuals, public officers, public and private entities.

SECTION 5. Definition Of Terms - As used in this Ordinance, the following words and phrases shall have the meanings ascribed to them in this Section:

- a. **Alcoholic beverage** - shall refer to any drink or liquid that contains alcohol that is capable of use as a beverage, including, but not limited to, distilled spirits wine, beer and other fermented liquors.
- b. **AUVs** - shall refer to Asian Utility Vans or vehicles commonly known as FX.
- c. **Blood Alcohol Concentration Level or BAC** - shall refer to the measure of the amount of alcohol in a person's blood.
- d. **Child or Children** - shall refer to persons aged 0 to twelve (12) years of age.
- e. **Child Restraint System or CRS** - shall refer to a device capable of accommodating a child occupant in a sitting or supine position. It is so designed as to diminish the risk of injury to the wearer, in the event of a collision or of abrupt deceleration of the vehicle, by limiting the mobility of the child's body.
- f. **City** - shall refer to Cagayan de Oro City created under Republic Act No. 521 (1950).
- g. **City Council** - shall refer to the Cagayan de Oro City Council.
- h. **City Government** - shall refer to the City Government of Cagayan De Oro.
- i. **City Streets** - shall refer to roads within the City, roads that connect to the National and City Roads, and roads that provide inter-barangay connections to major City infrastructure without traversing national roads, within the jurisdiction of Cagayan De Oro City, not otherwise designated as National Roads, Barangay Roads, and Crowded Streets.
- j. **Crowded streets** - shall refer to streets with heavy pedestrian traffic, including all streets within a five hundred (500)-meter radius of the perimeter of schools, public transportation terminals, markets, government buildings, churches and other places of worship, recreational places, facilities frequented by the youth, parks, shopping malls, movie houses, hotels, restaurants, and other public places as may be determined by the city. In case of linear strips of crowded areas, the reckoning point for the five hundred (500)- meter radius shall be the first and the last crowded public place.
- k. **Dangerous drugs and other similar substances** - shall refer to drugs listed in the schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the schedules annexed to the 1971 Single Convention of Psychotropic Substances as enumerated in its attachment which is an integral part of Republic Act No. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002» and those that the Dangerous Drugs Board created under the same Act may reclassify, add to or remove from the list of dangerous drugs.
- l. **Designated Driver** - shall refer to a person who is designated as the responsible driver of a vehicle, who by such designation is required to refrain from consuming alcoholic beverages, in order to safely drive home his/her companions who have consumed alcoholic beverages.
- m. **Distracted driving** - shall refer to the use of mobile communications or entertainment devices by drivers while driving, whether in motion or temporarily stopped at a red light, including the use of mobile communications devices or electronic entertainment or computing devices, and other similar acts.
- n. **Driver** - shall refer to any person operating a motor vehicle.
- o. **Driving under the influence of alcohol**- shall refer to the act of operating a motor vehicle while the driver's Blood Alcohol Concentration (BAC) level has, after being subjected to a breath analyzer test, reached 0.05% or such level of intoxication as established jointly by the Department of Health (DOH), the National Police Commission (NAPOLCOM) and the Department of Transportation (DOTr).



- p. **Driving under the influence of dangerous drugs and other similar substances** - shall refer to the act of operating a motor vehicle while the driver, after being subjected to a confirmatory test as mandated under Republic Act No. 9165, is found to be positive for use of any dangerous drug.
- q. **Field of view** - shall refer to the forward view directly through the windshield, rear and side views, through the other vehicle windows, as well as the indirect view using the side and rear-view mirror provided by the vehicle mirror system.
- r. **Fitting service** - shall refer to the service provided by Type 1 and Type 2 fitters and fitting stations on the proper use and installation of child restraint systems;
- s. **Fitting stations** – shall refer to any agency, office, organization, or institution that offers fitting services through a duly trained fitter. A fitting station may be stationary or fixed at a location designated for the purpose, such as in the motor vehicle inspection area, or mobile to move from place to place to provide fitting services in different locations.
- t. **Greenway** - shall refer to a road, street, or path with ample greenery and share where private motorized transport is not allowed, and which shall serve as a recreational space or a public park in order to encourage active transport such as walking and cycling;
- u. **Impoundment**- shall refer to the act of placing a motor vehicle in a designated impounding area or holding lot by an authorized law enforcement officer.
- v. **Law Enforcement Officer** - shall, as appropriate, refer to members of the Philippine National Police (PNP), members of the Land Transportation Office (LTO), Cagayan de Oro City Police Office, Cagayan De Oro Traffic Aides and other public officers, who are deputized by the City Mayor for traffic and road safety enforcement.
- w. **Lead Office** - shall refer to the department or agency of the City Government of Cagayan de Oro specified under Article II, Section 6 hereof.
- x. **Motorela** – shall refer to a motor vehicle for hire regulated under Cagayan de Oro City Ordinance No. 10551-2007, entitled: "*An Ordinance Providing for the Traffic Code of the City of Cagayan de Oro, Amending Pertinent Provisions of the Codified Ordinance of the City of Cagayan de Oro, and For Other Purposes*";
- y. **Motor Vehicle** - shall refer to any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street- sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles that run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural, horticultural, or livestock raising operations. It shall also refer to private cars, private and public utility jeepneys, private and public utility mini-buses, passenger jeepneys, trucks of all kinds, motorcycles, and tricycles, vans, electric motorcycles, electric cars, and other modes of transportation as may be determined by the Road Safety Working Group.
- z. **Temporary Operator's Permit or TOP** - shall refer to the receipt issued by a duly deputized LTO officer upon confiscation of a driver's license due to a violation of this Ordinance or any other ordinance of the City Government. The TOP shall serve as a Temporary Driver's License, valid for five (5) days from the date of issuance.
- aa. **Traffic Code** – shall refer to Cagayan de Oro City Ordinance No. 10551-2007, entitled: "*An Ordinance Providing for the Traffic Code of the City of Cagayan de Pro, Amending Pertinent Provisions of the Codified Ordinance of the City of Cagayan de Pro, and For Other Purposes*";
- bb. **Owner** - shall refer to the person in whose name the motor vehicle is registered, as indicated on the Certificate of Registration issued by the LTO. The President, in case of corporations or the highest official in case of government agencies shall be considered the owner of motor vehicles registered in the name of corporations or government agencies. In case of failure to present the Official Receipt or Certificate of Registration of the motor vehicle, the driver shall be presumed to be the owner of the motor vehicle.
- cc. **PUVs** - shall refer to public utility vehicles.



- dd. **Road** - shall refer to any public highway, street, thoroughfare, alley, boulevard, and the like within Cagayan De Oro City.
- ee. **Transport Network Vehicles or TNVs** - shall refer to privately owned vehicles accredited by Transport Network Companies licensed by the Land Transportation Franchising and Regulatory Board.
- ff. **Tricycle** - shall refer to a motor vehicle for hire duly registered with the Land Transportation Office (LTO) composed of a motorcycle with not more than two (2) cylinders or 500cc engine capacity, fitted with a single-wheeled side car or two-wheeled cab, closed van or open cart, whether powered by gasoline or electricity.
- gg. **Trisikad** - refers to bicycle with sidecar used for ferrying or transporting passengers, goods, things or cargoes for a fee.
- hh. **TCT** – refers to the Traffic Citation Ticket.

ARTICLE II - ROAD SAFETY

SECTION 6. Lead Road Safety Office; Designation – The Roads and Traffic Administration (RTA), as created under the Traffic Code, is hereby designated as the lead department/office in all road safety-related activities of Cagayan de Oro City. However, as the workload of the Lead Office Department increases due to the massive implementation of the requirements set forth under the Road Safety Ordinance as well as the maintenance of its equipment and facilities, the RTA may be allowed to create a new division mainly to handle the entire scope of Road Safety activities.

SECTION 7. Mandate - The Lead Department/Office is hereby tasked to oversee, enforce, and implement the Road Safety Ordinance of Cagayan de Oro City and all other initiatives and activities related to or arising from road safety laws, policies, and programs of the City.

SECTION 8. Functions and Powers -The Lead Department/Office, in addition to other functions under other ordinances, orders, or policy issuances, shall have the following functions:

A. Enforcement

- a. Enforce this Ordinance through coordination with local and national agencies and law enforcement officers, through the apprehension of offending persons/motor vehicles, issuance of Traffic Citation Tickets (TCTs), and the resolution of protests, without prejudice to the authority of the RTA to enforce traffic rules and regulations;
- b. Assign traffic law enforcement officers in sufficient number for the effective enforcement of this Ordinance within the City;
- c. Coordinate with the LTO, Cagayan De Oro City Police Office (COCPD), other PNP Unit, barangay officials, and other deputized traffic law enforcement officers to harmonize deployment and field operations within the City;
- d. Train traffic law enforcement officers for the enforcement of this Ordinance, in coordination with the LTO; and
- e. Cause the installation of road signs as provided hereunder.

B. Planning and Coordination

- a. Serve as Chair of the Road Safety Working Group (RSWG);
- b. Convene the Road Safety Working Group once every quarter or oftener as necessary;
- c. Spearhead the development of the Cagayan De Oro City Road Safety Action Plan and the review and updating thereof every five (5) years, in coordination with the Members of Road Safety Working Group;
- d. Conduct regular planning and coordination meetings with relevant offices and agencies to discuss and coordinate on issues related to road safety;
- e. Act as depository of local laws, rules, and regulations related to road safety, including resolutions adopted by barangays and other local offices or agencies;



- f. Periodically review road safety laws and regulations and submit recommendations to the City Council to improve the road safety in the City;
- g. Conduct capacity-building trainings, seminars, and workshops on road safety;
- h. Coordinate with the LTO for integration with the LTO information technology system in relation to the uploading of information on drivers and owners who fail to settle fines and other penalties under this ordinance. Where integration with the LTO information technology system has not yet been established, the Lead Department/Office shall submit a quarterly report to the Regional LTO containing the relevant information; and
- i. Submit an annual budget plan for road safety to the City Council.

C. Monitoring and Evaluation

- a. Collect road crash data, including road crash fatalities, injuries and other relevant information and submit such data, annually, to the City Mayor and the Committee on Public Utilities (Roads and Traffic Management) of the City Council;
- b. Monitor the implementation of the Cagayan De Oro City Road Safety Action Plan in coordination with the Road Safety Working Group and submit an annual report to the City Mayor and the Committee on Public Utilities (Roads and Traffic Management) of the City Council;
- c. Monitor the implementation of this Ordinance; and
- d. Conduct periodic evaluations of the impact of this Ordinance and the Cagayan De Oro City Road Safety Action Plan on the number of road crashes, road crash injuries and fatalities, and other outcomes as may be determined by the Road Safety Working Group.

D. Information, Education and Communication (IEC) Campaign and Other Tasks

- a. Conduct public information, education, and communication (IEC) campaigns on the enforcement of this Ordinance, the Cagayan De Oro City Road Safety Action Plan, and road safety in general, in accordance with an IEC plan to be developed by the Road Safety Working Group which shall include activities to promote the City's road safety advocacy through different media including but not limited to maximizing the City Government's website and social media platforms to promote the City's road safety advocacy;
- b. Coordinate with the Department of Education (DepEd) for the integration of road safety into the curriculum of schools within the City;
- c. Perform other tasks as may be assigned by the City Mayor for the purpose of implementing this Ordinance; and
- d. Develop and circulate a manual of local safety ordinances for the guidance of traffic law enforcement officers.

SECTION 9. Road Safety Working Group (RSWG) Creation, Mandate – There is hereby created the Road Safety Working Group (RSWG), which shall develop, monitor, and evaluate the implementation of this Ordinance and the Cagayan de Oro City Road Safety Action Plan.

SECTION 10. Composition - The Road Safety Working Group shall be composed of the following members:

- a. Chairperson - Committee on Public Utilities (Roads and Traffic Management), City Council;
- b. City Administrator's Office;
- c. City Budget Office;
- d. City Legal Office;
- e. City General Services Office (Procurement, Acquisition and Awards Division);
- f. City Engineer's Office;
- g. Office of the Building Officials;
- h. City Planning and Development Office;
- i. City Disaster and Risk Reduction and Management Department;



- j. Roads and Traffic Administration
- k. Cagayan De Oro City Police Office;
- l. President, Liga ng mga Barangay;
- m. Land Transportation Office;
- n. Land Transportation Franchising and Regulatory Board;
- o. Xavier University – Ateneo De Cagayan;
- p. University of Science and Technology of Southern Philippines
- q. Department of Public Works and Highways, Region 10;
- r. Department of Education; and
- s. Transport groups, associations and advocacy groups representing PUJ Operators & Drivers, Motorela Operators & Drivers, Motorcycle Riders, Cyclists, Commuters, Persons with Disabilities, and the like.

The Road Safety Working Group may invite and call on the participation of the following offices as necessary in the Road Safety Working Group regular meeting, with respect to technical matters falling within their jurisdiction and/or areas of expertise, such as:

- a. Peace and Order Council;
- b. Community Affairs Office;
- c. Philippine National Police; and
- d. Highway Patrol Group.

The Road Safety Working Group may coordinate with other local departments and national government agencies as necessary for the implementation of this Ordinance and the Cagayan De Oro City Road Safety Action Plan.

Within thirty (30) days from the effectivity of this Ordinance and every quarter thereafter, the Road Safety Working Group shall be convened.

SECTION 11. Coordination - The Road Safety Working Group shall meet every quarter or as often as necessary duly convened by the Lead Department/Office. Within fifteen (15) days from the effectivity of this Ordinance, all members of the Road Safety Working Group shall submit to the Lead Department/Office the names of one (1) permanent and two (2) alternate representatives who shall be responsible for participating in all meetings of the Road Safety Working Group on behalf of their department or office. The Lead Department/Office shall be notified in writing of any changes in the assigned representatives at least ten (10) days prior to the next quarterly meeting.

SECTION 12. Budget- The Lead Department/Office shall submit an annual budget plan to the City Council with specific appropriations for equipment, human resources, and operations as will be specified hereunder. The budget allotted for the operations of the Road Safety Working Group shall be included in the Lead Department/Office's budget plan.

SECTION 13. Cagayan de Oro City Road Safety Action Plan - Within six (6) months from the effectivity of this Ordinance, the Road Safety Working Group shall formulate the Cagayan de Oro City Road Safety Action Plan, which shall contain the specific details and information on the following:

- a. Vision;
- b. Interim (5-year) targets;
- c. Objectives;
- d. Strategies;
- e. Activities;
- f. Projected outcomes;
- g. Expected outputs;
- h. Responsible office or person; and
- i. Estimated budget.

SECTION 14. Evaluation - The Lead Department/Office shall ensure that the Road Safety Working Group monitors and evaluates the implementation of this Ordinance and the Cagayan De Oro City Road Safety Action Plan once every quarter, and shall submit an annual report to the City



Mayor and the City Council on the implementation of this Ordinance and the Cagayan De Oro City Road Safety Action Plan.

Every five (5) years, the Road Safety Working Group shall review the impact of the Cagayan De Oro City Road Safety Action Plan and update the same, as needed. The Road Safety Working Group shall submit a written report on the outcomes of the Cagayan De Oro City Road Safety Action Plan to the City Mayor and the City Council within three (3) months from the end of the five (5) - year period of the Cagayan De Oro City Road Safety Action Plan.

SECTION 15. Road Crash Data Collection.

A) Data Collection through the Data for Road Incident Visualization Evaluation and Reporting (DRIVER) System.

Unless otherwise provided by the Department of Transportation (DOTr), the Lead Department/Office shall use the DRIVER System for encoding road crash data. Within fifteen (15) days from the effectivity of this Ordinance, the Lead Department/Office shall coordinate with the Department of Transportation (DOTr) on the use of the DRIVER System.

The Lead Department/Office shall assign a specific division within its department, which shall oversee collection, monitoring, and analysis of road crash data. The assigned division shall have at least two (2) analysts who shall be granted access to the DRIVER System for purposes of encoding and uploading road crash data.

B) Collection from Other Sources - All TOPs/TCTs shall be submitted by the apprehending law enforcement officer to the Lead Department/Office, within 24 hours from the time of issuance thereof.

The Lead Department/Office shall collect road crash data from police reports and other data sources such as hospitals, barangay reports, etc. and shall monitor and evaluate the impact of this Ordinance on the number of road crashes, road crash fatalities and injuries, and traffic flow. The Lead Department/Office shall likewise collect data on the number of apprehensions, fines collected, cases resolved, and other relevant data pertaining to the enforcement of this Ordinance.

Other enforcement data and results of monitoring and evaluation shall be maintained in a database by the Lead Department/Office and submitted to the Office of the City Mayor and City Council, on or before 30 January of the succeeding year, and annually thereafter, for purposes of the development of road safety policies.

C) Minimum data to be collected - The responding and/or reporting officer shall record all relevant data related to the crash including, but not limited to the following:

- a. Date and time of occurrence;
- b. Location address, landmarks, and coordinates if available;
- c. Name of people involved;
- d. Number of people involved;
- e. Age of people involved;
- f. Involvement of children (ages 0.-12);
- g. Gender of people involved;
- h. Cause of collision;
- i. Collision type;
- J. Severity (fatal, injury, property damage);
- k. Vehicle or road user type;
- l. When available, contact information of caller for calls made through City Emergency Hotline.

D) Utilization of CCTV Network for Road Crash Data Collection - The Lead Department/Office, in coordination with the City Disaster Risk Reduction and Management Department, shall as necessary, utilize the City's Closed-Circuit Television (CCTV) network for road crash data collection in coordination with Cagayan de Oro City's Command Center. When necessary, the



Lead Department/Office shall request access to the relevant barangay's CCTV network for road crash data collection.

SECTION 16. Coordination with National Government Agencies.-

- A) **Coordination on Road Safety and Traffic Policies** - The Lead Department/Office shall align its road safety and traffic policies with the policies, rules, and regulations of the DOTr, LTO and the PNP. The Lead Department/Office shall ensure that the relevant national government agencies are duly notified of policies in Cagayan De Oro City by furnishing them with copies of this Ordinance, the Cagayan De Oro City Road Safety Action Plan, other relevant ordinances and/or resolutions, and succeeding issuances.
- B) **Coordination on Deployment of Law Enforcement Officers** - The Lead Department/Office shall regularly monitor the deployment of law enforcement officers on national roads passing through the City.

The Lead Department/Office shall ensure that the City has an adequate number of law enforcement officers and that an adequate number of law enforcement officers are deployed in critical areas. For this purpose, the Lead Department/Office shall regularly secure copies of the deployment schedule and deployment plan of the LTO and PNP.

SECTION 17. Citizen's Reports -

- A) **Road Safety Reporting System** - The Lead Department/Office shall establish and operate a road safety reporting system where citizens may directly file their complaints and/or requests regarding any concern related to road safety, including but not limited to the following:
- Repair, maintenance or improvement of city and barangay roads, including the installation of street lights, road signs and other road furniture;
 - Road obstruction, road hazards and other encroachments on roads and sidewalks; or
 - Any violation of this Code by a private person or entity or public official tasked with enforcement of this Code.
- B) **Minimum Information on Complaint Form** - The Lead Department/Office shall make available in its main office and satellite posts, complaint forms that shall contain the following minimum information:
- Name of complainant;
 - Nature of complaint;
 - Background information about the complaint, allowing photos or supporting evidence to be attached;
 - Location; and
 - Desired outcome of the complainant.
- C) **Initial Report of Action Taken** - The Lead Department/Office shall respond to the complaint filed within fifteen (15) days from receipt thereof with an initial report of actions taken.

ARTICLE III - SAFER ROADS AND MOBILITY

SECTION 18. Road Inventory and Classification.-

- A) **Road Inventory** - The City Engineer's Office, working jointly with the City Roads and Traffic Administration (Traffic Engineering Division) shall be responsible for updating the local road inventory every three (3) years or whenever a local road is converted to a national road and vice versa, and coordinating with the DPWH to update the inventory of national roads. The City Engineer's Office shall submit annual reports on any conversions or changes made to the road inventory to the Lead Department/Office.
- B) **Road Classification** - The City Engineer's Office shall be responsible for updating the local road inventory to reflect the accurate classification of roads every time a local road is reclassified. The City Engineer's Office shall report on any conversions or changes made to the road classifications in the road inventory to the Road Safety Working Group.



The classification of roads shall be reviewed every three (3) years.

SECTION 19. Road Audit and Crash Risk-Mapping – The RTA shall, in coordination with the DPWH:

- a. Conduct a complete road audit of all roads within jurisdiction to identify road hazards and other obstructions, encroachments, the demarcation of sidewalks on local roads and national roads passing through the City, and to ensure that all roads are installed with appropriate road signages and road furniture, in compliance with the DPWH Manual on Highway Safety Design Standards; and
- b. Conduct crash-risk mapping using the data collected from road crash investigation in Section 47, Article VI.

Within three (3) months from the effectivity of this Ordinance and every three (3) years thereafter, the RTA shall submit a report on the road audit, crash mapping, and the recommended action to the Road Safety Working Group.

SECTION 20. Road Safety Impact Assessment – (a) All new construction projects, road works, and similar activities shall be required to undergo a Road Safety Impact Assessment by the RTA. Prior to the commencement of any construction activity, roadwork or other similar activities, the project contractor and/or project manager shall submit a certificate of assessment issued by the RTA to the Lead Department/Office. No building permit shall be issued by the OBO without first complying with the requirement of conducting a Road Safety Impact Assessment.

(b) The Road Safety Impact Assessment shall also include a Road Safety Management Plan to ensure that road safety risks will be minimized or avoided in the conduct of construction activities, road works, and similar activities. The Road Safety Management Plan shall be strictly followed in the performance of the construction facility, roadwork or similar activities. Non-compliance with the approved Road Safety Management Plan shall cause for suspension of the said construction activity, roadwork or other similar activities.

(c) All projects requiring a Traffic Management Plan (TMP) and/or Traffic Impact Assessment (TIA) shall also require Road Safety Impact Assessment.

SECTION 21. Exemption - All construction projects, road works, and similar activities on private roads owned by private subdivisions or villages are exempted from the requirement of undergoing a Road Safety Impact Assessment. The exemption does not extend to public roads inside private subdivisions or villages turned over to the City Government.

SECTION 22. Road Design, Maintenance and Improvement -

- A) **Road Design** - New roads shall comply with the design standards prescribed under the latest DPWH Design Guidelines, Criteria and Standards Manual. The City Engineer's Office shall be responsible for ensuring compliance with the DPWH standards.

All local roads shall bear appropriate instructional signages.

- B) **Prohibition of Removal, Defacement, Unauthorized Alteration, or Installation of Road Signs** - The removal, defacement, or any unauthorized alteration or installation of road signs is prohibited.

SECTION 23. Road Maintenance -

- A) **Maintenance of National Roads** - The City Engineer's Office shall coordinate with the DPWH for the maintenance and repair of national roads passing through the City. Nothing in this Ordinance shall prevent the Lead Department/Office from conducting urgent and necessary repairs on the said national roads, subject to coordination with DPWH.

- B) **Maintenance of Local Roads** - The City Engineer's Office, in coordination with the City Roads and Traffic Administration, shall be responsible for the maintenance and repair of city and



barangay roads to ensure that they are safe and expose no risk to road users, as verified through the road audit and inventory and in compliance with the design standards of DPWH.

Barangays shall coordinate with the City Engineer's Office for the maintenance and repair of barangay roads.

SECTION 24. Road Improvement -

- A) **Improvement of National Roads** - The Lead Department/Office shall recommend road improvement activities and other road design measures that are necessary to ensure road safety on national roads to the City Engineer's Office. The City Engineer's Office shall be responsible for coordinating with the DPWH for the improvement of national roads passing through the City. Nothing in this Ordinance shall prevent the City Engineer's Office from conducting improvement activities and adopting road design measures on such national roads, in coordination with the DPWH.
- B) **Improvement of Local Roads** - The Lead Department/Office shall recommend road improvement activities and other road design measures that are necessary to ensure road safety on local roads to the City Engineer's Office. The City Engineer's Office shall be responsible for implementing said road improvement activities and road design measures. Nothing in this Ordinance shall prevent the City Engineer's Office from conducting road improvement and activities pursuant to its regular functions.
- C) **Road Safety Infrastructure, Road Signs and Road Furniture** - The RTA shall ensure that all city and barangay roads have necessary road infrastructure, furniture, markings, rumble strips, speed bumps, and other traffic calming devices, and other cost-effective measures to promote road safety for all types of road users and to prevent speeding or reckless driving.

The City Engineer's Office shall also be responsible for the installation of signages, lamp posts, CCTV network posts and billboards, painting of sidewalks, pedestrian lanes and similar markings, installation of waiting sheds and other road furniture, and the undertaking of similar road safety measures, subject to the approval of the City Planning and Development Coordinator's Office and in coordination with the barangays. All road signs must be in accordance with the DPWH Manual on Highway Safety Design Standards and/or other accepted international design standards. The City Engineering Department, in coordination with the Lead Department/Office, shall remove and replace all road signs that fail to comply with the DPWH standards.

The Lead Department/Office may recommend, from time to time, the installation or construction of other road infrastructure, furniture, signages and other measures to the City Engineer's Office, when necessary to improve road safety.

All measures implemented shall comply with policies on "green" or cost-efficient, environment-friendly engineering.

- D) **Monitoring and Management of Heavy Equipment Vehicles** - The City Engineer's Office and RTA shall be responsible for monitoring heavy equipment vehicles passing through the local roads in Cagayan De Oro City. The City Engineer's Office shall also ensure that all city and barangay roads have capacity to accommodate heavy equipment vehicles.

SECTION 25. Sustainable Urban Planning and Zoning - The Lead Department/Office shall render the necessary support to the City Planning and Development Office (CPDO) in implementing zoning regulations. The Lead Department/Office shall closely coordinate with the CPDO to ensure that zoning regulations are in line with road safety policies and will not create road safety risks.

SECTION 26. Inclusive and People-Oriented Mobility - The Lead Department/Office shall accord the highest priority to the development of proper sidewalks and networks of bicycle lanes that will encourage active transport and provide safe and direct access to road users to priority destinations such as housing, education, health, and business centers, and public transport nodes.



A) Pedestrian Lanes

- a) **Frequency.** Within three (3) months from the effectivity of this Ordinance, the Lead Department/Office, in coordination with the RTA shall identify all city roads with high pedestrian volume and cause the installation of pedestrian lanes with appropriate signages on said road.

The Lead Department/Office shall prioritize school zones in installing pedestrian lanes and shall, whenever practicable, install elevated or trapezoidal pedestrian lanes for speed management purposes.

Within the same period, the Punong Barangay of all barangays in Cagayan De Oro City shall identify all barangay roads with high pedestrian volume and shall submit their respective findings and recommendations to the Lead Department/Office. The recommendations must specify road signages and other road furniture needed to improve the safety of pedestrians on said barangay roads.

Every intersection, school zone, marketplace, place of worship, government agency or office, and all other places as may be determined by the Road Safety Working Group, shall have pedestrian lanes, crosswalks, or footbridges, as may be deemed necessary by the RTA and subject to compliance with the appropriate DPWH standards.

- b) **Right of Way of Pedestrians** - The driver of any motor vehicle shall yield the right of way to a pedestrian crossing within a crosswalk or pedestrian crossing, except at intersections where the movement of traffic is being regulated by a traffic law enforcement officer or by a traffic signal.

A driver approaching a pedestrian crossing shall slow down and stop, as necessary, to allow pedestrians to cross within the crosswalk.

- c) **Prohibition on Using, Straddling or Obstructing Pedestrian Lanes** - A driver shall not permit any portion of his or her vehicle to obstruct any portion of the pedestrian lane. At no time shall any vehicle use, straddle, or obstruct the designated pedestrian lane.

This provision shall apply to all motor vehicles including motorcycles and electronic bikes.

B) Bicycle Lanes

- a) **Installation of Bicycle Lanes** - Within three (3) months from the effectivity of this Ordinance, the RTA and DPWH shall identify roads that can accommodate the installation of bicycle lanes.

Within the same period, the Lead Department/Office shall, in consultation with the stakeholders, identify priority areas for the installation of bicycle lanes and submit its recommendations to the City Planning and Development Office.

The City Planning and Development Office, in coordination with the Lead Department/Office and the City Engineer's Office, shall assist the compliance of the safety standards in the installation of bicycle lanes on such roads identified by the Lead Department/Office and the City Engineer's Office. The bicycle lanes shall, as far as practicable, be protected or exclusively dedicated to bicycles. At the minimum, the bicycle lanes shall be appropriately marked and shall comply with the DPWH Manual on Highway Safety Design Standards.

The Lead Department/Office, in coordination with the City Engineer's Office, shall install appropriate road signs, banners, and other safety features to ensure the safety of bicyclists on bicycle lanes, in accordance with the DPWH Manual on Highway Safety Design Standards and/ or other accepted international design standards.



The City Engineer's Office shall assist the Lead Department/Office in setting and indicating the reasonable targets for the number of kilometers of bicycle lanes to be installed every year in the Cagayan De Oro City Road Safety Action Plan.

The Lead Department/Office, in coordination with the City Planning and Development Office and the City Engineer's Office, shall ensure that at least ten (10) kilometers of bicycle lanes shall be installed annually, for the first five (5) years of the effectivity of this Ordinance.

- b) *Prohibition on Using, Straddling or Blocking Bicycle Lanes* - No driver shall permit any portion of his or her vehicle to block any portion of the bicycle lane. At no time shall any vehicle use, straddle, or obstruct the designated bicycle lane.

This provision shall apply to all motor vehicles including motorcycles and electronic bikes.

- c) *Parking Areas for Bicycles and Facilities for Cyclists* - The City Planning and Development Office, in coordination with the Lead Department/Office and the City Engineer's Office, shall as far as practicable, designate parking areas for bicycles, install bike racks, and implement other measures that promote cycling. Commercial establishments open to the public such as malls, supermarkets, groceries, banks, restaurants, and other similar establishments with parking spaces for motor vehicles in the City shall also be required to provide bicycle parking where bicycles can be safely and securely parked.

C) Road Design and Better Transport Alternatives for Persons with Disabilities and Other Groups with Special Needs.

Within three (3) months from the effectivity of this Ordinance, the City Planning and Development Office, City Engineer's Office, and Persons with Disabilities Affairs Office, in coordination with the Lead Department/Office, shall submit proposed plans for road design improvements and better transport alternatives that will cater to persons with disabilities (PWDs) and other groups with special needs, such as pregnant women, senior citizen, and children.

These measures shall include the widening of sidewalks to accommodate wheelchairs and the provision of ramps, shuttle services and other facilities provided under Batas Pambansa Blg. 344 or the Accessibility Law and other rules and regulations promulgated or issued by the National Council on Disability Affairs, among others, that will increase the accessibility of establishments and promote the mobility of PWDs and other special need groups.

- a) *Prohibition against Parking on Designated Parking Slots for Persons with Disabilities and Other Groups with Special Needs.* - It shall be prohibited to park on designated parking slots for persons with disabilities and other groups with special needs.

D) Use of Sidewalks

- a) *Prohibition against use of sidewalks by motor vehicles* - Sidewalks shall be for the exclusive use of pedestrians. It shall be prohibited for motor vehicles to traverse sidewalks or use the same for any other purpose, unless expressly permitted by the City Mayor and/or the City Council.
- b) *Prohibition against blocking of sidewalks for parking or other purposes* - Unless expressly permitted by the City Mayor and/or the City Council, the following are prohibited:
- i) Blocking or obstructing any portion of a sidewalk;
 - ii) Placing goods or items on the sidewalk, parking vehicles in a manner that obstructs the sidewalk, and sleeping or squatting thereon; and
 - iii) Use of any portion of sidewalks for any purpose other than mobility of pedestrians.
- c) **Sidewalk-Clearing Operations** - The Lead Department/Office shall regularly conduct sidewalk clearing operations. Any obstructions on sidewalks that are not otherwise



authorized by the proper authorities shall be removed immediately, without prejudice to applicable penalties.

- d) **Temporary Sidewalks** - The Lead Department/Office shall designate temporary sidewalks in the event of obstruction of sidewalks due to authorized road improvement or construction activities. The temporary sidewalks shall be properly marked.
- E) **Promotion of Sustainable and Inclusive Mobility** - Immediately upon the implementation of this Ordinance, the Lead Department/Office, in coordination with the City Engineer's Office, shall submit the proposed number and location of additional pedestrian lanes, bicycle lanes, and other road improvements for PWDs and other groups with special needs.

The Lead Department/Office shall also submit recommendations to the City Mayor and/or the City Council to promote active transport within the City, including the development of greenways, car-free zones, and public open spaces, and conduct of IEC activities.

SECTION 27. Road-Clearing Operations - The Lead Department/Office shall regularly conduct road-clearing operations pursuant to city ordinances that provide for and regulate the removal of objects or materials that obstruct the free flow of vehicular traffic and pedestrian passage, including the ordinance that will require and direct the removal of junk motor vehicles, construction and other materials abandoned along the sides of public thoroughfares, roads, city and subdivision streets, within the jurisdiction of Cagayan De Oro City, which are unsightly and obstruct the free flow of vehicular traffic and pedestrian passage, providing penalties for violation hereof and for other purposes.

Properties confiscated during road-clearing operations shall be disposed of in accordance with prevailing laws, rules, and regulations, including DPWH rules on prohibited uses within the right-of-way of national roads.

SECTION 28. Traffic Lights - The Lead Department/Office shall be responsible for the management of all traffic lights, controls or signals on public roads, whether installed by the City Government or private entities.

The operation of traffic lights installed by private entities on public roads shall be coordinated with the Lead Department/Office.

No person shall, without authority from the Lead Department/Office, install, alter, remove, or control any traffic control sign or traffic light on any public road.

SECTION 29. Capacity Building and Knowledge Transfer – The Lead Department/Office, working jointly with the City Engineer's Office, with the support of the DPWH and other agencies or institutions, shall organize regular capacity building trainings and workshops on safer road design, safe infrastructure design, low-cost safety engineering, traffic impact assessment, safety impact assessment and safety auditing in general for its personnel and other stakeholders.

The Head of the Lead Department/Office shall as far as practicable, appoint a technical expert on road audit and safety impact assessment in the Lead Department/Office.

ARTICLE IV - SAFER VEHICLES

SECTION 30. Minimum Vehicle Safety Standards for Motorelas and Trisikads Franchised in Cagayan de Oro City - The Lead Department/Office, through the appropriate department, shall (i) review minimum vehicle safety standards for motorelas/trisikads applying for renewal of Franchises in Cagayan de Oro City, and (ii) recommend policies to the City Council to promote the safety of motorela and tricycle riders.

A) Trisikads

- a) **Trisikad Design Standards** - All trisikads plying routes within Cagayan de Oro City, including government-owned and utility tricycles, shall comply with the design standards, standard



measurement, road worthiness guidelines, and other requirements set by the City Government under Section 152, Article XXIII of the City Traffic Code and other relevant issuances.

Failure to comply with the minimum standards within the term of the franchise shall constitute a ground for suspension or revocation of the franchise and impoundment of the vehicle pursuant to Section 54, Article VII of this Ordinance and shall be penalized with administrative fines pursuant to Section 206, Article XXIX of the City Traffic Code.

- b) **Prohibition on Trisikads for Private Use** - All trisikads in Cagayan de Oro City shall be required to obtain a franchise from the City Government through the RTA and Business Permit and Licensing Division and shall be governed by the rules and regulations of this Ordinance, the City Traffic Code, and other relevant issuances of the City Government. Tricycles shall only be allowed (a) for transporting passengers for a fee; and (b) for transporting goods.
- c) **Number of Passengers Allowed on Trisikads** - As a general rule, trisikads shall only be allowed to carry two (2) passengers excluding the driver. Only one (1) passenger shall be allowed to sit behind the driver, provided that, a protective guard and adequate handles are installed for the passenger seated behind the driver. This limitation shall not apply to electronic trisikads (tricycles), motorelas, and other models of trisikads (tricycles) designed by the manufacturer to carry more than two (2) or three (3) passengers. In such cases, the owner of the trisikad (tricycle) shall present a manufacturer's manual or certificate indicating the load capacity of the trisikad (tricycle) to the law enforcement officer. Such load capacity shall be clearly stated in the franchise of the said tricycle.
- d) **Limitation on Route** - In addition to limitations on the route of trisikad (tricycles) under the City Traffic Code and other relevant issuances, trisikads shall be prohibited from plying any national road or any road with a speed limit higher than 40 kph, except in the following instances:
 - i) When the trisikad has been permitted under an existing franchise to ply a road with a speed limit higher than 40 kph;
 - ii) On designated intersections solely for the purpose of crossing;
 - iii) When an intersection has been blocked for purposes of traffic management and replaced by a U-Turn solely for the purpose of crossing, and only if permitted under the trisikad's franchise; and
 - iv) When the trisikad is enroute to its garage; *Provided*, That it is not carrying any passenger.

B) Motorelas

- a) **Design Standards for Motorelas** - All motorelas plying the routes within Cagayan de Oro City, including government-owned and utility motorelas, shall comply with the design standards, standard measurement, road worthiness guidelines, and other requirements set by the City Government under Section 142, Article XXII, of the City Traffic Code and other relevant issuances.

Failure to comply with the minimum standards within the term of the franchise shall constitute a ground for suspension or revocation of the franchise and impoundment of the vehicle pursuant to Section 53, Article VII of this Ordinance, and shall be penalized with administrative fines pursuant to Section 206, Article XXIX of the City Traffic Code.

- b) **Regulation on Motorela Operation** - All motorela owners and operators in Cagayan de Oro City shall be required to obtain a business permit or franchise from the City Government through the City Mayor's Office and shall be governed by the rules and regulations of this Ordinance, the City Traffic Code, and other relevant issuances of the City Government. Owners or operators of motorelas shall likewise secure a Group Accident Insurance or at



least a Third-Party Liability and Passenger Liability (TPL/PL), as required under Section 139, Article XXII of the City Traffic Code.

- c) **Number of Passengers Allowed on Motorelas** - As a general rule, motorelas shall only be allowed to carry a maximum number of six (6) passengers excluding the driver. Such load capacity shall be clearly stated in the franchise of the said motorela.
- d) **Limitation on Route** - In addition to limitations on the route of public utility vehicles under the City Traffic Code and other relevant issuances, motorelas shall be prohibited from plying any national road or any road with a speed limit higher than 40 kph except in the following instances:
 - i) When the motorelas has been permitted under an existing franchise to ply a road with a speed limit higher than 40 kph;
 - ii) On designated intersections solely for the purpose of crossing;
 - iii) When an intersection has been blocked for purposes of traffic management and replaced by a U-Turn solely for the purpose of crossing and only if permitted under the tricycle's franchise; and
 - iv) When the motorela is enroute to its garage, provided that it is not carrying any passenger.

SECTION 31. Three (3)-Strike Rule – The franchise of drivers of motorelas/trisikads who were found to have committed any of the following violations at least three (3) times within three (3) years from the time of the first offense shall immediately be revoked and shall not be renewed:

- A) Failure to comply with the minimum safety standards under this Ordinance and related ordinances;
- B) Violation of limitation on route; and
- C) Violations under Article V of this Ordinance.

SECTION 32. In Case of Court's Final Judgment – The franchise or license of a franchisee or licensee whose motorelas and trisikads is found by final judgment, to have caused a road crash resulting in serious injuries and/or death shall likewise be revoked and shall be permanently disqualified for renewal. Said franchise or license may be suspended while court proceedings are ongoing, when upon the determination of the Lead Department/Office, it is evident that the crash was due to the fault or negligence of the franchisee or licensee.

In all cases, the franchisee shall also be barred from applying for a new franchise/license.

SECTION 33. Minimum Vehicle Safety Standards for Vehicles Passing Through Cagayan de Oro City - AU vehicles, including bicycles, electric bicycles, and All-Terrain Vehicles (ATVs) passing through Cagayan de Oro City shall be required to comply with the minimum vehicle standards prescribed by the Land Transportation Office. In addition, thereto, motor vehicles passing through the City must have:

- a) Functioning headlights, lights, and signal lights in compliance with LTO standards;
- b) Headlights turned on from 6:00 p.m. to 6:00 a.m., as well as when traversing tunnels or as required by the weather; and
- c) Functioning wipers on the windshield, where applicable.

SECTION 34. Vehicle Requirements for Transporting Goods - In transporting goods, the vehicle must be equipped with the necessary facilities to secure its cargo and to ensure that the said cargo will not fall or be dislodged while in transit.

In transporting hazardous goods and other materials, the vehicle must be equipped with the necessary facilities to secure the cargo and prevent any untoward consequences the



transportation of the same may entail including consequences due to the nature of the hazardous object.

The owner and/or driver of the vehicle shall be responsible for removing fallen cargo from the road to avoid creating a road hazard.

ARTICLE V – SAFER ROAD USERS

SECTION 35. Speeding -

- A) **What Constitutes Speeding** - The following activities constitute a speeding violation penalized under this Ordinance:
 - a. Driving a motor vehicle on any road in this City at a rate of speed greater than that permitted by this Ordinance;
 - b. Driving a motor vehicle on any road in this City at a speed that is not appropriate for the width, traffic, grades, crossing, curvatures, visibility or other condition of the road, as to endanger the safety of road users and their property; and
 - c. Driving a motor vehicle on any road in this City at a speed greater than that which will permit the vehicle to stop within the assured clear distance ahead, in order to prevent a road crash.
- B) **Default Speed Limits** - Subject to Paragraph (D) and unless otherwise provided herein, the speed limit for all city roads within Cagayan de Oro City shall be Thirty Kilometers per Hour (30 kph) for all motor vehicles. The speed limit for all barangay roads or collector roads, classified as such by the City, shall be 20 kph. The speed limit of Twenty Kilometers per Hour (20 kph) set for certain zones, namely: business zone and zones fronting schools, colleges, hospitals, churches, and in all places where people are congregated, under Article VII, shall continue to apply insofar as this speed limit does not allow motor vehicles to travel at speeds higher than those allowed under this Ordinance.
- C) **Crowded Streets** - Based on the actual road condition and the road user mix, barangays may recommend to the Lead Department/Office the setting and enforcement of safer speed limits for barangay roads and crowded streets within their jurisdiction when necessary.

Within thirty (30) days from effectivity of this Ordinance, barangays shall submit a list of crowded streets to the Lead Department/Office. The Lead Department/Office shall review and submit the list to the City Council with recommendations on the enactment of an ordinance imposing a speed limit of 20 kph on such roads.

- D) **Speed Limits for Specific Roads** - The following speed limits shall apply to the roads and motor vehicles identified below and other similar motor vehicles:

Road Classification per Section 35, RA 4136	Road Covered	Maximum Allowable Speed (kph)	
		Passenger Vehicles, Cars, Motorcycles, and Similar Vehicles	Motor Trucks, Buses, and Similar Vehicles
Open (National Road, primary)	Refer to Appendix 1	60 kph	50 kph
Through Streets (National Road, primary)	Refer to Appendix 2	40 kph	30 kph
Through Streets (National Road, secondary)	Refer to Appendix 3	40 kph	30 kph
Through Streets (Provincial Road)	Refer to Appendix 4	40 kph	30 kph
City Streets	Refer to Appendix 5	30 kph	30 kph
Crowded Streets	Refer to Appendix 6	20 kph	20 kph



School Zone (50m from the designated pedestrian lanes)	Refer to Appendix 7	20 kph (within the Poblacion area)	30 kph (along the highway)
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E) **Exceptions** - The speed limits prescribed above shall not apply to drivers in the following circumstances, provided that these exceptions shall not be construed to allow unnecessary fast driving or to endanger the life, health or property of any person:

- a. The driver of a motor vehicle carrying a physician or health worker who is responding to an emergency call;
- b. The driver of a hospital ambulance or emergency vehicle on the way to and from the location of a road crash or other emergency;
- c. Any driver bringing a wounded, injured, or sick person for emergency treatment to a hospital, clinic, or any other similar place;
- d. The driver of a motor vehicle belonging to the Armed Forces, while in use for official purposes in times of riot, insurrection, or invasion;
- e. The driver of a motor vehicle when he/ she is in pursuit of a criminal;
- f. A law enforcement officer law is trying to apprehend a person in violation of traffic laws;
- g. The driver operating a motor vehicle of Bureau of Fire Protection (BFP} or any fire trucks/ vehicles, while responding to an emergency.

F) **Installation of Speed Limit Signs** - The Lead Department/Office shall install appropriate speed limit signs on roads within the City as set under Section 35(D) hereof;

For National Roads, the Lead Department/Office shall coordinate with the DPWH Regional Office on the installation of appropriate speed limit signs. The speed limit signs shall conform to the standards prescribed by the DPWH Manual on Highway Safety Design Standards.

Within three (3) months from the effectivity of this Ordinance, the Lead Department/Office shall identify priority roads for the installation of speed limit signs.

G) **Information Dissemination on Applicable Speed Limits** - The Lead Department/ Office shall ensure that information dissemination on applicable speed limits on roads within Cagayan De Oro City is conducted.

H) **Prohibition against Street Racing** - It shall be prohibited to engage in the unauthorized racing of motor vehicles, including trisikads and motorcycles and other vehicles. Motor vehicles used in unauthorized racing shall be immediately impounded and shall not be released until proof of payment of fines and service of the penalty is presented.

I) **Use of Speed Detectors** – The Lead Department/Office shall be allowed to use Speed Detectors for purposes of ascertaining the exact speed of the motor vehicle, if it exceeds the allowable speed as set under Section 35(D) hereof.

SECTION 36. Drink and Drug Driving -

A. **Drink Driving** - It shall be prohibited for any person to drive a motor vehicle while under the influence of alcohol.

B. **Drug-Driving** - It shall be prohibited for any person to drive a motor vehicle while under the influence of dangerous drugs and other similar substances.

A driver is presumed to be driving under the influence of dangerous drugs and other similar substances if it is reasonably apparent based on his/her gestures or behavior that his/her motor and mental faculties are impaired due to the ingestion or intake of incapacitating substances as these prohibited by existing laws, such that he/she exposes himself/herself or other persons to the risk of a crash.



- C. **Random Breath and Drug Testing in Terminals** - The Lead Department/Office shall conduct random breath and drug testing to drivers of motorela, trisikad, jeepney, taxi and at public terminals. For this purpose, the Lead Department/Office may coordinate with the Cagayan De Oro City Police Office and LTO.

In case a driver of a jeepney, taxi or bus tests positive in the breath and/or drug test, the operator shall prohibit the driver from driving his/her vehicle until such time that the driver has completed his/her rehabilitation. The cost for rehabilitation of the driver who is found positive in the breath and/or drug test shall be shouldered by the operator. In such case, the franchisee/permittee of the terminal shall be meted a fine of ₱5,000.00. For the second offense, in addition to rehabilitation and fine, the Lead Department/Office, in coordination with the Business Permits and Licensing Office (BPLO), shall issue a Cease-and-Desist Order (CDO) to the franchisee/permittee of the terminal until such time that corrective measures, approved by the Lead Department/Office, are complied with by the franchisee/permittee of the terminal. For the third offense, in addition to rehabilitation and fine, the terminal shall be permanently closed.

In the event that the driver is also the operator of the jeepney, taxi or bus, as the case maybe, tests positive in breath and/or drug test, the subject vehicle shall be immediately impounded in addition to the aforementioned fine and penalties.

For motorela terminal, the rules provided for by the City Traffic Code shall apply.

- D. **Random Sobriety Checkpoints Near Commercial Establishments** - The Lead Department/Office shall organize random sobriety checkpoints. Random sobriety checkpoints shall have appropriate signages to inform the public that random sobriety checks are being conducted. If a driver suspected of driving under the influence of alcohol fails the BAC breath test, the driver shall be assisted in parking at a nearby designated parking area and shall be prohibited from driving until such time that he/she is able to comply with the allowed BAC.

Random sobriety checkpoints shall be recorded using video cameras or body cameras. Law enforcement officers conducting random sobriety checks shall be provided with a deployment order for such purpose, indicating the protocols for the selection of vehicles, and shall have an identification card with 2x2 photograph.

- E. **Responsible Beverage Service Programs and Designated Driver Program** - All establishments selling liquor within the City shall be required to adopt a responsible beverage service program which shall include, but shall not be limited to:
- a. Server training on identifying intoxication and implementation of designated driver program;
 - b. Signs or notices within the commercial establishment notifying patrons that the bar reserves the right to refuse service to visibly intoxicated persons; and
 - c. Other information, education and communication campaign materials on drink-driving.

Applicants for liquor licenses within Cagayan de Oro City shall be required to submit a sworn affidavit describing the Responsible Beverage Service Program of the commercial establishment as a condition for the issuance or renewal of the liquor license.

SECTION 37. Use of Motorcycle Helmets - Motorcyclists shall wear a safety helmet while driving within this City. It shall be prohibited to drive or ride a motorcycle within this City without wearing a properly fastened, appropriately-sized, standard safety helmet.

- A. **No Helmet, No Travel Policy** - The Lead Department/Office shall strictly implement a "No Helmet, No Travel" policy. In the event of a violation, the motorcycle shall be impounded. The motorcycle may only be recovered upon payment of the applicable fine and upon presentation of a standard motorcycle helmet that must be properly worn if the motorcycle will be used to depart from the impoundment area. Barangays, private subdivisions, and commercial establishments



within the City shall not be allowed to impose or implement rules prohibiting motorcycle riders from wearing helmets except during security inspections.

- B. **Appropriately sized standard helmets and proper use thereof** - Helmets shall be according to the standard approved by the Department of Trade and Industry (DTI) and shall be appropriately sized for the wearer. It shall be properly fastened under the motorcycle rider's chin. Failure to properly fasten the helmet shall be considered a violation of this Ordinance.

SECTION 38. Safer Child Passengers in Motor Vehicles.

A. Protecting Child Passengers in Tricycles, E-bike and E-trike.

- a) **When Children May Ride Tricycles, E-bike and E-trike** - As far as practicable, a child riding as a passenger in a tricycle, e-bike and e-trike must be seated inside the passenger cab of the tricycle, e-bike and e-trike. A child who is ten (10) years of age or older shall be allowed to back-ride with the driver of the tricycle, e-bike and e-trike only if all the conditions below are present:
- The child passenger can comfortably reach his/her feet on the standard foot peg of the motorcycle of the tricycle, e-bike and e-trike;
 - The child's arms can comfortably reach the handrails on the tricycle, e-bike and e-trike roof;
 - The child is mentally capable to appreciate the need to hold onto the handrails on the tricycle, e-bike and e-trike roof; and
 - Only one (1) child is back-riding on the motorcycle of the tricycle, e-bike and e-trike which shall be fitted with the safety barrier.

It shall be unlawful for the driver of a trisikad, e-bike and e-trike to allow a child to ride as a passenger in a trisikad, e-bike and e-trike when the number of passengers has reached the maximum capacity before the child boards the trisikad, e-bike and e-trike.

B. Protecting Child Passengers on Motorcycles

- a) **When Children May Ride Motorcycles** - No child shall be allowed to back-ride on a motorcycle unless it is driven by his/her parents, adult siblings, or adult relatives up to the fourth civil degree of consanguinity and affinity, and unless all the conditions below are present:
- The child passenger can comfortably reach his/her feet on the standard foot peg of the motorcycle;
 - The child's arms can comfortably around and grasp the waist of the motorcycle driver;
 - The child is mentally capable to appreciate the need to hold onto the motorcycle driver;
 - Only one (1) passenger is back-riding on the motorcycle;
 - The child is wearing an appropriately sized protective helmet that is up to standard set in Republic Act No. 10666 or the Children's Safety in Motorcycles Act of 2015, and the helmet is properly fastened under the chin.

As far as practicable, child passengers on motorcycles shall wear pants and rubber or leather footwear to prevent leg or foot injuries in case of a crash or foot entrapment.

- b) **Exception** - The requirements of this Section shall not apply during medical emergencies involving the child passenger.
- c) **Where Children May Ride on Motorcycles** - In cases allowed under this Ordinance, a child passenger on a motorcycle shall sit on the seat above the rear wheel of the motorcycle. It shall be unlawful for the driver of a motorcycle to allow a child passenger to ride in the position in front of the driver.



C. Protecting Child Passengers in Jeepneys

- a) **When Children May Travel in Jeepneys** - Children from eight (8) to twelve (12) years of age may be allowed to ride public passenger jeepneys on their own; *Provided*, that they are travelling to or from school or for activities related to their schooling or for medical emergencies involving a member of their family or any authorized member of the household by the parent.
- b) **When Children Not Allowed to Travel in Jeepneys** - It shall be unlawful for the driver of a public utility jeepney to allow a child to ride as a passenger in a jeepney when the number of passengers has reached maximum capacity before the child boards the jeepney.
- c) **When Children May Sit in Jeepneys** - It shall be unlawful for the driver of a public utility jeepney to allow child passengers to sit in the front seat of a jeepney, or any of the seats directly behind the driver or the front seat of a jeepney, or the seats in the last row next to the rear passenger door of the jeepney; *Provided*, That in case a child is at least one hundred fifty (150) centimeters or fifty-nine (59) inches in height, he or she may sit in the front seat provided he or she is properly secured using the regular seat belt. The driver of the jeepney shall be required to immediately inform and require the front seat child passenger upon boarding the jeepney to wear the prescribed seat belt. Any child passenger who refuses to properly wear the prescribed seat belt shall not be allowed to continue his/her trip.

D. Protecting Children in Private Motor Vehicles.

- a) **Children Must Be Secure in Child Restraints Systems** - It shall be unlawful for the driver of a private motor vehicle not to properly secure at all times a child, in a child restraint system while the engine is running or transporting such child on any road, street or highway unless the child is at least one hundred fifty (150) centimeters or fifty-nine (59) inches in height and is properly secured using the regular seat belt. The child restraint system shall be appropriate to the child's age, height, and weight, and approved in accordance with Republic Act No. 11229 or the Child Safety in Motor Vehicles Act. The requirements of this section shall not apply to circumstances where the child restraint system would put such child in a greater danger, such as:
 - i) During medical emergencies; or
 - ii) When the child transported has a medical or developmental condition.
 - b) **Children Must Not Be Left Unattended** - Notwithstanding the child being secured in a child restraint system, it shall be unlawful for the driver of a private motor vehicle to leave unaccompanied by an adult in a private motor vehicle.
 - c) **Children Must Be Seated in the Rear Seats** - It shall be unlawful for the driver of a private motor vehicle to allow a child to sit in a front seat of a private motor vehicle with a running engine or while such child is being transported on any road, street or highway, unless the child is at least one hundred fifty (150) centimeters or fifty-nine (59) inches in height and is properly secured using the regular seat belt.
- E. **Overloading and Dangerous Riding Practices** - It shall be unlawful for a driver of a motor vehicle covered by this Ordinance to operate a motor vehicle while exceeding the registered passenger capacity, or to allow passengers especially to ride outside of the motor vehicle at the space intended for cargo and freight, or atop motor vehicles, or on the step board holding on to the overhead railings in the case of jeepneys through the "*kabit*" practice.

SECTION 39. Motorcycle Overloading -

- A. **Limit on the Number of Passengers of Motorcycles** - Motorcycle riders are prohibited from carrying another person on the motorcycle backseat unless the motorcycle is designed to carry more than one (1) person. A motorcycle carrying more than one (1) person shall be considered overloaded if the driver fails to show proof, such as a manufacturer's manual, that the motorcycle was designed to carry more than one (1) person.



- B. **Prohibition on Use of Motorcycles for Carrying Passengers for a Fee** - It shall be prohibited to use motorcycles to carry passengers for a fee, unless deemed authorized and issued with permit.
- C. **Limit on Motorcycle Cargo** - Any cargo being transported using a motorcycle shall be secured firmly and should not cause the motorcycle to be unstable. Load dimensions should not go beyond one (1) meter from the center of the motorcycle side to side and higher than the helmet of the rider. Other objects designed to be carried by the rider such as guitars and similar instruments, rulers, tools and the like should be strapped to the rider.

SECTION 40. Seatbelt Use for Drivers and Passengers - The driver and front seat passengers of a public or private motor vehicle are required to wear or use their seat belt devices while inside a vehicle with running engine on any road or thoroughfare; Provided, that, for private vehicles, except for jeeps, jeepneys, vans, buses and such other private vehicles as may be determined in the Implementing Rules and Regulations of Republic Act No. 8750, otherwise known as, the "Seat Belts Use Act of 1999," front and back seat passengers are likewise required to use their seat belt devices at all times.

In the case of public motor vehicles, the driver shall be required to immediately inform and require the front seat passengers upon boarding a vehicle of running engine to wear the prescribed seat belts. Any passenger who refuses to wear seat belts shall not be allowed to continue his/her trip.

For special public service vehicles such as school services and other similar vehicles, seat belt devices should be provided and used by both drivers and front seat passengers and the first-row passengers immediately behind the driver at all times while inside a vehicle of running engine.

For jeepneys, the driver and front seat passenger shall be required, at the minimum, to use a pelvic restraint or lap belt installed in the vehicle.

SECTION 41. Anti-Distracted Driving -

- A. **Prohibition on the Use of Mobile Devices while Driving** - Drivers are prohibited from using mobile communications or entertainment devices while driving whether in motion or temporarily stopped at a red light; *Provided*, That the hands-free use of mobile communications devices and other navigation devices for communication and navigation shall be permitted; *Provided further*, That the placement of the mobile communications device or the hands-free device does not interfere with the field of view of the driver; *Provided finally*, That answering of phone calls and setting-up of the navigation device shall only be allowed when the vehicle is not in motion and is parked at an area appropriate for parking.

It shall be prohibited to use or install modified front visors, rear view mirrors and other in-vehicle gadgets if installed in a manner that obstructs the driver's field of view.

- a) **Prohibition for Student Permit Holders to use Hands-Free Devices** - Student drivers or student permit holders are prohibited from using mobile communication or entertainment devices while driving whether for communication or navigation and whether hands-free or otherwise.
- b) **Exceptions** - The provisions of this Section shall not apply during the following instances:
- i) Using a mobile phone for emergency purposes, including but not limited to, an emergency call to a law enforcement agency, health care provider, Bureau of Fire Protection or other emergency services, agency or entity; and
 - ii) Using a mobile phone while operating an emergency vehicle such as an ambulance, a fire truck, and other vehicles providing emergency assistance, in the course and scope of his or her duties.



- B. **Prohibition on Obstruction of the Driver's Field of View** - The driver's field of view shall always remain unobstructed. No item or object shall be placed on the front windshield or on the dashboard in such a manner as to obstruct the driver's field of view.

Signs, stickers, posters or any other non-transparent material shall be prohibited from being placed upon the front windshield of a vehicle, except for stickers required by the LTO, LTFRB, homeowners' associations or building owners. These stickers shall only be placed at the lower or upper hand corner of the front windshield.

SECTION 42. Pedestrian Safety -

- A. **Duties of Pedestrians** - In addition to the duties of pedestrians under the City Traffic Code and other relevant issuances, pedestrians have the following duties:

- a) When on a footway, marked cross-walk or pedestrian crossing, to keep as close as practicable to the right side of the footway;
- b) When crossing a thoroughfare at an intersection, to keep right of the pedestrian crossing in the opposite direction.
- c) When crossing a thoroughfare or portion of a thoroughfare, to do so promptly by shortest and most direct route to the thoroughfare boundary as may be practicable.

- B. **Restrictions on Pedestrians** - In addition to the limitations of pedestrians under the City Traffic Code and other relevant issuances, pedestrians are prohibited from doing the following acts, which shall constitute the offense of jaywalking:

- a) Standing on any portion of the road while waiting to board a vehicle;
- b) Proceeding from a footway toward a vehicle that has not fully stopped for the purpose of boarding it;
- c) Alighting from or boarding a moving vehicle;
- d) Alighting from or boarding a vehicle at an area where loading and unloading is prohibited;
- e) Remaining on a pedestrian crossing or marked cross-walk longer than is necessary for the purpose of passing through the thoroughfare with reasonable dispatch;
- f) Standing on a footway or sidewalk so as to inconvenience, obstruct, hinder or prevent the free passage of any other pedestrian;
- g) Using mobile communications or entertainment devices including earphones head sets and/ or other devices that may impede sense of hearing and sense of sight while crossing.

SECTION 43. General Driving Rules. -

- A. **Overtaking** - When overtaking a moving vehicle, the driver shall turn on the appropriate signal light and safely pass to the left of that vehicle. He/she shall not switch lanes or drive in front of the moving vehicle until his/her vehicle is safely clear. Provided, that, where a thoroughfare has two or more marked lanes, a vehicle may overtake and pass to the right of a moving vehicle, if traffic conditions permit him/ her to do so safely.

The driver of a vehicle being overtaken shall not increase the speed of his/her vehicle until it has been completely passed by the overtaking vehicle and shall yield in favor of the latter.

- B. **Giving Way at Intersections** - A driver approaching or passing through an intersection shall exercise special care and, where appropriate, shall drive at a reduced speed.

Except where traffic control signals are in place, the driver of a vehicle that is approaching an intersection shall give way to the vehicle that entered the intersection first; Provided, that, where the two vehicles entered the intersection at the same time, the vehicle on the left shall give way.



- C. **Giving Way in Rotundas** - In a roundabout or rotunda, the first vehicle to enter takes precedence over a vehicle approaching or about to enter the rotunda.

Within the rotunda, drivers must give way to vehicles intending to leave the nearest exit point.

- D. **Prohibition against Counter flowing** - No driver shall be allowed to drive his/ her vehicle in the direction opposite to the flow of traffic that he/she is traversing at any time and for any purpose, unless shall is expressly authorized by a law enforcement officer.
- E. **Parking Near Curves** - No person shall park or leave a vehicle unattended on or near a crest or curve of the road that poses a risk to turning vehicles unless an approaching driver from the rear would have a clear view of the vehicles for a distance of at least forty-five (45) meters.
- F. **Prohibition against Blocking the Yellow Traffic Box** - No driver shall allow his vehicle to straddle or block the yellow traffic box at any time. Any vehicle straddling or blocking the yellow traffic box when the red traffic light is on shall suffer the next higher penalty provided under Article VII hereof.

ARTICLE VI – POST-CRASH CARE

SECTION 44. CDO Emergency Hotline - The Cagayan de Oro City Government shall maintain an emergency hotline (CDO Emergency Hotline) that shall receive calls seeking an emergency response. The Cagayan de Oro City Disaster Risk Reduction Management Department (CDRRMD) shall be responsible for dispatching emergency responders to sites of emergency and coordinating with hospitals and the Lead Department/Office for the purpose of responding to the emergency.

- A. **Information Campaign on CDO Emergency Hotline** - The Lead Department/Office, in coordination with the CDRRMD and Operation Kalinaw ug Kahusay (OKK) Center shall conduct an IEC campaign on the City Emergency Hotline.
- B. **Procedure for Dispatching Emergency Responders** - The procedure for dispatching emergency responders shall be as follows:
- a) Call made to the City Emergency Hotline shall be received by a trained call-taker who is responsible to take down all vital information regarding the emergency, such as, but not limited to, the following:
 - i) Type of emergency;
 - ii) Information on the victim/ s and persons involved;
 - iii) Type of injury, if any, and the severity;
 - iv) Address;
 - v) Telephone number;
 - vi) First aid provided, if any;
 - vii) Contact information of caller, with consent.
 - b) The call-taker shall alert and coordinate with the relevant local offices or departments of the emergency who have stationed officers at the CDRRMD center.
 - c) The call-taker shall immediately endorse the call to the nearest emergency responder, such as the Barangay Emergency Response Team.
 - d) The emergency responders shall confirm their capacity and availability to respond. Should they be unavailable, the call-taker shall endorse the matter to the CDRRMD.
 - e) The call-taker and the relevant office or department shall dispatch the emergency responders.
 - f) The call-taker and relevant office or department shall closely monitor the status of the emergency responders.
 - g) The call-taker shall record the incident.



- C. Coordination with the 911 emergency response team and the City Health Officer for Uniform Data Collection and Response.

The CDRRMD shall coordinate with the 911 emergency response team and the City Health Officer to develop a uniform system for data collection and systematic response.

- D. **Barangay Emergency Response Teams** - In addition to the composition of the existing Barangay DRRM each Barangay shall have a functioning emergency response team. The *punong barangay* shall facilitate and ensure the participation of first-responders in the community.

- a) **First Response** - The Barangay Emergency Response Team covering the area where an emergency occurred shall be considered the first responder to the emergency.
- b) **Resources for Emergency Response** - Within thirty (30) days from the effectivity of this Ordinance, all Barangays must submit a report to the Lead Department/Office identifying the resources it needs to effectively function as first responder, including but not limited to, the hiring of new personnel, equipment, resources for the maintenance and repair of equipment, etc.

The Barangay Emergency Response Team shall be responsible for maintaining all its equipment and shall submit an annual inventory of its emergency response equipment with information on the status of the equipment.

The Lead Department/Office shall from time to time, audit the equipment of the barangay emergency response teams that consistently fail to provide a satisfactory response to emergencies.

- E. **First-Aid Training.** All law enforcement officers, members of the Barangay Emergency Response Team, and as far as practicable, teachers and school service or transport drivers, shall undergo regular training on first aid response and relief, basic life support, and extraction. The Lead Department/Office, in coordination with the DRRM, shall be responsible for organizing first aid response and relief training and certification for these responders.

- F. **Free First Responder Training to Communities Regularly** - The CDRRMD shall provide regular free first aid response and relief training, basic life support and, extraction every year, and invite communities, barangay volunteers and other stakeholders. The CDRRMD is likewise authorized to provide free first responder trainings to communities and other stakeholders and volunteers, upon their written request.

SECTION 45. Coordination with Hospital Trauma Care Providers - The CDRRMD shall coordinate with the City Health Officer in developing and disseminating a directory of hospital trauma care providers. The Lead Department/Office shall build a coordination network between the emergency responders and hospital trauma to strengthen the emergency response of the City.

SECTION 46. Social Services - The road crash victim or his/ her family may avail assistance from the City Social Welfare and Development Office. The Lead Department/Office shall develop or recommend improvements to social services provided to road crash victims and/or their family, including financial and counselling assistance.

SECTION 47. Road Crash Investigation - The Lead Department/Office in coordination with the Traffic Enforcement Unit of COCPO shall investigate fatal crashes occurring within Cagayan De Oro City for purposes of policy development. Findings from the investigation shall be submitted to the Road Safety Working Group and/ or the appropriate office for appropriate action on how to prevent similar incidents from occurring. The Lead Department/Office may coordinate with the LTO and other organizations for the purpose of training law enforcement officers and other relevant City personnel to conduct thorough road crash investigations.

SECTION 48. Monitoring and Evaluation of Response Time – The CDRRMD shall monitor and evaluate the efficiency of the City's post-crash response through the monitoring and recording of response times from the time the call was received to the time that relief is rendered.



The CDRRMD shall identify and recognize the Barangay Emergency Response Team with the fastest and most frequent response time, and the Barangay Emergency Response Team that consistently fails to respond to emergencies and shall make recommendations on incentives to improve response time.

SECTION 49. Reporting - The CDRRMD shall submit an annual report to the Lead Department/Office and the Road Safety Working Group on the number of road safety emergency calls received, response times of DRRM and the response time and frequency of response of Barangay Emergency Response Teams.

ARTICLE VII - FINES AND PENALTIES

SECTION 50. Penalty for Violations Under Article III - The following fines and penalties shall be imposed for violations under Article III hereof:

Violations	First Offense	Second Offense	Third & Succeeding Offenses
Section 22(B) - Defacement, alteration or installation of road signs without authorization	Fine of ₱1,500.00	Fine of ₱3,000.00 or Community Service	Fine of ₱5,000 and/or 30-day imprisonment at the court's discretion
Section 26(A)(c) - Prohibition on Using, Straddling or Blocking Pedestrian Lanes	Fine of ₱1,500.00	Fine of ₱3,000.00 or Community Service	Fine of ₱5,000.00 and/or 30 days imprisonment at the court's discretion
Section 26(B)(b) - Prohibition on Using, Straddling or Blocking Bicycle Lanes	Fine of ₱1,500.00	Fine of ₱3,000.00 or Community Service	Fine of ₱5,000.00 and/or 30 days imprisonment at the court's discretion
Section 26(C)(a) - Prohibition against Parking on Designated Parking Slots for Persons with Disabilities and other groups w/ special needs	Fine of ₱1,500.00	Fine of ₱3,000 or Community Service	Fine of ₱5,000.00 and/or 30 days imprisonment at the court's discretion
Section 26(D)(a) - Prohibition against use of sidewalks by motor vehicles	Fine of ₱1,500.00	Fine of ₱3,000.00 or Community Service	Fine of ₱5,000.00 and/or 30 days imprisonment at the court's discretion
Section 26(D)(b) - Prohibition against blocking of sidewalks for parking or other purposes	Fine of ₱1,500.00	Fine of ₱3,000.00 or Community Service	Fine of ₱5,000.00 and/or 30 days imprisonment at the court's discretion

SECTION 51. Penalty for Violations Under Article IV - The following fines and penalties shall be imposed for violations under Article IV of this Ordinance:

VIOLATIONS	FIRST OFFENSE	SECOND OFFENSE	THIRD & SUCCEEDING OFFENSES
Section 30(A) - Failure to maintain the minimum standards during the duration of the franchise	Fine of ₱1,500.00	Fine of ₱3,000.00 or Community Service	Fine of ₱5,000.00 and/or 30 days imprisonment at the court's discretion and revocation of franchise
Section 30(A)(b) - Prohibition on Private use of Trisikads/ Motorelas	Fine of ₱1,500.00	Fine of ₱3,000.00 or Community Service	Fine of ₱5,000.00 and/or 30 days imprisonment at the court's discretion & revocation of franchise
Section 30(A)(c) - Limit on Number of Passengers of Trisikads/Motorelas	Fine of ₱1,500.00	Fine of ₱3,000.00 or Community Service	Fine of ₱2,000.00 and/or 30 days imprisonment at the court's discretion & revocation of franchise
Section 30(A)(d) - Limitation on Route of Trisikads/ Motorelas	Fine of ₱1,500.00	Fine of ₱3,000.00 or Community Service	Fine of ₱2,000.00 and/or 30 days imprisonment at the court's discretion & revocation of franchise
Section 33. Failure to maintain the minimum standards of private vehicles passing through the City	Fine of ₱1,500.00	Fine of ₱3,000.00 or Community Service	Fine of ₱5,000.00 and/or 30 days imprisonment at the court's discretion



SECTION 52. Penalty for Violations Under Article V - The herein fines and penalties shall be imposed for violations under Article V hereof:

VIOLATIONS	FIRST OFFENSE	SECOND OFFENSE	THIRD & SUCCEEDING OFFENSES
Section 35. <i>Speeding</i>	Fine of ₱2,000.00 and attendance in Road Safety Seminar	Fine of ₱3,500.00 or Community Service, and attendance in Road Safety Seminar	Fine of ₱5,000.00 and/or 3- months imprisonment at the court's discretion and recommendation for revocation of driver's license
Section 35(H) - <i>Prohibition against Street Racing</i>	Fine of ₱2,000 and attendance in Road Safety Seminar and immediate impounding of motor vehicle	Fine of ₱3,500.00 or Community Service, and attendance in Road Safety Seminar & immediate impounding of motor vehicle	Fine of ₱5,000.00 and/or 3 months imprisonment at the court's discretion and recommendation for revocation of driver's license
Section 36. <i>Drink and Drug Driving</i>	Fine of ₱2,000.00 and attendance in Road Safety Seminar	Fine of ₱3,500.00 or subject to Community Service & attendance in Road Safety Seminar	Fine of ₱5,000.00 and/or 3 months imprisonment at the court's discretion and recommendation for revocation of driver's license
Section 37. <i>Use of Motorcycle Helmets</i>	Fine of ₱1,500.00 & attendance in Road Safety Seminar	Fine of ₱3,000.00 or Community Service & attendance in Road Safety Seminar	Fine of ₱5,000.00 and/or 30 days imprisonment at the court's discretion and recommendation for suspension of driver's license
Section 38. <i>Children Safety Aboard Motor Vehicles</i>	Fine of ₱1,500.00 & attendance in Road Safety Seminar	Fine of ₱3,500.00 or Community Service & attendance in Road Safety Seminar	Fine of ₱5,000.00 and/or 3 months imprisonment at the court's discretion and recommendation for revocation driver's license
Section 39. <i>Motorcycle Overloading</i>	Fine of ₱1,500.00 & attendance in Road Safety Seminar	Fine of ₱3,000.00 or Community Service, and attendance in Road Safety Seminar	Fine of ₱5,000.00 and/or 3 months imprisonment at the court's discretion and recommendation for revocation of driver's license
Section 39(B) - <i>Prohibition on Use of Motorcycles for Carrying Passengers for a Fee</i>	Fine of ₱1,500.00 & attendance in Road Safety Seminar	Fine of ₱3,000.00 or Community Service & attendance in Road Safety Seminar	Fine of ₱5,000.00 and/or 3- months imprisonment at the court's discretion and recommendation for revocation of driver's license
Section 40. <i>Seatbelt Use for Drivers and Passengers</i>	Fine of ₱1,500.00 and attendance in Road Safety Seminar	Fine of ₱3,000.00 or Community Service & attendance in Road Safety Seminar	Fine of ₱5,000.00 and/or 3 months imprisonment at the court's discretion and recommendation for revocation of driver's license
Section 41. <i>Anti-Distracted Driving</i>	Fine of ₱1,500.00 and attendance in Road Safety Seminar	Fine of ₱3,000.00 or Community Service & attendance in Road Safety Seminar	Fine of ₱5,000.00 and/or 3 months imprisonment at the court's discretion and recommendation for revocation of driver's license
Section 42. <i>Restrictions on Pedestrians</i>	Fine of ₱500.00 and attendance in Road Safety Seminar	Fine of ₱1,000.00 or Community Service & attendance in Road Safety Seminar	Fine of ₱2,000.00 and/or 30- days imprisonment at the court's discretion
Section 43(D). <i>Prohibition against Counter flowing</i>	Fine of ₱1,500.00 and attendance in Road Safety Seminar	Fine of ₱3,000.00 or Community Service & attendance in Road Safety Seminar	Fine of ₱5,000.00 and/or 3 months imprisonment at the court's discretion and recommendation for revocation of driver's license
Section 43(F). <i>Prohibition against Blocking the Yellow Traffic Box</i>	Fine of ₱1,500.00 and attendance in Road Safety Seminar	Fine of ₱3,000.00 or Community Service & attendance in Road Safety Seminar	Fine of ₱5,000.00 and/or 3 months imprisonment at the court's discretion and recommendation for revocation of driver's license

SECTION 53. Impoundment - The penalty of impoundment shall entail seizure and confiscation of the vehicle and storage of the same in the authorized impounding area. Failure to



settle the necessary fines and redeem the impounded vehicle shall subject the same to public auction.

SECTION 54. Imprisonment - The Lead Department/Office, with the assistance of the Office of the City Legal Officer, shall be responsible for the filing of cases with the appropriate court for the third and subsequent violations of this Ordinance which, subject to the discretion of the presiding judge, may result in the imposition of the penalty of imprisonment.

SECTION 55. Community Service - Community service may be performed, at the option of the offender in lieu of payment of fines. Community service may include any kind of activity determined by the Lead Department/Office in coordination with the City Public Services Department that will redound to the benefit of the community and the City. The offender shall report to the office of the City Public Services Department upon the endorsement of the Lead Department/Office for community service assignments.

SECTION 56. Confiscation of License - The confiscation of the offending driver's license shall be a concurrent penalty. For third offenses, the Lead Department/Office shall make a recommendation to the LTO for the revocation of the offender's license. The offender shall not be allowed to apply for a new license. The Lead Department/Office shall ensure connectivity with the LTO information technology system for coordination on the recording of violations and imposition of penalties.

ARTICLE VIII- ENFORCEMENT AND ADJUDICATION

SECTION 57. Uniform Enforcement Procedure - shall be a uniform minimum enforcement procedure for violations of this Ordinance, as provided under the City Traffic Code:

A) Violations of Drivers.

- a. The law enforcement officer is authorized to stop a motor vehicle in transit at the time of an observe violation or during random safety checks. The law enforcement officer shall flag down the motor vehicle and safely lead it to the roadside to avoid obstructing the flow of traffic, or, if he/she is stationary, call his/her attention immediately.
- b. Upon apprehension, the law enforcement officer shall inform the offending driver of the violation, and require the presentation of the driver's license of the offending driver and the motor vehicle Certificate of Registration (CR) and Official Receipt (OR) of registration.
- c. The law enforcement officer shall confiscate the driver's license and issue a Traffic Citation Ticket (TCT) or Temporary Operator's Permit (TOP) to the offender, which shall serve as the driver's temporary driver's license. The law enforcement officer may be allowed to educate and issue warnings to the offender, instead of issuing immediately a ticket in cases mentioned under Section 54(F)(c) of this Ordinance.
- d. The law enforcement officer shall indicate the following information in the TCT or TOP:
 - i) name and address of the driver;
 - ii) driver's license number and date and place of issuance;
 - iii) issuing agency of the driver's license;
 - iv) name and address of the motor vehicle owner;
 - v) registering agency of the motor vehicle;
 - vi) certificate of registration number;
 - vii) Violation/s committed.

Each violation shall constitute a separate offense.

- e. In case of subsequent violations, the law enforcement officer shall confiscate the presented TOP and issue a new TOP or TCT, indicating both the previous and present violation and the issuing authorities.
- f. The driver shall have three (3) days within which to settle the fine and comply with the attached penalties, or to file a protest in accordance with Section 3 herein.



- g. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/or the registered owner.

B) Violation detected using speed enforcement cameras/speed gun.

- a) Upon detection of a speeding violation using speed enforcement cameras or speed guns, the Lead Department/Office shall issue a notice to the registered owner of the motor vehicle via registered mail.
- b) The notice shall indicate the speed limit of the road where the violation was committed and shall include a photograph of the vehicle with the speed detected by the camera at the time violation shown legibly.
- c) The registered owner shall be presumed to be the driver of the motor vehicle unless he/she can prove that the motor vehicle was driven by another person.
- d) The registered owner shall have three (3) days from the date of receipt of the notice within which to settle the fine indicated in the notice, or to file a protest in accordance with Section 58 herein. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the registered owner.
- e) In case of a protest based on the identity of the driver, the registered owner shall have the duty to provide under oath the name of the driver of the motor vehicle, his/her known address, and other details as may be required by the Lead Department/Office. Except in cases where the protest is based on stolen vehicles, no protest based on the identity of the driver shall be allowed unless the alleged driver at the time of violation is identified.
- f) Upon a finding that the registered owner is not the driver of the motor vehicle at the time of the violation, the Lead Department/Office shall send a notice to the driver, as identified by the registered owner subject to the requirements herein.

C) Drink-Driving Enforcement Procedure. - The enforcement of this section shall be uniformly conducted in accordance with the following procedure provided under Ordinance:

- a) The law enforcement officer shall cause the driver suspected of driving under the influence of alcohol to undergo any or a combination of the following preliminary field sobriety tests, prior to the initial test for blood alcohol concentration:
 - i) Walk a straight-line test;
 - ii) Finger to nose test;
 - iii) Stand on one leg test;
 - iv) Horizontal gaze nystagmus ("follow the penlight").
- b) If the suspected driver fails any of the preliminary sobriety tests, or when there is strong reason to believe that he or she is intoxicated, the law enforcement officer is mandated to subject him or her to the BAC breath test with a portable breath analyzing device or any modification thereof.
- c) If the driver's BAC exceeds 0.05%, he or she shall be asked to park at a nearby designated parking area and shall be prohibited from driving until such time that he or she is able to comply with the allowed BAC. If he or she refuses to comply, he/ she shall be requested to alight the vehicle and shall be apprehended for violation of this Ordinance.
- d) The law enforcement officer shall inform the offending driver of the violation and demand the presentation of the driver's license of the offending driver and the motor vehicle certificate of registration and official receipt of registration.
- e) The traffic law enforcement officer shall issue a Traffic Citation Ticket or TOP and issue the same to the offender.
- f) The law enforcement officer shall indicate the following information in the TCT or TOP:
 - i) name and address of the driver;
 - ii) driver license number and date and place of issuance;



- iii) agency of the driver's license;
 - iv) name and address of the motor vehicle owner;
 - v) registering agency of the motor vehicle;
 - vi) certificate of registration number;
 - vii) Violation committed.
- g) In case of subsequent violations, the traffic law enforcement officer shall confiscate the presented TOP and issue a new TOP indicating both the previous and present violation and the issuing authorities.
- h) The driver shall have three (3) days within which to settle the fine and comply with the attached penalties, or to file a protest in accordance with Section 58 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the appropriate fine shall be imposed until the full amount of fine and surcharge is paid.
- i) Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/ or registered owner.

D) Random Sobriety Checkpoint

- a) During random sobriety checks at authorized checkpoints, the law enforcement officer shall flag down every tenth (10th) passing motor vehicle. The law enforcement officer shall explain that a random sobriety check is being conducted pursuant to this ordinance, inform the driver that the proceedings are being recorded by video, and request the driver to undergo a BAC breath test with a portable breath analyzing device or any modification thereof.
- b) If the driver's BAC exceeds 0.05%, he or she shall be asked to park at a nearby designated parking area and shall be prohibited from driving until such time that he or she is able to comply with the allowed BAC. If he or she refuses to comply, he/ she shall be requested to alight the vehicle and shall be apprehended for violation of this Ordinance.
- c) Random sobriety checkpoints shall have appropriate signages. The conduct of random sobriety checkpoints shall be recorded using video cameras and/or body cameras.
- d) Law enforcement officers deployed for random sobriety checkpoints shall have a deployment order signed by the head of the Lead Department/Office and shall wear an identification card with their name and 2x2 photograph. The deployment order shall state the protocol for the random sobriety checkpoint.
- e) Law enforcement officers shall record the plate number of all vehicles flagged down, the name, license number and plate number of the driver of the vehicles that fail the BAC.

E) Drug-Driving Enforcement Procedure. - The enforcement of this section shall be uniformly conducted in accordance with the following procedure:

- a) As for persons suspected to be under the influence of dangerous drugs and similar substances, if it is reasonably apparent, based on his/ her gestures or behavior that his/ her motor and mental faculties are impaired due to the ingestion or intake of incapacitating substance as those prohibited by existing laws, such that he or she.
- b) If the law enforcement officer has probable cause to believe that a person is driving under the influence of dangerous drugs and/ or other similar substances, it shall be the duty of the law enforcement officer to bring the driver to the nearest police station to be subjected to a drug screening test and, if necessary, a drug confirmatory test as mandated under Republic Act No. 9165.
- c) The law enforcement officer shall inform the offending driver of the violation, and demand the presentation of the driver's license of the offending driver and the motor vehicle certificate of registration and official receipt of registration.



- d) The law enforcement officer shall confiscate the driver's license and issue a Temporary Operator's Permit (TOP) to the offender, which shall serve as the driver's temporary driver's license for Three (3) days from the date of issuance.
- e) The law enforcement officer shall indicate the following information in the TOP:
 - i) name and address of the driver;
 - ii) driver's license number and date and place of issuance;
 - iii) issuing agency of the driver's license;
 - iv) name and address of the motor vehicle owner;
 - v) registering agency of the motor vehicle;
 - vi) certificate of registration number;
 - vii) violation committed.
- f) In case of subsequent violations, the law enforcement officer shall confiscate the presented TOP and issue a new receipt, indicating both the previous and present violation and the issuing authorities.
- g) The driver shall have three (3) days within which to settle the fine and comply with the attached penalties, or to file a protest in accordance with Section 58 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the appropriate fine shall be imposed until the full amount of fine and surcharge is paid.
- h) Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/ or registered owner.

F) Enforcement of Mandatory Use of Child Restraint Systems.

- a) Only law enforcement officers that have complete training for fitters under Section 60, Article VIII, of this Ordinance shall be authorized to apprehend violators of Section 38(D)(a), Article V, of this Ordinance.
- b) A law enforcement officer shall make an initial determination of a violation/s of Section 38(D)(a), Article V, of this Ordinance:
 - i. Through a visual inspection, whether through observational checks, random safety checks conducted at established checkpoints, or during routine patrols;
 - ii. During apprehension for the commission of another traffic violation, such speeding, beating the red light, ignoring traffic signs, counter-flowing or incorrectly driving in a one-way street, driving recklessly, or swerving, or driving under the influence of alcohol or prohibited drugs; or
 - iii. During an investigation of a road crash or collision.
- c) Where the act or omission constituting the violation may be corrected through minor adjustments, such as in the installation or use of child restraint systems in cases under Section 38(D)(a), Article V, of this Ordinance, wearing of helmet in cases under Section 38(B)(a), Article V, this Ordinance, the law enforcement officer shall issue a warning instead of a TOP, provided, that the driver or any adult passenger accompanying the child shall be given an opportunity to make the necessary minor adjustments under the supervision of the law enforcement officer.
- d) In cases where violations under Section 38(D)(a), Article V of this Ordinance can only be corrected by requiring the child to alight the vehicle or by removing the child restraint system, the law enforcement officer shall issue TCT/TOP to the driver and direct the driver to the nearest LTO or Cagayan De Oro City fitting station where the child restraint system may be assessed and properly fitted, installed, or adjusted.
- e) Nothing in this Ordinance shall prevent the law enforcement officer from using reasonable means to enforce the provisions of this Ordinance, including issuing warnings and conducting IEC campaign.



G) Protecting Child Passengers from Distress.

- a) The law enforcement officer shall always ensure the safety of child passengers and shall conduct himself/herself in a manner that the child is not subjected to any form of distress during apprehension.
- b) The law enforcement officer shall follow existing protocol in the apprehension of drivers for traffic violations and shall only resort to visual inspection in determining whether there is a violation of this Ordinance. At no point may the law enforcement officer require the child to alight the vehicle or the removal of the child restraint system in cases related to Section 38(D)(a), Article V of this Ordinance.
- c) All communication during apprehension and processing of the violation shall be directed to the driver of the motor vehicle. At no instance shall the law enforcement approach or communicate directly with the child passenger without the presence of the driver or adult passenger.

H) Fitting Stations. The Lead Department/Office shall establish fitting stations within the jurisdiction of the City and shall be authorized to enter into partnerships with or consult healthcare institutions and/or medical professionals, law enforcement agencies, local government units (LGUs), and other institutions for the conduct of fitting services through mobile fitting stations. Fitting stations shall be established in accordance with the specifications to be set out in the implementing rules and regulations of this Ordinance.

SECTION 58. Protest Adjudication - The Traffic Adjudication Board created under the Lead Department/Office shall continue to have jurisdiction over protests in relation to this Ordinance. The process of filing a protest is as follows:

- a. Within Three (3) days from the issuance of the TCT/TOP, the driver or registered owner may file a protest with the Traffic Adjudication Board, attaching therein all evidence which he/she may wish to present.
- b. The Traffic Adjudication Board shall conduct an investigation and hearing, and shall have the authority to issue summons to law enforcement officers, drivers and registered owners of motor vehicles, and receive evidence in relation to the protest.
- c. Within thirty (30) days from the filing of the protest, the Traffic Adjudication Board shall decide on the protest and inform the driver and/or registered owner of its decision and the owner shall have Three (3) days within which to settle the fine indicated in the decision. Otherwise, the driver or registered owner shall be issued a clearance by the Lead Department/Office, indicating that the driver/registered owner has been cleared of the violation, cancelling the TOP and directing the appropriate office to return the confiscated license.

SECTION 59. Effect of Failure to Settle Fines and Serve Penalties - In the event of failure to settle the fines or penalties within the period provided in this Ordinance, the Lead Department/Office shall after three (3) days from the time the fine or penalty becomes due, file a complaint before the appropriate court for the enforcement of said fines or penalties. The Lead Department/Office shall also submit the information of the offending driver and registered owner to the LTO, requesting the said office to hold in abeyance the registration of the motor vehicle involved in the violation until such time that the fine is settled and/or the penalty is served.

SECTION 60. Training for Law Enforcement Officers and Fitters. The Lead Department/Office shall develop a training module for the enforcement of this Ordinance and for fitters to provide fitting services, and shall be authorized to coordinate with the LTO and other institutions for this purpose. The Lead Department/Office shall be responsible for ensuring that all law enforcement officers have undergone training on enforcement of this Ordinance in accordance with the specifications to be set out in the implementing rules and regulations of this Ordinance.



ARTICLE IX - MISCELLANEOUS PROVISIONS

SECTION 61. Budget and Appropriation - The amount of Five Million Pesos (₱5,000,000.00) from the General Fund or other available source of funds from the Cagayan de Oro City Government or Lead Department/Office is hereby appropriated for the first year of implementation of this Ordinance, including the member's remuneration in a form of honoraria, with the following priority procurement:

- 1) Laser speed guns;
- 2) Laser speed cameras;
- 3) Breath analyzers;
- 4) Speed limit signs;
- 5) Drug testing kits;
- 6) Body cameras;
- 7) Training of law enforcement officers;
- 8) Manufacture and installation of road signs;
- 9) IEC campaign materials;
- 10) Publication of IEC campaign materials;
- 11) Additional human resources
- 12) Printing of TCT
- 13) IT requirements for connectivity with the LTO information technology system.

All fines collected pursuant to this Ordinance shall be earmarked for the implementation of the road safety ordinance and policies in addition to the budget to be appropriated from the general fund for subsequent years, which shall, not be less than the amount of the prior year's appropriation.

Other items required to be procured for the implementation of this Ordinance or the Road Safety Action Plan shall be submitted by the Lead Department/Office or responsible office or agency as part of their budget plan for the succeeding years.

SECTION 62. Procurement - The Office of the City General Services is hereby authorized to cause the procurement of the items enumerated in the preceding section in accordance with the above budget program and in compliance with Republic Act No. 9184 or the Government Procurement Reform Act.

SECTION 63. Information, Education and Communication Campaign- The Lead Department/Office, in coordination with the City Information Office shall conduct a continuing IEC campaign on the implementation of this Ordinance and other enforcement activities.

SECTION 64. City Mayor Authority to Enter Into Agreements Related to Road Safety - The City Mayor is authorized to enter into agreements with other institutions, including those belonging to the private sector, civil society, and the academe, to implement the provisions of this Ordinance.

SECTION 65. Implementing Rules and Regulations - The Road Safety Working Group led by the Lead Department/Office, and in consultation with other local offices and national government agencies, such as the LTO, and other concerned agencies and stakeholders such as civil society organizations, the academe, and the private sector including representatives from accredited associations for homeowners, motorela/ trisikad operators and drivers and public utility vehicles operators and drivers, shall promulgate the Implementing Rules and regulations (IRR) within six (6) months from the effectivity of this Ordinance. The IRR shall cover among others the following:

- a) Training for enforcers and fitters;
- b) Rules for the establishment of fitting stations; and
- c) Phases of implementation, including phases for information, education, and awareness activities and for mandatory compliance of this Ordinance to be enforced.



SECTION 66. Transitory Clause. Mandatory compliance of this Ordinance shall be enforced only one (1) year after the effectivity of the Implementing Rules and Regulations of this Ordinance.

SECTION 67. Review. The Lead Department/Office shall conduct a review of the interventions provided in this Ordinance every three (3) years to ensure that the interventions are appropriate to protect road users and shall, for this purpose, refer to globally-accepted best practices and other evolving practices.

SECTION 68. Repealing Clause - All Ordinances, Resolutions, Executive Orders, Memorandum Circulars and Administrative Orders or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 69. Separability Clause - If any provision of this Ordinance is declared void or unconstitutional, the remaining portions shall not be affected and shall remain in full force and effect.

SECTION 70. Effectivity - This Ordinance shall take effect after fifteen (15) days following its publication in a newspaper of general circulation and after posting of copies of this Ordinance in conspicuous locations within Cagayan de Oro City for a period of fifteen (15) days.

UNANIMOUSLY APPROVED.

- | | | | |
|-----------------|---------------------------|----------------------------------------|----------------------------------------|
| <u>Present:</u> | 1 st District: | - Councilor Agapito Eriberto G. Suan | - Councilor Roger G. Abaday |
| | | - Councilor Jay R. Pascual | - Councilor George S. Goking |
| | | - Councilor Imee Rose P. Moreno | - Councilor Jose Pepe S. Abbu, Jr. |
| | | - Councilor Romeo V. Calizo | - Councilor Malvern A. Esparcia |
| | 2 nd District: | - Councilor Yevonna Yacine B. Emano | - Councilor James K. Judith II |
| | | - Councilor Maria Lourdes S. Gaane | - Councilor Ian Mark Q. Nacaya |
| | | - Councilor Joyleen Mercedes L. Balaba | - Councilor Christian Rustico M. Achas |
| | | - Councilor Edgar S. Cabanlas | - Councilor Suzette G. Magtajas-Daba |
| | Ex-Officio: | - Councilor Yan Lam S. Lim | - Councilor Kenneth John D. Sacala |

ENACTED this 6th day of May 2024 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:

JOCELYN B. RODRIGUEZ
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

ROLANDO A. UY
CITY MAYOR

Attested:

ATTY. ROY HILARIO P. RAAGAS
CITY ADMINISTRATOR



ORDINANCE NO. 14789-2024

AN ORDINANCE APPROVING THE APPLICATION OF MR. VICTOR P. CABELTES FOR A PERMIT TO CONDUCT A 3-WINS HACKFIGHT AT THE INDAHAG SQUARE GARDEN, BARANGAY INDAHAG, THIS CITY, ON MAY 15, 2024, ON THE OCCASION OF THE CELEBRATION OF THE FEAST OF SAN ISIDRO LABRADOR

BE IT ORDAINED by the 20th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session that:

SECTION 1. The application of Mr. Victor P. Cabeltes for a permit to conduct a 3-Wins Hackfight at the Indahag Square Garden, Barangay Indahag, this City, on May 15, 2024, on the occasion of the celebration of the feast of San Isidro Labrador, is hereby approved; subject to the compliance of the pertinent regulations provided for under Chapter 171, as amended, of Ordinance No. 4373-94, otherwise known as the Codified Ordinance of Cagayan de Oro City.

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

UNANIMOUSLY APPROVED.

<u>Present:</u>	1 st District:	- Councilor Agapito Eriberto G. Suan	- Councilor Roger G. Abaday
		- Councilor Jay R. Pascual	- Councilor George S. Goking
		- Councilor Imee Rose P. Moreno	- Councilor Jose Pepe S. Abbu, Jr.
		- Councilor Romeo V. Calizo	- Councilor Malvern A. Esparcia
	2 nd District:	- Councilor Yevonna Yacine B. Emano	- Councilor James K. Judith II
		- Councilor Maria Lourdes S. Gaane	- Councilor Ian Mark Q. Nacaya
		- Councilor Joyleen Mercedes L. Balaba	- Councilor Christian Rustico M. Achas
		- Councilor Edgar S. Cabanlas	- Councilor Suzette G. Magtajas-Daba
	Ex-Officio:	- Councilor Yan Lam S. Lim	- Councilor Kenneth John D. Sacala

ENACTED this 6th day of May 2024 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:

JOCELYN B. RODRIGUEZ
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

ROLANDO A. UY
CITY MAYOR

Attested:

ATTY. ROY HILARIO P. RAAGAS
CITY ADMINISTRATOR



Communication Number:

Date:

Receiver:

From Committee on Barangay Affairs

Subject PROPOSED RESOLUTION – returning to the Barangay Council of Barangay F.S. Catanico, this City, its Ordinance No. 002, Series of 2024, covering its Annual Budget for CY 2024 with an Estimated Income of ₱5,177,423.00, with the information that said Ordinance is operative in its entirety.

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: May 6, 2024 (perusal)

RECOMMENDING APPROVAL AND INCLUSION IN THE CALENDAR OF BUSINESS IN THE NEXT REGULAR SESSION

Respectfully submitted:

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Chairperson

HON. ROMEO V. CALIZO
 CITY COUNCILOR
 Vice Chairperson

HON. GEORGE S. GOKING
 CITY COUNCILOR
 Member

HON. ROGER G. ABADAY
 CITY COUNCILOR
 Member

HON. JOYLEEN MERCEDES L. BALABA
 CITY COUNCILOR
 Member

EX-OFFICIO MEMBERS

HON. JOCELYN B. RODRIGUEZ
 CITY VICE MAYOR
 Presiding Officer

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Majority Floor Leader

HON. CHRISTIAN RUSTICO M. ACHAS
 CITY COUNCILOR
 Minority Floor Leader

DISSENTING



Communication Number: 2024-2501

Date: 05/09/2024
 Receiver: EUCILLE

From: CBO
 Subject: ANNUAL BUDGET FOR CY 2024 OF BARANGAY FS CATANICO, THIS CITY

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: _____

HON. YAN LAM S. LIM
 Chairperson

HON. KENNETH JOHN D. SACALA
 Vice Chairperson

HON. ROGER G. ABADAY
 Member

HON. GEORGE S. GOKING
 Member

HON. MARIA LOURDES S. GAANE
 Member

Member

Member

EX-OFFICIO MEMBERS

HON. EDGAR S. CABANLAS
 Majority Floor Leader

HON. CHRISTIAN RUSTICO M. ACHAS
 Minority Floor Leader

HON. JOCELYN B. RODRIGUEZ
 City Vice Mayor

DISSENTING



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



1st Endorsement
May 9, 2024

Respectfully forwarded to the Honorable Members of the Sangguniang Panlungsod, this City, thru MR. ARTURO S. DE SAN MIGUEL, City Secretary, the herein copy of the Annual Budget CY 2024 of Barangay F.S. Catanico, Cagayan de Oro City, involving the total appropriations of P 5,177,423.00 under Appropriation Ordinance No. 002, Series of 2024, which is favorably recommended for approval having been found to meet substantial compliance with the basic requirements pursuant to the relevant provisions of the Local Government Code RA 7160, subject to the following conditions:

1. That the disbursement of the appropriation for the increase of the Honoraria shall be made in accordance with the DBM Local Budget Circular No. 92 dated September 3, 2009.
2. That the utilization of the corresponding mandatory obligations/automatic appropriations shall be made in accordance with the pertinent provisions under RA 7160, and its implementing rules/regulations, viz:
 - 1.1. 5% Calamity Fund – Section 234 (d) of RA 7160 and NDRRMC/DBM/DILG Joint Memorandum Circular No. 2013-1 dated March 25, 2013.
 - 1.2. 10% SK Fund - Section 239 of RA 7160 and RA 10742 Series of 2015 (SK Reform Act) as defined in the DBM/DILG/NYC Joint Memorandum Circular No. 1 dated January 23, 2019.
 - 1.3. 20% Development Fund – Section 287 of RA 7160 and DBM/DOF/ DILG Joint Memorandum Circular No. 1 dated November 4, 2020.
3. That in all cases, disbursements of appropriation covered in this Annual Budget shall be subject to availability of funds and to all accounting and auditing rules and regulations.

Compliance to all existing laws, administrative rules and regulations shall be the responsibility of the implementing barangay, subject to the posting requirement under Section 59 of RA 7160.

ROXANNE MAE A. RAVIDAS, CPA
 Acting City Budget Officer
 For the Local Finance Committee

Ground Floor, Executive Building
 Capistrano-Gaerlan Street, City Hall





REVIEWED

Republic of the Philippines
City of Cagayan de Oro
BARANGAY F.S. CATANICO

OFFICE OF THE SANGGUNIANG BARANGAY

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BARANGAY OF BARANGAY F.S. CATANICO HELD AT BARANGAY SESSION HALL, THIS CITY, ON APRIL 15, 2024.

Present:

Punong Barangay	<u>ELPEDIO M. NERI</u>	Barangay Kagawad	<u>PRISCILLA P. PAGUTAYAO</u>
Barangay Kagawad	<u>CHARITO M. PIMENTEL</u>	Barangay Kagawad	<u>LEO V. PIMENTEL</u>
Barangay Kagawad	<u>LUMINADO S. BUTAYA, JR.</u>	SK Chairperson	<u>QUEEN JAILYN FAITH T. SACALA</u>
Barangay Kagawad	<u>FELVIC E. NERI</u>	Barangay Treasurer	<u>ODESSA L. DATOON</u>
Barangay Kagawad	<u>SUZETTE E. PABALINAN</u>	Barangay Secretary	<u>JAMEL L. BUSTILLO</u>
Barangay Kagawad	<u>ESTELA M. EURESE</u>		

Absent: None

**RESOLUTION NO. 005
SERIES OF 2024**

Presented for consideration is the Annual Budget of the Barangay F.S. Catanico for the period January 1, 2024 to December 31, 2024 in the sum of **P 5,177,423.00**.

NOW THEREFORE, on motion to approve the resolution by Kagawad Priscella Pagutayao and duly seconded by the body assembles in the session, be it;

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

**APPROPRIATION ORDINANCE NO. 002
SERIES OF 2024**

APPROPRIATING FUNDS FOR THE PERIOD FROM JANUARY 1, 2024 TO DECEMBER 31, 2024.

Be it enacted by the Sangguniang Barangay of Barangay F.S. Catanico that the Barangay Annual Budget covering the period from January 1, 2024 to December 31, 2024 with a total estimated income of **P 5,177,423.00** as against total appropriation in the amount of **P 5,177,423.00** is hereby approved, summarized as follows:

Available Resources

1. Income

Real Property Tax - Due Component	P	<u>400,000.00</u>
Real Property Tax - Equal Sharing		<u>750,000.00</u>
Other Taxes - Community Tax		<u>5,210.00</u>
External Income - National Tax Allotment (NTA)		<u>3,945,213.00</u>
Clearance and Certification Fees – AF51		<u>77,000.00</u>

2. Total Income

P **5,177,423.00**



REVIEWED

APPROPRIATIONS:

1.0 Current Operating Expenditures

1.1 Personal Services

Honoraria	P	1,522,050.00
Year-End Bonus		126,838.00
Cash Gift		60,000.00
Mid Year Bonus		126,838.00
Productivity Enhancement Incentive		60,000.00
Terminal Leave Benefits		183,379.00
Total PS	P	2,079,105.00

1.2 Maint. & Other Operating Expenses

Traveling Expenses - Local	P	85,000.00
Training Expenses		25,000.00
Office Supplies Expenses		50,000.00
Medical Supplies Expenses		10,000.00
Other Supplies and Materials Expenses - Barangay Police		15,000.00
Electricity Expenses		200,000.00
Extraordinary and Miscellaneous Expenses		27,865.00
Auditing Services		19,726.00
Other General Services - Job Order		756,600.00
Repairs and Maintenance - Office Equipment		57,617.00
Fidelity Bond Premiums		4,000.00
Membership Dues and Cont. to Org. - Liga ng mga Brgy.		23,900.00
Other Maintenance and Operating Expenses - Cultural & Athletics		92,954.00
Other Maintenance and Operating Expenses - Barangay Assembly		35,000.00
Other Maint. & Operating Expenses - Aid to Senior Citizens and or PWDs		10,000.00
Other Maintenance and Operating Expenses - BCPC		10,000.00
Other Maintenance and Operating Expenses - GAD Program		10,000.00
Other Maintenance and Operating Expenses - Aid to Indigents		10,000.00
Other Maintenance and Operating Expenses - Medical Assistance		20,000.00
Other Maintenance and Operating Expenses - BADAC		50,000.00
Other Maintenance and Operating Expenses - Aid to Indigenous People		10,000.00
Other Maintenance and Operating Expenses - Health Program		5,000.00
Other Maintenance and Operating Expenses - Nutrition Program		5,000.00
Total MOOE	P	1,532,662.00

1.3 Non-Office Expenditures

5% BDRRMF	P	258,871.00
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30% Quick Response Fund	77,661.00
70% of BDRRMF	181,210.00
Total	258,871.00

Breakdown:

Purchase of Calamity Related	
Supplies & Equipment	181,210.00
Total	181,210.00

10% SK Fund -Youth Development Program	517,742.00
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20% Development Fund	789,043.00
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Breakdown:

Rehabilitation of Water Supply System	200,000.00
Installation of Street Lighting System	150,000.00
Rehabilitation of Local Roads	150,000.00
Rehabilitation of Drainage system	150,000.00
Rehab. of Material Recovery Facilities	139,043.00
Total	789,043.00

TOTAL BUDGETARY APPROPRIATIONS

P	5,177,423.00
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This Appropriation Ordinance shall take effect on January 1, 2024.

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

APPROVED ON April 15, 2024.

I hereby certify that the foregoing Resolution no. 005 embodying Appropriation Ordinance No. 002 both series of 2024, which approved the Brgy. Annual Budget for the period of January 1, 2024-December 31, 2024 of Barangay F.S. Catanico, City of Cagayan de Oro was duly enacted by the Sangguniang Barangay in its regular session held at Session Hall on April 15, 2024.

Attested:


JAMEL L. BUSTILLO
Barangay Secretary


ELPEDIO M. NERI
Punong Barangay





Communication Number:

Date:

Receiver:

From Committee on Barangay Affairs

Subject PROPOSED RESOLUTION returning to the Barangay Council of Barangay Macasandig, this City, its Ordinance No. 01, Series of 2024, covering its Annual Budget for CY 2024 with an Estimated Income of ₱28,138,212.00, with the information that said Resolution is operative in its entirety.

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: May 6, 2024 (perusal)

RECOMMENDING APPROVAL AND INCLUSION IN THE CALENDAR OF BUSINESS IN THE NEXT REGULAR SESSION

Respectfully submitted:

✓ **HON. EDGAR S. CABANLAS**
 CITY COUNCILOR
 Chairperson

✓ **HON. ROMEO V. CALIZO**
 CITY COUNCILOR
 Vice Chairperson

✓ **HON. GEORGE S. GOKING**
 CITY COUNCILOR
 Member

✓ **HON. ROGER G. ABADAY**
 CITY COUNCILOR
 Member

✓ **HON. JOYLEEN MERCEDES L. BALABA**
 CITY COUNCILOR
 Member

EX-OFFICIO MEMBERS

HON. JOCELYN B. RODRIGUEZ
 CITY VICE MAYOR
 Presiding Officer

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Majority Floor Leader

HON. CHRISTIAN RUSTICO M. ACHAS
 CITY COUNCILOR
 Minority Floor Leader

DISSENTING



Communication Number: 2024-2494

Date: 05/08/2024

Receiver: EUCILLE

From: CBO

Subject: ANNUAL BUDGET FOR CY 2024 OF BARANGAY Macasandig, THIS CITY

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: _____

HON. YAN LAM S. LIM
 Chairperson

HON. KENNETH JOHN D. SACALA
 Vice Chairperson

HON. ROGER G. ABADAY
 Member

HON. GEORGE S. GOKING
 Member

HON. MARIA LOURDES S. GAANE
 Member

Member

Member

EX-OFFICIO MEMBERS

HON. EDGAR S. CABANLAS
 Majority Floor Leader

HON. CHRISTIAN RUSTICO M. ACHAS
 Minority Floor Leader

HON. JOCELYN B. RODRIGUEZ
 City Vice Mayor

DISSENTING



**1st Endorsement
 May 7, 2024**

Respectfully forwarded to the Honorable Members of the Sangguniang Panlungsod, this City, thru MR. ARTURO S. DE SAN MIGUEL, City Secretary, the herein copy of the Annual Budget CY 2024 of Barangay Macasandig, Cagayan de Oro City, involving the total appropriations of P 28,138,212.00 under Appropriation Ordinance No. 01, Series of 2024, which is favorably recommended for approval having been found to meet substantial compliance with the basic requirements pursuant to the relevant provisions of the Local Government Code RA 7160, subject to the following conditions:

1. That the utilization of the corresponding mandatory obligations/ automatic appropriations shall be made in accordance with the pertinent provisions under RA 7160, and its implementing rules/regulations, viz:
 - 1.1. 5% Calamity Fund – Section 234 (d) of RA 7160 and NDRRMC/DBM/DILG Joint Memorandum Circular No. 2013-1 dated March 25, 2013.
 - 1.2. 10% SK Fund - Section 239 of RA 7160 and RA 10742 Series of 2015 (SK Reform Act) as defined in the DBM/DILG/NYC Joint Memorandum Circular No. 1 dated January 23, 2019.
 - 1.3. 20% Development Fund – Section 287 of RA 7160 and DBM/DOF/ DILG Joint Memorandum Circular No. 1 dated November 4, 2020.

2. That in all cases, disbursements of appropriation covered in this Annual Budget shall be subject to availability of funds and to all accounting and auditing rules and regulations.

Compliance to all existing laws, administrative rules and regulations shall be the responsibility of the implementing barangay, subject to the posting requirement under Section 59 of RA 7160.

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

RECEIVED: 5-7-24 Time: 3:17 PM
 Comm. No.
 SECTION TAKEN

Roxanne Mae A. Ravidas
Acting City Budget Officer

Arturo S. De San Miguel
 City Secretary

RIS
 RISK MANAGEMENT SYSTEM

ROXANNE MAE A. RAVIDAS, CPA
 Acting City Budget Officer
 For the Local Finance Committee

NORMITA M. PENGSON
 Assistant City Budget Officer

Ground Floor, Executive Building
 Capistrano-Gaerlan Street, City Hall



Republic of the Philippines
City of Cagayan de Oro
Barangay Macasandig

OFFICE OF THE SANGGUNIANG BARANGAY

MINUTES OF THE SESSION OF THE SANGGUNIANG BARANGAY OF BARANGAY MACASANDIG, THIS CITY, HELD AT MACASANDIG BARANGAY HALL ON APRIL 12, 2024.

Present:

Punong Barangay	<u>Mario B. Bolanio</u>	Barangay Kagawad	<u>Daryl M. Pimentel</u>
Barangay Kagawad	<u>Eric W. Waban</u>	Barangay Kagawad	<u>Lee Michael B. Paayas</u>
Barangay Kagawad	<u>Amor G. Sanchez</u>	Barangay Kagawad	<u>Jesus A. Olano</u>
Barangay Kagawad	<u>Clemencia Q. Neri</u>	SK Chairperson	<u>Mary Grace P. Pabillaran</u>
Barangay Kagawad	<u>Romeo B. Daabay</u>		

Absent: None

RESOLUTION NO. 015-24
Series 2024

Presented for consideration is the Annual Budget of the Barangay Macasandig for the period January 01, 2024 to December 31, 2024 in the sum of P 28,138,212.00.

NOW THEREFORE, on motion of Kagawad Romeo B. Daabay duly seconded by all members present, be it;

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

APPROPRIATION ORDINANCE NO. 01
Series of 2024

APPROPRIATING FUNDS FOR THE PERIOD FROM JANUARY 01, 2024 TO DECEMBER 31, 2024.

Be it enacted by the Sangguniang Barangay of Barangay Macasandig that the Barangay Annual Budget covering the period from January 01, 2024 to December 31, 2024 with a total estimated income of P 28,138,212.00 as against total appropriation in the amount of P 28,138,212.00 is hereby approved, summarized as follows:

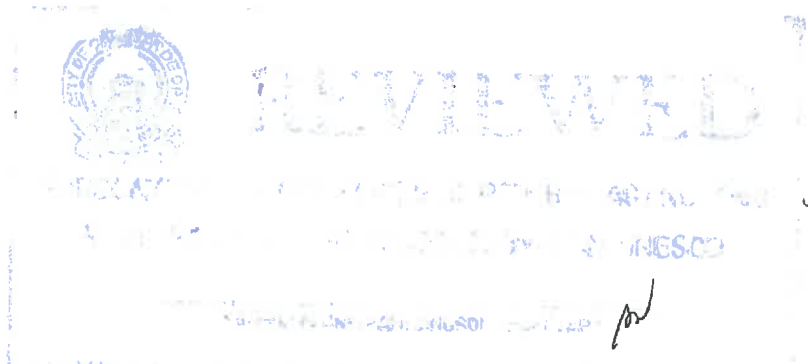
Available Resources:

1. Income

Real Property Tax - Due Component	P	1,860,000.00
Real Property Tax - Equal Sharing		750,000.00
Other Taxes - Community Tax		91,422.00
External Income - National Tax Allotment (NTA)		23,665,019.00
Clearance and Certification Fees - AF51		1,771,771.00

2. Total Income

P 28,138,212.00



APPROPRIATIONS:

1.0 Current Operating Expenditures

1.1 Personal Services

Honoraria	P	3,187,236.00
Year End Bonus		265,603.00
Cash Gift		55,000.00
Mid Year Bonus		265,603.00
Productivity Enhancement Incentive		55,000.00
Terminal Leave Benefits		384,004.00
Total PS	P	4,212,446.00

1.2 Maintenance & Other Operating Expenses

Traveling Expenses - Local	P	226,261.00
Training Expenses		325,000.00
Office Supplies Expenses		100,000.00
Accountable Forms Expenses		30,000.00
Drugs and Medicines Expenses		100,000.00
Fuel, Oil and Lubricants Expenses		1,000,000.00
Other Supplies and Materials Expenses - Barangay Tanod		50,000.00
Other Supplies and Materials Expenses - Electrical		600,000.00
Other Supplies and Materials Expenses - Uniform		400,000.00
Water Expenses		180,000.00
Electricity Expenses		900,000.00
Telephone Expenses - Mobile		270,000.00
Internet Subscription Expenses		60,000.00
Extraordinary and Miscellaneous Expenses		52,076.00
Auditing Services		118,325.00
Other General Services - Job Order		6,653,568.00
Repairs and Maintenance - Office Equipment		100,000.00
Repairs and Maintenance - Transportation Equipment		800,000.00
Fidelity Bond Premiums		35,000.00
Insurance Expenses		150,000.00
Representation Expenses		102,000.00
Membership Dues and Contributions to Organizations - Liga ng mga Barangay		86,000.00
Other Maintenance and Operating Expenses		1,013,800.00
Other Maintenance and Operating Expenses - Cultural & Athletics		600,000.00
Other Maintenance and Operating Expenses - Medical Assistance		55,000.00
Other Maintenance and Operating Expenses - AICS		300,000.00
Other Maintenance and Operating Exp. - Aid to Senior Citizens and or PWDs		115,000.00
Other Maintenance and Operating Expenses - Health Program		100,000.00
Other Maintenance and Operating Expenses - Nutrition Program		100,000.00
Other Maintenance and Operating Expenses - Barangay Assembly		100,000.00
Other Maintenance and Operating Expenses - GAD Program		100,000.00
Other Maintenance and Operating Expenses - BCPC		100,000.00
Other Maintenance and Operating Expenses - BADAC		50,000.00
Total MOOE	P	14,972,030.00

1.3 Non- Office Expenditures

5% BDRRMF	P	1,406,911.00
30% Quick Response Fund	P	422,073.00
70% of BDRRMF		984,838.00
Total	P	1,406,911.00



REVIEWED

Breakdown:

Purchase of Calamity Related Supplies and Equipment	P	384,838.00
Purchase of Light Rescue Vehicle		600,000.00
Total	P	984,838.00

10% SK Fund - Youth Development Program	2,813,821.00
20% Development Fund	4,733,004.00

Breakdown:

Construction of Drainage System at Gines Area II	P	200,000.00	/
Construction of Drainage System at Villarino II		200,000.00	/
Construction of Drainage System at Lupiba Area III		200,000.00	/
Construction of Drainage System at Cabacungan Area II		200,000.00	/
Const. of Drainage System at Buena Oro Block 1 to Caiña Area		400,000.00	
Construction of Drainage System at Wabe Compound		50,000.00	
Const. of Drainage System at Tibasak Zone 3 Sagun Comp. Area		100,000.00	
Construction of Drainage System at Balangay Pangandoy		50,000.00	
Const. of Drainage System with cover at Buena Oro Covered Court		200,000.00	/
Construction of Concrete Road at Macasandig Elementary School		150,000.00	
Const. of Concrete Stairs with Railings at Ormillada Compound III		200,000.00	
Construction of Railings at Hilltop		200,000.00	
Construction of Concrete Interlink Fence at Southview Homes		200,000.00	
Construction of Multi-Purpose Hall at St. Ignatius		150,000.00	
Rehabilitation of Multi-Purpose Hall at Tomas Saco		150,000.00	/
Rehabilitation of Multi-Purpose Hall at Jupiter		100,000.00	/
Construction of Pathway at Tambo Gines Area		50,000.00	/
Construction of Pathway at Tambo Paasa Area		50,000.00	/
Construction of Pathway at Promiseland Sirena Area		50,000.00	/
Construction of Pathway at Mandumol Verson Area		50,000.00	/
Construction of Pathway at Gaa Area		50,000.00	/
Construction of Pathway at St. Ignatius Galamgam Area		50,000.00	/
Construction of Pathway at Sunshine Abadies Area		50,000.00	/
Construction of Pathway at Zone 4 Tabian Compound		50,000.00	/
Riprapping of Concrete Creek at Tambo Oco Area		50,000.00	/
Purchase of 1 unit Mini Dump Truck		1,000,000.00	
Declogging of Canals (Barangay-wide)		533,004.00	
Total	P	4,733,004.00	P 8,953,736.00

2.0 Capital Outlay

Total CO -

Total Budgetary Appropriations P 28,138,212.00

This Appropriation Ordinance shall take effect on January 1, 2024.

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

APPROVED April 12, 2024.

I hereby certify that the foregoing Resolution No. 015-24 embodying Appropriation Ordinance No. 01-2024, both series of 2024 which approved the Barangay Annual Budget for the period January 1, 2024 to December 31, 2024 of Barangay Macasandig, City of Cagayan de Oro, was duly enacted by the Sangguniang Barangay in its Regular Session held at Macasandig Barangay Hall on April 12, 2024.

ATTESTED:

ADOLFO O. EMIA, SR.
Barangay Secretary

MARIO B. BOLANIO, SR.
Punong Barangay



Communication Number:

Date:

Receiver:

From Committee on Barangay Affairs

Subject PROPOSED RESOLUTION returning to the Barangay Council of Barangay Puerto, this City, its Ordinance No. 01, Series of 2024, covering its Annual Budget for CY 2024 with an Estimated Income of ₱17,687,329.00, with the information that said Resolution is operative in its entirety.

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: May 6, 2024 (perusal)

RECOMMENDING APPROVAL AND INCLUSION IN THE CALENDAR OF BUSINESS IN THE NEXT REGULAR SESSION

Respectfully submitted:

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Chairperson

HON. ROMEO V. CALIZO
 CITY COUNCILOR
 Vice Chairperson

HON. GEORGE S. GOKING
 CITY COUNCILOR
 Member

HON. ROGER G. ABADAY
 CITY COUNCILOR
 Member

HON. JOYLEEN MERCEDES L. BALABA
 CITY COUNCILOR
 Member

EX-OFFICIO MEMBERS

HON. JOCELYN B. RODRIGUEZ
 CITY VICE MAYOR
 Presiding Officer

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Majority Floor Leader

HON. CHRISTIAN RUSTICO M. ACHAS
 CITY COUNCILOR
 Minority Floor Leader

DISSENTING



Communication Number: 2024-2497

Date: 05/08/2024

Receiver: JESSAMINE

From: CBO

Subject: ANNUAL BUDGET FOR CY 2024 OF BARANGAY Puerto, THIS CITY

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


 ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: _____

HON. YAN LAM S. LIM
 Chairperson

HON. KENNETH JOHN D. SACALA
 Vice Chairperson

HON. ROGER G. ABADAY
 Member

HON. GEORGES S. GOKING
 Member

HON. MARIA LOURDES S. GAANE
 Member

 Member

 Member

EX-OFFICIO MEMBERS

HON. EDGAR S. CABANLAS
 Majority Floor Leader

HON. CHRISTIAN RUSTICO M. ACHAS
 Minority Floor Leader

HON. JOCELYN B. RODRIGUEZ
 City Vice Mayor

DISSENTING



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

**cagayan
de Oro**
city of golden friendship

1st Endorsement
May 8, 2024

Respectfully forwarded to the Honorable Members of Sangguniang Panlungsod, this City, thru MR. ARTURO S. DE SAN MIGUEL, City Secretary, the herein copy of Annual Budget CY 2024 General Fund of Barangay Puerto, Cagayan de Oro City, involving the total appropriations of P 17,687,329.00 under Appropriation Ordinance No. 01 Series of 2024, which is favorably recommended for approval having been found to be in order, having substantially complied with the basic requirements pursuant to the relevant provisions of the Local Government Code (RA 7160), subject to the following conditions:

1. That the utilization of the corresponding mandatory obligations/automatic appropriations shall be made in accordance with the pertinent provisions under RA 7160, and its implementing rules/regulations, viz:
 - 1.1. 5% Calamity Fund –Per Section 234 (d) of (RA 7160) and NDRRMC/DBM/DILG Joint Memorandum Circular No. 2013-1 dated March 25, 2013.
 - 1.2. 10% SK Fund- PerSection 239 of RA 7160 and RA 10742 Series of 2015 (SK Reform Act)and DBM/DILG/NYC Joint Memorandum Circular No. 1 dated January 23, 2019.
 - 1.3. 20% Development Fund –Per Section 287of RA 7160 and DBM/DOF/ DILG Joint Memorandum Circular No. 1 dated November 4, 2020.
2. That in all cases, disbursements of appropriation covered in this Annual Budget shall be subject to availability of funds and to all accounting and auditing rules and regulations.

Compliance to all existing laws, administrative rules and regulations shall be the responsibility of the implementing barangay, subject to the posting requirement under Section 59 of RA 7160.

ROXANNE MAE A. RAVIDAS, CPA
Acting City Budget Officer

Ref. For the Local Finance Committee

Ground Floor, Executive Building
Capistrano-Gaerlan Street, City Hall





Republic of the Philippines
Province of Misamis Oriental
City of Cagayan de Oro
BARANGAY PUERTO

OFFICE OF THE SANGGUNIANG BARANGAY

**MINUTES OF THE 7TH REGULAR SESSION OF PUERTO BARANGAY COUNCIL,
PUERTO CAGAYAN DE ORO, HELD AT THE BARANGAY SESSION HALL ON
FEBRUARY 5, 2024.**

PRESENT:

HON. LOLITA L. WAHING
KAG. JOHN ALEF T. CORDOVA
KAG. MERLYN C. TAN
KAG. MILAGROS V. LAO
KAG. URBANO C. CIPADA JR.
KAG. CARMELITO C. BONGABONG
KAG. ABEL G. ALINGHAWA
VIEN ROSSELE MARIE V. BUTANAS

Punong Barangay/Presiding Officer
Barangay Kagawad
Barangay Kagawad
Barangay Kagawad
Barangay Kagawad
Barangay Kagawad
Barangay Kagawad
SK Chairman

ALSO PRESENT:

IRISH MAE A. ENRIQUEZ
IRISH A. DEVILLA

Barangay Secretary
Barangay Treasurer

ABSENT:

KAG. MARIGOLD P. DUMAQUIT

Barangay Kagawad

RESOLUTION No. 05
SERIES OF 2024

Presented for consideration is the Annual Budget of the Barangay Puerto for the period January 1, 2024 to December 31, 2024 in the sum of ₱ 17,687,329.00.

NOW, THEREFORE, on motion of Kag. Carmelito C. Bongabong and unanimously seconded by the Sangguniang Members.

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

APPROPRIATION ORDINANCE No. 01
SERIES OF 2024

**APPROPRIATION FUNDS FOR THE PERIOD FROM JANUARY 1, 2024 TO
DECEMBER 31, 2024**

Be it enacted by the Sangguniang Barangay of Barangay Puerto that the Barangay Annual Budget the period January 1, 2024 to December 31, 2024 with the total estimated Income of ₱ 17,687,329.00 against the total appropriation in the amount ₱ 17,687,329.00 is hereby approved, summarized as follows:

1. AVAILABLE RESOURCES

Real Property Tax	P 2,010,000.00
RPT-Equal Sharing	P 750,000.00
Sand and Gravel	P 60,000.00
Certification	P 684,500.00
Construction Clearance	P 26,000.00
National Tax Allotment	P 14,156,829.00
OVERALL TOTAL	P17,687,329.00

2. CURRENT OPERATING EXPENDITURES

A.) PERSONAL SERVICES

Honoraria	P 3,187,236.00
Cash Gift	P 55,000.00
Mid-Year Bonus	P 231,467.00
Vacation & Sick Leave Benefits	P 334,651.00
Year-End Bonus	P 231,467.00
Productivity Enhancement Incentive	P 55,000.00
SUB-TOTAL	P 4,094,821.00

B.) MAINTENANCE & OPERATING EXPENSES

Training Expenses	P 150,000.00
Office Supplies Expenses	P 100,000.00
Other Supplies Expenses – Electrical	P 56,216.00
Other Supplies Expenses – Uniform	P 145,000.00
Electricity Expenses	P 807,600.00
Other Supplies & Materials Expenses	P 165,000.00
Travelling Expenses	P 300,000.00
Fuel, Oil & Lubricant Expenses	P 107,000.00
Membership Dues & Contributions to Organizations	P 27,000.00
Water Expenses	P 120,000.00
Auditing Services	P 70,784.00
Other maintenance and Operating Expenses -VAWC	P 80,000.00
Repairs and Maintenance – Land Transportation Equipment	P 119,000.00
Medicine Supplies Expenses	P 80,000.00
Other Maintenance & Operating Expenses – Culture & Athletic	P 637,275.00
Extraordinary Expenses	P 55,000.00
Insurance/Re Insurance	P 60,000.00
Fidelity Bond, Premiums	P 25,000.00
Other Maintenance and Operating Expenses – BCPC	P 25,000.00
Other Maint. & Exp.-Aid to Senior Citizen & Dis-abled Person	P 100,000.00
Other Maintenance and Operating Expenses – GAD Program	P 100,000.00
Other Maintenance and Operating Expenses – Barangay Assembly	P 75,000.00
Other Maintenance and Operating Expenses – Health & Nutrition Program	P 150,000.00
Other Maintenance and Operating Expenses – Aid to Indigent	P 145,168.00
Other Maintenance and Operating Expenses – Solid Waste Management	P 246,000.00
Other Maintenance and Operating Expenses – Social Services	P 60,000.00

Other Maintenance and Operating Expenses – BADAC	P 100,000.00
Representation Expenses	P 102,000.00
General Services - Job Order	P 3,650,000.00
Internet Services	P 100,000.00
SUB-TOTAL	P 7,958,043.00

3. SPECIAL PURPOSE APPROPRIATION

5% LDRRMF (CALAMITY FUND)	P 884,366.00
10% SK FUND – Youth Development Program	P 1,768,733.00
20% DEVELOPMENT FUND	P 2,831,366.00
SUB-TOTAL	P 5,484,465.00

BREAKDOWN: 20% DEVELOPMENT FUND

Land Acquisition	P 300,000.00
Fencing of Property of Purok 8 Barangay Puerto-Annex	P 100,000.00
Installation of Street Lighting System	P 100,000.00
Declogging of Canal 9 Puroks	P 100,000.00
Rehabilitation of Multipurpose Hall - Covered Court	P 457,367.00
Construction and Concreting of Pathways Purok 5	P 124,000.00
Construction of Line Canal with Cover	P 100,000.00
Purchase of Vehicle for Solid Waste & - Environmental Management	<u>P 1,550,000.00</u>
SUB-TOTAL	P 2,831,366.00

BREAKDOWN: 5% CALAMITY FUND

QUICK RESPONSE FUND:	P 265,310.00
PURCHASE OF CALAMITY RELATED SUPPLIES & EQUIPMENT:	<u>P 619,056.00</u>
SUB-TOTAL	P 884,366.00

CAPITAL OUTLAY	
Purchase of Sound System	<u>P 150,000.00</u>
SUB-TOTAL	P 150,000.00

P 17,687,329.00

This Appropriation Ordinance shall take effect on January 1, 2024

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

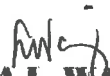
APPROVED February 5, 2024.

I HEREBY CERTIFY that the foregoing Resolution No.05 embodying Appropriation Ordinance No.01 both series of 2024, which approved the Barangay Annual Budget for the period January 1, 2024 to December 31, 2024 of the Barangay Puerto, Cagayan de Oro City, was duly enacted by the Sangguniang Barangay in its regular session held at Barangay Hall, Barangay Puerto on February 5, 2024.

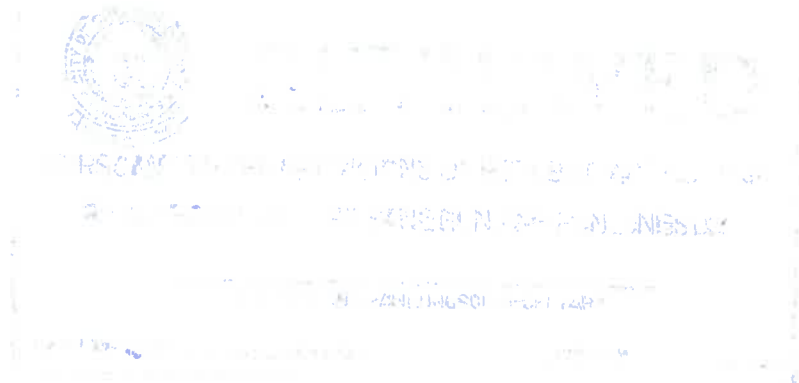


IRISH MAE A. ENRIQUEZ
Barangay Secretary

Attested by:



HON. LOLITA L. WAHING
Punong Barangay





Communication Number:
 From Committee on Sports and Youth Development

Date:
Receiver:

Subject PROPOSED RESOLUTION – returning to the Sangguniang Kabataan of Barangay Gusa this City, its Resolution No. 8, Series of 2024, covering its Annual Budget for CY 2024 with an Estimated Income of ₱3,479,671.00, with the information that said Resolution is operative in its entirety.

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary


Date of Meeting: May 6, 2024 (perusal)

**RECOMMENDING APPROVAL AND INCLUSION IN THE CALENDAR OF BUSINESS IN THE
 NEXT REGULAR SESSION**

COMMITTEE REPORT AND RECOMMENDATION

Respectfully submitted:


HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Chairperson


HON. ROMEO V. CALIZO
 CITY COUNCILOR
 Vice Chairperson


HON. GEORGE S. GOKING
 CITY COUNCILOR
 Member


HON. ROGER G. ABADAY
 CITY COUNCILOR
 Member


HON. JOYLEEN MERCEDES L. BALABA
 CITY COUNCILOR
 Member

EX-OFFICIO MEMBERS


HON. JOCELYN B. RODRIGUEZ
 CITY VICE MAYOR
 Presiding Officer


HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Majority Floor Leader


HON. CHRISTIAN RUSTICO M. ACHAS
 CITY COUNCILOR
 Minority Floor Leader

DISSENTING



Communication Number: 2024-2475

Date: 05/03/2024

Receiver: EUCILLE

From: CBO

Subject: SK ANNUAL BUDGET FOR CY 2024 OF BARANGAY GUSA, THIS CITY

Respectfully referred to COMMITTEE ON SPORTS AND YOUTH DEVELOPMENT the herein communication for study, investigation, report and/or recommendation.

ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: *May 6, 2024*

Recommending Approval

HON. KENNETH JOHN D. SACALA

Chairperson

HON. ROGER G. ABADAY

Vice Chairperson

HON. JAY R. PASCUAL

Member

HON. IMEE ROSE P. MORENO

Member

HON. YEVONNA YACINE B. EMANO

Member

HON. AGA G. SUAN

Member

HON. EDGAR S. CABANLAS

Member

EX-OFFICIO MEMBERS

HON. EDGAR S. CABANLAS

Majority Floor Leader

HON. CHRISTIAN RUSTICO M. ACHAS

Minority Floor Leader

HON. JOCELYN B. RODRIGUEZ

City Vice Mayor

DISSENTING



Republic of the Philippines
City of Cagayan de Oro

OFFICE OF THE CITY BUDGET OFFICER

Republic of the Philippines
City of Cagayan de Oro

CITY BUDGET OFFICE

1st Endorsement

May 2, 2024

Republic of the Philippines
City of Cagayan de Oro
OFFICE OF THE CITY BUDGET OFFICER
RECEIVED: 5-2-24 4:07 PM
Cagayan de Oro
city of golden friendship
Date: _____
ARTURO S. DE SAN MIGUEL
City Council Secretary
REMARKS: _____

Approved To Youth Center

Respectfully forwarded to the Honorable Members of Sangguniang Panlungsod, this City, thru MR. ARTURO S. DE SAN MIGUEL, City Secretary, the herein copy of Annual Budget CY 2024 of SK Council of Barangay Gusa, Cagayan de Oro City, involving the total appropriations of P 3,479,671.00 under Resolution No. 8, Series of 2024 which is favorably recommended for approval having been found to be in order, having substantially complied with the basic requirements pursuant to Republic Act No. 10742 also known as (SK Reform Act), subject to the following conditions:

1. That the utilization on the appropriation intended for various SK Programs/Projects/Activities shall be made in accordance with RA 10742 as implemented under in the DBM/ DILG/NYC Joint Memorandum Circular No. 1 dated January 23, 2019.
2. That the disbursement of Honoraria for SK council members shall be made in accordance with RA 11768 as implemented under LBC No. 148 dated December 23, 2022 of the Department of Budget and Management administrative guidelines/policies set therefor.
3. That in all cases, disbursements of appropriation covered in this Annual Budget shall be subject to availability of funds and all accounting and auditing rules and regulations.

Compliance to all existing laws, administrative rules and regulations shall be the responsibility of the implementing SK Council, subject to the posting requirement under Section 59 of RA 7160.

ROXANNE MAE A. RAVIDAS, CPA

Acting City Budget Officer

For the Local Finance Committee

Ry

AM



Ground Floor, Executive Building
Capistrano-Gaerlan Street, City Hall





**Region X
Cagayan de Oro City
SANGGUNIANG KABATAAN COUNCIL**

Excerpts from the minutes of the Regular Session of the Sangguniang Kabataan of Barangay Gusa City of Cagayan de Oro held at *Barangay Session Hall, Gusa, 5:00 PM, on April 21, 2024*

PRESENT:

Hon. Dorlyn Rose P. Baltazar	SK Chairperson
Hon. Blue Denver D. Blanela	SK Kagawad
Hon. Dionne Faye C. Jinayon	SK Kagawad
Hon. Markim N. Cagumbay	SK Kagawad
Hon. Kedesh Joush D. Maalam	SK Kagawad
Hon. Werner Von B. Haclad	SK Kagawad
Hon. Laurence Cielo L. Roda	SK Kagawad
Hon. Seff Mckew Timosan	SK Kagawad
Mr. Mikhail Christian B. Gallana	SK Secretary
Ms. Shynne Rhys C. Mabanta	SK Treasurer

ABSENT:

(No Absent)

RESOLUTION NO. 8

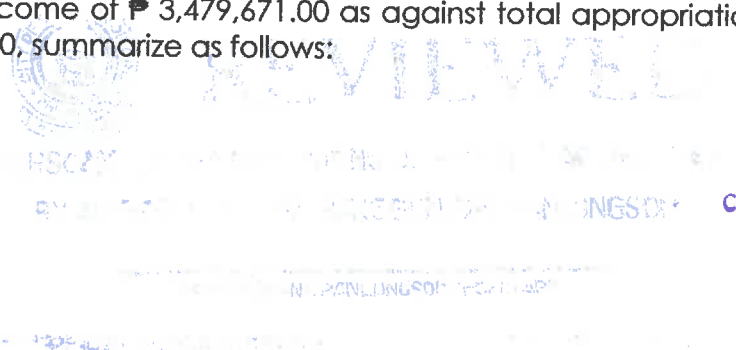
Series of 2024

Presented for consideration is the Annual Budget of Barangay Gusa Sangguniang Kabataan for the period January 1, 2024 to December 31, 2024 in the sum of THREE MILLION FOUR HUNDRED SEVENTY-NINE THOUSAND AND SIX HUNDRED SEVENTY-ONE PESOS (**₱ 3,479,671.00**)

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

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

Be it approved by the Sangguniang Kabataan of Barangay Gusa the Annual Budget covering the period from January 1, 2024 tot December 31, 2024 with a total estimated income of ₱ 3,479,671.00 as against total appropriation in the amount of ₱ 3,479,671.00, summarize as follows:



Republic of the Philippines
City of Cagayan de Oro
CITY PLANNING AND DEVELOPMENT OFFICE
3:20 PM
RECEIVED
Date: 05-02-2024

**PART 1. RECEIPTS PROGRAM INCOME:****INCOME:**

10% SK SHARE CY 2024	P 3,479,671.00
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PART II. EXPENDITURE PROGRAM:**GENERAL ADMINISTRATION PROGRAM:****A. CURRENT OPERATING EXPENDITURES****Personnel Services:**

SK Honorarium	P 864,000.00
TOTAL PS	P 864,000.00

MAINTENANCE AND OTHER OPERATING EXPENSES (MOOE)

Travel Expenses	P 100,000.00
Training and Seminar Expenses	P 250,000.00
Office Supplies Expenses	P 101,000.00
Other Office Supplies Expenses	P 69,000.00
Other Uniform Supplies Expenses	P 20,000.00
Fidelity Bond Premium	P 15,000.00
Membership dues and Org Contribution- SK Federation Annual dues	P 70,000.00
Donations	P 50,700.00
Other Maintenance and Operating Expenses	
a. Health	P 90,000.00
b. Active Citizenship	P 900,000.00
c. Education	P 217,971.00
d. Environment	P 107,000.00
e. Social Inclusion and Equity	P 305,000.00
f. Peacebuilding and Security	P 20,000.00
g. Governance	P 190,000.00
TOTAL MOOE	P 2,505,671.00

TOTAL CURRENT OPERATING EXPENDITURES (PS+MOOE):	P 3,369,671.00
--------------------------------------------------------	-----------------------

B. CAPITAL OUTLAY (CO)

Purchase of 1 unit computer set with complete Accessories, complete software and 3in1 Printer	P 60,000.00
Purchase of 1 unit DSLR Camera with complete Accessories	P 50,000.00
TOTAL CO	P 110,000.00

TOTAL EXPENDITURE PROGRAM	P 3,479,671.00
----------------------------------	-----------------------



This Resolution shall take effect on April 21, 2024

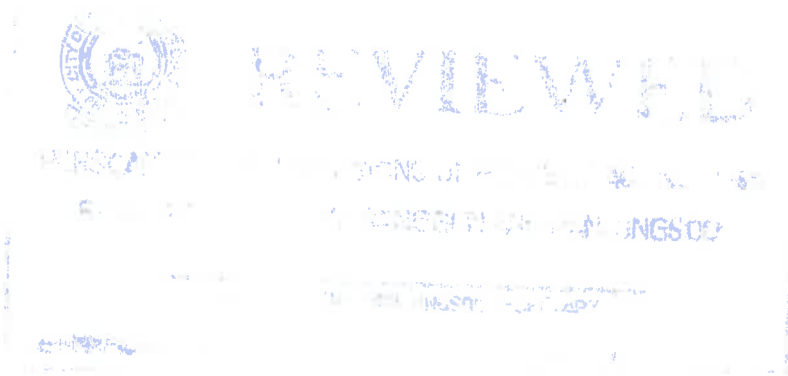
RESOLVED FURTHER, to submit copies of this resolution with approved budget to Sangguniang Panglungsod for review.

I hereby certify that the foregoing Resolution No. 008 series of 2024, which approved the SK Annual Budget for the period January 1, 2024 to December 31, 2024 of Barangay Gusa, City of Cagayan de Oro, was duly enacted by the Sangguniang Kabataan in its Regular Session held on April 21, 2024 at Barangay Gusa Session Hall.

Attested by:

Mr. Mikhail Christian B. Gallana
SK SECRETARY

Hon. Doryn Rose P. Baltazar
SK CHAIRPERSON



P
Region X
Cagayan de Oro City
Barangay Gusa
Sangguniang Kabataan Council

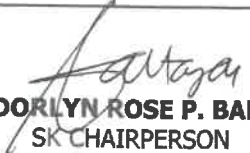
**Programmed Appropriation by Program/Project/Activity, Expense Class, Object of Expenditures,
Expected Results and Performance Indicators, FY 2024**

Object of Expenditure	Account Code	FY 2024 (Proposed)	Expected Results (desired objective)	Performance Indicators (means of measurement)
Part I. Receipts Program				
Ten percent (10%) of the General Fund of the Barangay Receipts from Fund Raising Activities				
TOTAL ESTIMATED FUNDS AVAILABLE FOR APPROPRIATION		3,479,671.00		
Part II. Expenditure Program				
GENERAL ADMINISTRATION PROGRAM:				
A. Current Operating Expenditures (COE)				
Personal Services (PS)				
SK Honoraria				
Total PS		864,000.00		
Maintenance and Other Operating Expenses (MOOE)				
Travel Expenses				
Training and Seminar Expenses				
Office Supplies Expenses				
Other Office Supplies Expenses				
Other Uniform Supplies Expenses				
Fidelity Bond Premium				
Membership Dues and Org Contributions. – SK Federation Annual Dues				
Other Maintenance and Operating Expenses				
Donations and Solicitations				
Total MOOE		675,700.00	785,700.00	
Total Current Operating Expenditures (PS + MOOE)		1,539,700.00		
B. Capital Outlay (CO)				
Purchase of 1 unit computer set with complete accessories, complete software and 3in1 Printer				
Purchase of unit DSLR Camera with complete accessories				
Total CO		110,000.00		
Total General Administration Program (COE + CO)		1,649,700.00		

SK 10 CENTERS FOR YOUTH PARTICIPATION:

a. Health MOOE CO		90,000.00	
	TOTAL	90,000.00	
b. Active Citizenship MOOE CO		900,000.00	
	TOTAL	900,000.00	
c. Education MOOE CO		217,971.00	
	TOTAL	217,971.00	
d. Environment MOOE CO		107,000.00	
	TOTAL	107,000.00	
e. Social Inclusion and Equity MOOE CO		305,000.00	
	TOTAL	305,000.00	
f. Peacebuilding and Security MOOE CO		20,000.00	
	TOTAL	20,000.00	
g. Governance MOOE CO		190,000.00	
	TOTAL	190,000.00	
TOTAL FOR YOUTH DEVELOPMENT AND EMPOWERMENT PROGRAMS		1,829,971.00	
TOTAL EXPENDITURE PROGRAM		3,479,671.00	
ENDING BALANCE		-	


MS. SHYNNÉ RHYS C. MABANTA
 SK TREASURER


HON. DORLYN ROSE P. BALTAZAR
 SK CHAIRPERSON

REVIEWED
 CAROL J. PANGALAN
 MANAGING SECRETARY



Communication Number: _____ **Date:** _____
From: Committee on Ethics and Blue Ribbon **Receiver:** _____
Subject: PROPOSED RESOLUTION adopting the Order of the Committee on Ethics and Blue Ribbon on BR Case No. 2022-06, entitled: "Mr. Elmer L. October (*Complainant*) against Hon. Albert E. Adecer, Punong Barangay of Barangay No. 26 (*Respondent*), for Administrative Adjudication", dismissing the said case since the complaint has no basis in fact and in law.


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

ARTURO S. DE SAN MIGUEL
 Date of Meeting: May 6, 2024 (perusal) City Council Secretary

**RECOMMENDING APPROVAL AND INCLUSION IN THE CALENDAR OF BUSINESS IN THE
 NEXT REGULAR SESSION
 COMMITTEE REPORT AND RECOMMENDATION**

Respectfully submitted:


HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Chairperson


HON. ROMEO V. CALIZO
 CITY COUNCILOR
 Vice Chairperson


HON. GEORGE S. GOKING
 CITY COUNCILOR
 Member


HON. ROGER G. ABADAY
 CITY COUNCILOR
 Member


HON. JOYLEEN MERCEDES L. BALABA
 CITY COUNCILOR
 Member

EX-OFFICIO MEMBERS

HON. JOCELYN B. RODRIGUEZ
 CITY VICE MAYOR
 Presiding Officer

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Majority Floor Leader

HON. CHRISTIAN RUSTICO M. ACHAS
 CITY COUNCILOR
 Minority Floor Leader

DISSENTING



COMMITTEE ON ETHICS AND BLUE RIBBON

MR. ELMER L. OCTOBRE
Complainant,

BR Case No. 2022-06

-versus-

For:
ADMINISTRATIVE
ADJUDICATION

HON. ALBERT ADECER
Respondent.
x-----/

DECISION

A complaint for Administrative Adjudication was endorsed by the office of the Ombudsman for Mindanao, on June 15, 2022 addressed to the Hon. Jocelyn Bautista Rodriguez, City Vice Mayor of Cagayan de Oro City under reference number IC-OMC-20-123.

The Honorable Vice Mayor then endorsed this complaint to the Committee of Ethics and Blue Ribbon for appropriate action and advised the Committee to inform the Office of the Ombudsman for Mindanao on whatever resolution would be rendered.

The complaint was filed by ELMER LAGAS OCTOBRE against ALBERT E. ADECER, the incumbent Barangay Captain of Barangay 26, Cagayan de Oro City.

Per allegations of the complainant, in the evening of October 17, 2020, complainant was heading home and intended to pass the gate located beside the Barangay Office of Barangay 26, Cagayan de Oro City, however, the gate was already closed as it was already 9:00 in the evening and there was a curfew being imposed during the height of the pandemic situation.

Then decided to knock on the Barangay Hall with the hope of somebody would come down to open the gate for him.

Instead of a Barangay Tanod, it was the respondent who went out of the Barangay Office and upon seeing him, he apologized for bothering him that he would pass by other gate;

DECISION

Octobre vs. Adecer

BR Case No. 2022-06

Reference Number: 2022-265

Page 2 of 5

X-----X

While he was walking away, the respondent ordered him to come back, which he did and upon getting near, he was labelled as “Bayot” and he was elbowed by the respondent.

He then asked, “**Unsa man ni Capt.**”, but instead of answering he was boxed on his solar plexus which resulted in him crumpling to the pavement and further telling him “**Drama kay ka!**” and kicked him which resulted in him curled in the fatal position because of the pain and had difficulty breathing.

After he was able to regain his breath, he started to rise and the respondent left walking in the direction of his home.

The complainant presented an extract from the Police Blotter of Police Station 3, Agora, Cagayan de Oro City which was marked as **Annex “A”**. He also submitted a Medico Legal Certificate dated October 19, 2022 which was marked as **Annex “B”**. He also submitted MP3 Format Copy (thru flash drive) on the recorded program in the program **MAGNUM IN ACTION** during the segment **REKLAMO, I-MAGNUM** about the interview of the respondent.

On the part of the respondent, Hon. Albert E. Adecer, Barangay Captain of Barangay 26, Cagayan de Oro City, presented his side and as culled from his Judicial Affidavit, he alleged the following counter factual circumstances, to wit:

In the evening of October 17, 2020, he went to the Barangay Hall with the purpose to get the Radio VHF and charger which he left in the 2nd floor of their office.

While he was upstairs in their office, he heard somebody banging the door of the Barangay Hall challenging the Barangay Tanods. When he went down, he saw a complainant who was so drunk and even mistook him to be one of the Barangay Tanods of their barangay.

When he asked about the problem of the complainant, the latter suddenly attacked him by striking the latter with the cellphone on his hand, however, he was able to parry it and in order that the complainant will not pursue his intentions to do physical harm on him, he boxed his stomach as an act of self-defense.

The complainant then fell down and was told to go home and was further told to come back on the following day in order that they can talk about his problem.

The respondent then presented a blotter report from the Police Station 3, Agora, Cagayan de Oro City dated, October 11, 2020 regarding the complaint of his wife, **FRANGILY ONOSO OCTOBRE** against him for inflicting psychological violence which is a crime under RA 9262 and was marked as **ANNEX “1”**.

DECISION

Octobre vs. Adecer

BR Case No. 2022-06

Reference Number: 2022-265

Page 3 of 5

x-----x

He also submitted a Barangay Incident Report dated October 12, 2020, narrating the incident when the wife of the complainant requested for assistance together with police officers from Police Station 3, Agora, Cagayan de Oro City which was marked as ANNEX "2". This was reported by Barangay Tanods, Julie Madrio and Olwa Lumangcolob.

In this incident, the complainant has exhibited the character of disrespecting police officers and barangay tanods.

He also submitted a Barangay Incident Report about the threat made by complainant against, Julie Madrio, a Barangay Tanod of Barangay 26, Cagayan de Oro City.

The committee scheduled a series of hearings with the hope that the parties at bar could settle their differences amicably, however, the parties could not reach a settlement, thus in March 30, 2023, the committee ordered the parties to submit their respective position papers and the case at bar would then be submitted for decision.

The respondent complied on time the filing of the Position Paper which was received on April 27, 2023 while the complainant filed a motion praying to admit their Position Paper which was filed beyond the period given to the parties, however, we admitted it in the interest of justice.

RULING OF THE COMMITTEE

Perusal of the allegations of both parties and their respective witnesses, as well as the evidence they respectively presented, it can be gleaned that the complainant has the characteristic of being hostile when he is under the influence of liquor.

Complainant even exhibited the characteristic of being disrespectful to police authorities and barangay tanods and this incident was collaborated by the Barangay Tanods, namely: Julie Madrio and Olwa Lumangcolob.

Complainant even has the audacity to threaten the Barangay Tanods when he is under the influence of liquor. He even has the tenacity to inflict injuries to his wife, Frangily O. Octubre and this was substantiated by a Blotter Report.

In short, complainant is branded as a trouble maker in their barangay every time he is under the influence of liquor.

Weighing the conflicting allegations of the complainant and the respondent, this committee has to resolve it in favor of the latter.

DECISION

Octobre vs. Adecer
BR Case No. 2022-06
Reference Number: 2022-265
Page 4 of 4

X-----X

The complainant did not adduce evidence to show that he respondent has the character of inflicting bodily harm to his constituents while the latter was able to introduce evidence that the former has the character of being hostile once he is under the influence of liquor.

When the complainant attacked the respondent by striking him with the use of cellphone, necessarily, the latter has to defend himself and to act in such a way he could repel the aggression initiated by the former against him. Thus, the respondent has the right to defend himself when his life is in grave danger.

When the respondent boxed the complainant after parrying the strike made by the latter, such act was reasonable necessity with the purpose to repel the aggression made by the complainant.

It can also be gleaned that there was no provocation made by the respondent to the complainant, thus all the elements of self-defense under Paragraph 1, Article 11 of the Revised Penal Code are all present and respondent has the right to defend himself when his life is in grave danger. And that the act of the respondent was not motivated by a premeditated, obstinate or deliberate intent of violating the law, or wrongfully used his position to benefit himself or another contrary to his sworn duty as a public servant.

It is also worthy to note that per complainant's allegations, as contained on his Judicial Affidavit, particularly Q & A No. 13, medical certificate presented cannot substantiate said injuries that he was kicked, a clear indication that complainant is untruthful. More so, he has not presented any material witness(es) to testify during the incident.

However, the COMMITTEE would like to STERNLY advise the respondent, Barangay Captain to exercise with precision when asserting his authority in any incident ensued in his community.

WHEREOF, THE COMMITTEE FINDS THE COMPLAINT HAS NO BASIS IN FACT AND IN LAW AND THE COMPLAINT HAS TO BE DISMISSED.

Done this 29th day of April 2024 in Cagayan de Oro City, Philippines.


EDGAR S. CABANLAS
Chairperson
Committee on Ethics and Blue Ribbon


JOSE PEPE S. ABBU, JR.
Vice Chairperson
Committee on Ethics and Blue Ribbon

DECISION

Octobre vs. Adecer

BR Case No. 2022-06


Reference Number: 2022-265

Page 5 of 5


X-----X



ROGER G. ABADAY
Member
Committee on Ethics and Blue Ribbon



ROMEO V. CALIZO
Member
Committee on Ethics and Blue Ribbon



JOYLEEN MERCEDES L. BALABA
Member
Committee on Ethics and Blue Ribbon



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



Comm. No.:

Received by:

From:

Date:

Subject Matter:

COMPLAINT-AFFIDAVIT OF MR. ELMER L. OCTOBRE AGAINST PUNONG BARANGAY ALBERT ADECER OF BARANGAY NO. 26, THIS CITY, FOR ADMINISTRATIVE ADJUDICATION.

Referred to the **COMMITTEE ON ETHICS AND BLUE RIBBON** the herein communication for study, investigation, report and/or recommendation.

FOR THE CITY VICE MAYOR
 & PRESIDING OFFICER:

ARTURO S. DE SAN MIGUEL
 City Council Secretary

=====

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: JANUARY 24, 2024

FOR DECISION

[Signature]
HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Chairperson

[Signature]
HON. JOSE PEPE S. ABBU JR.
 CITY COUNCILOR
 Vice Chairperson

HON. JOYLEEN MERCEDES L. BALABA
 CITY COUNCILOR
 Member

HON. ROMEO V. CALIZO
 CITY COUNCILOR
 Member

[Signature]
HON. ROGER G. ABADAY
 CITY COUNCILOR
 Member

EX- OFFICIO MEMBER

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Majority Floor Leader

HON. CHRISTIAN RUSTICO M. ACHAS
 CITY COUNCILOR
 Minority Floor Leader

HON. JOCELYN B. RODRIGUEZ
 CITY COUNCILOR
 Presiding Officer



Communication Number: _____ **Date:** _____
From: Committee on Ethics and Blue Ribbon **Receiver:** _____
Subject: PROPOSED RESOLUTION adopting the Order of the Committee on Ethics and Blue Ribbon on BR Case No. 2023-06, entitled: "Mr. Mr. Melrick Rey S. Paez (Complainant) against Hon. Alexander V. Torralba, Punong Barangay of Barangay Lumbia (Respondent), for Grave Abuse of Authority and Violation of Section 3 (E), (f) of Republic Act No. 3019 Anti-Graft and Corrupt Practices Act", dismissing the said case for lack of merit.

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

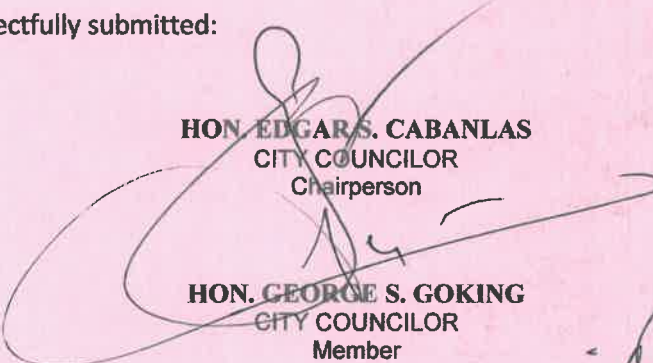




ARTURO S. DE SAN MIGUEL
 City Council Secretary

Date of Meeting: May 6, 2024 (perusal)

~~RECOMMENDING APPROVAL AND INCLUSION IN THE CALENDAR OF BUSINESS IN THE~~
NEXT REGULAR SESSION

COMMITTEE REPORT AND RECOMMENDATION

Respectfully submitted:

 HON. EDGAR S. CABANLAS CITY COUNCILOR Chairperson	 HON. ROMEO V. CALIZO CITY COUNCILOR Vice Chairperson
 HON. GEORGE S. GOKING CITY COUNCILOR Member	 HON. ROGER G. ABADAY CITY COUNCILOR Member
 HON. JOYLEEN MERCEDES L. BALABA CITY COUNCILOR Member	

EX-OFFICIO MEMBERS

HON. JOCELYN B. RODRIGUEZ CITY VICE MAYOR Presiding Officer	HON. EDGAR S. CABANLAS CITY COUNCILOR Majority Floor Leader	HON. CHRISTIAN RUSTICO M. ACHAS CITY COUNCILOR Minority Floor Leader
--------------------------------------------------------------------------	--------------------------------------------------------------------------	-----------------------------------------------------------------------------------

DISSENTING



COMMITTEE ON ETHICS AND BLUE RIBBON

MR. MELRICK REY S. PAEZ

Complainant,

BR CASE NO. 2023-06

FOR:

**GRAVE ABUSE OF
AUTHORITY AND
VIOLATION OF SECTION 3
(E) AND (J) OF REPUBLIC
ACT NO. 3019,
ANTI-GRAFT AND CORRUPT
PRACTICES ACT**

-versus-

HON. ALEXANDER V. TORRALBA,

Respondent.

x-----/

RESOLUTION

Before this committee is the Indorsement letter dated February 28, 2023 issued by Anderson A. Lo, Deputy Ombudsman for Mindanao, Office of the Ombudsman, Mindanao Station, regarding the complaint filed by Melrick Rey S. Paez against Punong Barangay Alexander V. Torralba of Barangay Lumbia, Cagayan de Oro City before the ombudsman under IC-OM-22-0535. The said complaint was referred to this committee for the appropriate action with respect to the administrative aspect of the case.

On April 27, 2023, the committee conducted initial hearing of the instant case and the parties were present. However, the committee directed the parties to amend the heading of the complainant as well as the counter-affidavit and the case was reset to May 25, 2023.

On May 25, 2023, the parties complied with the April 27, 2023 Order, thus, the committee declared the instant case submitted for resolution.

THE FACTS:

Stripped of non-essentials and as synthesized from the Affidavit-Complaint of Melrick Rey S. Paez and Counter-Affidavit of Punong Barangay Alexander V. Torralba, hereunder are the facts:

DECISION

Paez vs. Torralba

BR Case No. 2023-06

Reference Number: 2023-1338

Page 2 of 7

X-----X

VERSION OF THE COMPLAINANT

Complainant Melrick Rey S. Paez (*hereafter complainant Melrick*) is the son of Faustina S. Paez. Faustina S. Paez is a farmer-beneficiary and possessor of a land situated at Zone 1, Lumbia, Cagayan de Oro City. In the said land, Faustina and residents of the southern part of the land have been using a portion of the land as road right-of-way for more than 40 years.¹

On June 2021, a certain Gemma P. Velasco, claimed to be the heir of Aurora Pabayao, asserted her right to the subject untitled land by fencing the same including the road right-of-way. Consequently, complainant Melrick and his siblings filed a case of trespassing and illegal fencing against Gemma Velasco before the Office of the Barangay Agrarian Reform Committee (BARC).² Complainant Melrick claimed that her mother is the rightful owner of the subject land because she was included as farmer-beneficiary of the subject land instead of Tomas C. Laborte (deceased).³

During the mediation proceedings before the BARC, the parties failed to amicably settle the case. Hence, the BARC issued an endorsement dated September 6, 2021, for appropriate action before the Department of Agrarian Reform (DAR).⁴

On June 8, 2022, complainant Melrick and his siblings went to the residence of their mother at Lumbia, Cagayan de Oro City to bring her to the hospital for health reasons. However, they experienced difficulties in transporting their old and paralyzed mother to the hospital because the road right-of-way was already fenced and they were forced to travel a different route which was steeper and a longer road to the hospital. They were forced to transport their mother by motorcycle because the route can be accessible only by motorcycle. Complainant's mother experienced agony and pain when she was transported to the hospital.⁵

On June 12, 2022, Punong Barangay Alexander Torralba issued a barangay special permit in favor of Gemma Velasco to excavate the road right-of-way within the subject land. Gemma Velasco then proceeded to excavate the same, hence, cases were filed against respondent Torralba including this administrative complaint on the basis of the issuance of the special permit to dig.⁶

Complainant alleged that the usurpation of Gemma Velasco with the assistance of the Punong Barangay, they suffered physical and mental injury. They were deprived of the road right-of-way that they were utilizing for many years in their everyday passageway.⁷

¹ Paragraph 7 of the Affidavit-Complaint of Melrick Paez
² Paragraph 8 of the Affidavit-Complaint of Melrick Paez
³ Annex "E" of the Affidavit-Complaint of Melrick Paez
⁴ Annex "G" of the Affidavit-Complaint of Melrick Paez
⁵ Paragraph 10 of the Affidavit-Complaint of Melrick Paez
⁶ Paragraph 11 of the Affidavit-Complaint of Melrick Paez
⁷ Id

DECISION

Paez vs. Torralba

BR Case No. 2023-06

Reference Number: 2023-1338

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X-----X

VERSION OF THE RESPONDENT

Respondent Alexander Torralba (*hereafter Punong Barangay Torralba*) is the incumbent Punong Barangay of Barangay Lumbia, Cagayan de Oro City.

Respondent Torralba countered that the on June 8, 2022, Gemma Velasco sent a letter to his office requesting for the issuance of a permit to dig portion of the subject land where the Miraculous Medal Lumbia Parish Church is situated because they needed to fix the drainage to prevent the water from the upper ground from going below the ground of the church.

Respondent argued that his issuance of the special permit was not in any way interferes the land dispute between the Paez and the Pabayo family. Respondent further argued that the subject land has long been recognized to be owned by the Pabayo family evidenced by Tax Declaration No. G-210479 in the name of Aurora Pabayo.

THE RULING OF THE COMMITTEE

In *Primo C. Miro v. Marilyn Mendoza Vda. De Erederos, et. al.*,⁸ the Supreme Court held:

Substantial evidence, quantum of proof in administrative cases

Substantial evidence is defined as such amount of relevant evidence which a reasonable mind might accept as adequate to support a conclusion. It is more than a mere scintilla of evidence. 22 The standard of substantial evidence is satisfied when there is reasonable ground to believe, based on the evidence submitted, that the respondent is responsible for the misconduct complained of. It need not be overwhelming or preponderant, as is required in an ordinary civil case, 23 or evidence beyond reasonable doubt, as is required in criminal cases, but the evidence must be enough for a reasonable mind to support a conclusion

The burden to establish the charges rests upon the complainant. The case should be dismissed for lack of merit if the complainant fails to show in a satisfactory manner the facts upon which his accusations are based. The respondent is not even obliged to prove his exception or defense.⁹

To prove that respondent Punong Barangay Torralba is administratively liable for grave abuse of authority and violated Section 3(e) and (f) of R.A 3019, complainant Melrick attached to his affidavit-complaint the following documentary evidence, viz:

⁸ G.R. NO. 162822 : August 25, 2005

⁹ NATIONAL BUREAU OF INVESTIGATION VS. CONRADO M. NAJERA, G.R. No. 237522, June 30, 2020

DECISION

Paez vs. Torralba
BR Case No. 2023-06
Reference Number: 2023-1338
Page 4 of 7

X-----X

- a) Certification dated November 5, 2018, issued by the Department of Agrarian Reform (DAR), showing that the subject land located at Zone 1, Lumbia, Cagayan de Oro City was first awarded to Mr. Tomas Laborte on May 7, 1980;
- b) Land Certification dated June 29, 2019, issued by Punong Barangay Wilhelme E. Valencia of Brgy. Lumbia, Cagayan de Oro City, showing that Mr. Faustina S. Paez was the actual tiller of the subject land;
- c) Certification dated October 9, 2018, issued by the City Information Office of the City of Cagayan de Oro, showing that the Notice of Transfer of Action was publicly posted to notify Mr. Laborte;
- d) Resolution (on the Motion for Reconsideration) dated April 12, 2021, issued by the Department of Agrarian Reform (DAR), showing that the heirs of Tomas Laborte are disqualified as farmer-beneficiary of the subject land;
- e) Notice of Transfer Action dated May 10, 2018, issued by the Office of the City Agrarian Reform Officer, showing that the inclusion of Faustina Paez and the exclusion of Mr. Tomas Laborte on the subject land;
- f) Tax Declaration issued in the name of Aurora Pabayo;
- g) Endorsement dated September 9, 2021, issued by the Office of the Barangay Agrarian Reform Committee (BARC) of Brgy. Lumbia, Cagayan de Oro City, showing that complainant and his siblings filed a complaint for trespassing and illegal fencing against Gemma Velasco;
- h) Medical Abstract of Faustina Paez, showing health condition of their mother at that time;
- i) Special Permit dated June 10, 2022, issued by Punong Barangay Alexander Torralba, showing that a permit to dig was issued in favor of Gemma Velasco; and
- j) Police Blotter dated June 12, 2022, showing that complainant reported the digging incident to the police.

After a careful evaluation of the evidence, the committee finds that there is no substantial evidence to hold Punong Barangay Alexander Torralba liable for grave abuse of authority and for violation of Section 3 (3) and (f) of Republic Act No. 3019.

Sections 3 (e) and (f) of RA 3019 state:

Section 3. *Corrupt practices of public officers.* - In addition to acts or omissions of public officers already penalized by existing law, the following shall constitute corrupt practices of any public officer and are hereby declared to be unlawful:

X X X X

DECISION

Paez vs. Torralba

BR Case No. 2023-06

Reference Number: 2023-1338

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X-----X

(e) Causing any undue injury to any party, including the Government, or giving any private party any unwarranted benefit, advantage or preference in the discharge of his official administrative or judicial functions through manifest partiality, evident bad faith or gross inexcusable negligence. This provision shall apply to officers and employees of offices or government corporations charged with the grant of licenses or permits or other concessions;

x x x x

(f) Neglecting or refusing, after due demand or request, without sufficient justification to act within a reasonable time on any matter pending before him for the purpose of obtaining directly or indirectly, from any person interested in the matter some pecuniary or material benefit or advantage, or for purpose of favoring his own interest or giving undue advantage in favor of or discriminating against any other interested party.

The elements of violation of Section 3(e) of RA 3019 are:

- a) That the accused must be a public officer discharging administrative, judicial, or official functions, or a private individual acting in conspiracy with such public officers;
- b) That he acted with manifest partiality, evident bad faith, or inexcusable negligence; and
- c) That his action caused any undue injury to any party, including the government, or giving any private party unwarranted benefits, advantage, or preference in the discharge of his functions.¹⁰

The elements of violation of Section 3 (f) of RA 3019 are:

- a) The offender is a public officer;
- b) The said officer has neglected or has refused to act without sufficient justification after due demand or request has been made on him;
- c) Reasonable time has elapsed. from such demand or request without the public officer having acted on the matter pending before him; and
- d) Such failure to so act is for the purpose of obtaining, directly or indirectly, from any person interested in the matter some pecuniary or material benefit or advantage in favor of an interested party, or discriminating against another.¹¹

It is not disputed that Punong Barangay Alexander Torralba issued a special permit in favor of Gemma Velasco on June 10, 2022. Complainant alleged that there exists grave abuse of authority and evident bad faith on the part of respondent Torralba in issuing the special permit considering the latter's knowledge of the pending case of trespassing and illegal fencing on the subject land filed against Gemma Velasco.

¹⁰ ANTONIO M. SUBA, VS. SANDIGANBAYAN FIRST DIVISION AND PEOPLE OF THE PHILIPPINES, G.R. No. 235418, March 03, 2021

¹¹ CORAZON M. LACAP, VS. SANDIGANBAYAN (FOURTH DIVISION) AND THE PEOPLE OF THE PHILIPPINES, G.R. No. 198162, June 21, 2017

DECISION

Paez vs. Torralba

BR Case No. 2023-06

Reference Number: 2023-1338

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x-----x

Based on the evidence presented by the complainant, it failed to sufficiently substantiate that respondent Torralba acted with grave abuse of authority, manifest partiality, or evident bad faith in issuing the special permit to excavate in favor of Ms. Gemma Velasco.

Respondent Torralba's issuance of the special permit to dig was based on the request of one of the heirs of Aurora Pabayo, Ms. Gemma Pabayo, for the purpose of fixing the drainage system on the subject land claimed by them. They needed to fix the drainage system in order to prevent water from flowing into the lower ground along the Miraculous Medal Parish Church. The *Special Permit*¹² dated 10 June 2022, reads:

xxx xxx xxx

A permit is hereby granted to HEIRS OF AURORA S. PABAYO bona fide resident of Cagayan de Oro City.

Further, a digging permit is hereby granted to the above-mentioned name in preparation and/or drainage purpose located at Zone 1, of this barangay beside Our Lady of Miraculous Medal Parish Church. xxxx

It is clear from the foregoing that the concern of Gemma Velasco regarding the drainage system is also a legitimate concern of the barangay and the community. The fixing the drainage would prevent the area from flooding and / or further damage to nearby properties especially the Lady of Miraculous Medal Parish Church. Hence, respondent Punong Barangay Torralba granted the request of Gemma Velasco and issued the corresponding special permit because it promotes the general welfare of the community.

Be it noted that local government unit is vested with powers, expressly or impliedly, essential to the promotion of the general welfare. The act of respondent is in the exercise of his executive powers as Chief Executive of the barangay as mandated by him under Section 16 and 389 (14) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

Section 16 and 389 (14) of Republic Act No. 7160, provides:

Section 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.

DECISION

Paez vs. Torralba
BR Case No. 2023-06
Reference Number: 2023-1338
Page 7 of 7

X-----X

Section 389. Chief Executive: Powers, Duties, and Functions.

- a) xxxx xxxx
- b) For efficient, effective and economical governance, the purpose of which is the general welfare of the barangay and its inhabitants pursuant to Section 16 of this Code, the punong barangay shall:

xxxx xxxx

(14) Promote the general welfare of the barangay; and

Furthermore, neither was there grave abuse of authority on the part of respondent Punong Barangay Torralba in the issuance of the special permit. No substantial evidence was presented against Punong Barangay Torralba to prove that there was a showcase of excessive use of authority in the issuance of the special permit to the heirs of Aurora S. Pabayo. The special permit was issued to the heirs of Aurora S. Pabayo on the basis on the tax declaration in the name of Auroa Pabayo. Likewise, records would show that the subject land is the land holding of Aurora Pabayo. Complainant Melrick's mother, Faustina S. Paez, is claiming as the farmer beneficiary of the subject land.¹³ Thus, the issuance of the permit by Punong Barangay Torralba was presumed to be in the regular performance of his official function as the local executive of Brgy. Lumbia.


Every public official is entitled to the presumption of good faith in the discharge of official duties. Absent any showing of bad faith or malice, there is likewise a presumption of regularity in the performance of official duties.¹⁴

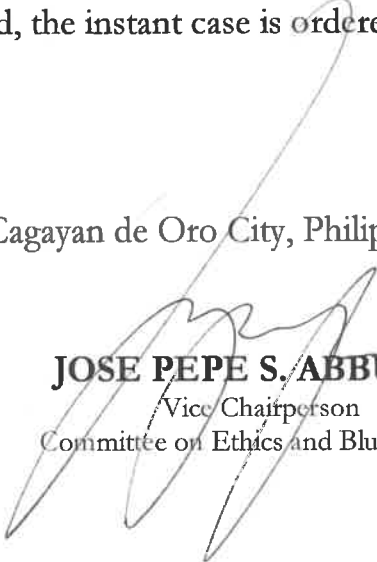
In fine, the complainant has the burden of proving by substantial evidence the allegations in his complaint. The basic rule is that mere allegation is not evidence and is not equivalent to proof. In the present case, there is no sufficient, clear and convincing evidence to hold Punong Barangay Alexander V. Torralba administratively liable for *Gross Abuse of Authority and in Violation of Section 3 (3) and (f) of Republic Act No. 3019.*

WHEREFORE, premises considered, the instant case is ordered dismissed for lack of merit.

SO ORDERED.

Done this 29th day of April 2024 in Cagayan de Oro City, Philippines.


EDGAR S. CABANLAS
 Chairperson
 Committee on Ethics and Blue Ribbon



JOSE PEPE S. ABBU, JR.
 Vice Chairperson
 Committee on Ethics and Blue Ribbon

¹³ Annex "B" of the Affidavit-Complaint of Melrick Paez

¹⁴ MARIO M. MADERA, BEVERLY C. MANANGUITE, CARISSA D. GALING, AND JOSEFINA O. PELO VS. COMMISSION ON AUDIT (COA) AND COA REGIONAL OFFICE NO. VIII, G. R. No. 244128, September 08, 2020



ROGER G. ABADAY
Member
Committee on Ethics and Blue Ribbon



ROMEO V. CALIZO
Member
Committee on Ethics and Blue Ribbon



JOYLEEN MERCEDES L. BALABA
Member
Committee on Ethics and Blue Ribbon



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

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



Comm. No.:

Received by:

From:

Date:

Subject Matter:

COMPLAINT-AFFIDAVIT OF MR. MELRICK REY S. PAEZ AGAINST PUNONG BARANGAY ALEXANDER V. TORRALBA OF BARANGAY LUMBIA, THIS CITY, FOR GRAVE ABUSE OF AUTHORITY AND VIOLATION OF SECTION 3 (E), (J) OF REPUBLIC ACT NO. 3019 ANTI-GRAFT AND CORRUPT PRACTICES ACT.

Referred to the **COMMITTEE ON ETHICS AND BLUE RIBBON** the herein communication for study, investigation, report and/or recommendation.

FOR THE CITY VICE MAYOR
 & PRESIDING OFFICER:

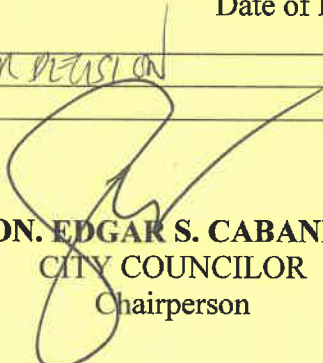
ARTURO S. DE SAN MIGUEL
 City Council Secretary

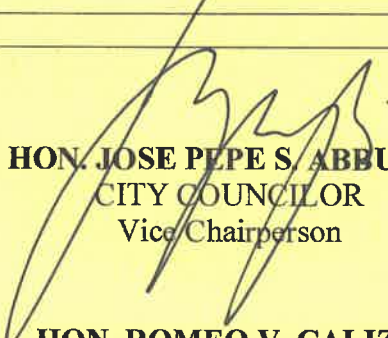
=====

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: JANUARY 24, 2024

FOR REVISION


HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Chairperson


HON. JOSE PEPE S. ABBU JR.
 CITY COUNCILOR
 Vice Chairperson

HON. JOYLEEN MERCEDES L. BALABA
 CITY COUNCILOR
 Member

HON. ROMEO V. CALIZO
 CITY COUNCILOR
 Member


HON. ROGER G. ABADAY
 CITY COUNCILOR
 Member

EX- OFFICIO MEMBER

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Majority Floor Leader

HON. CHRISTIAN RUSTICO M. ACHAS
 CITY COUNCILOR
 Minority Floor Leader

HON. JOCELYN B. RODRIGUEZ
 CITY COUNCILOR
 Presiding Officer



Communication Number:

Date:

Receiver:

From Committee on Finance, Budget and Appropriations

Subject PROPOSED ORDINANCE changing the nomenclature of the vacant position Museum Curator (Item no. 111/SG-22) to Museum Curator 1 (SG-22) in the plantilla of the Office of the City Mayor, this city, to comply with the Department of Budget and Management (DBM) Local Budget Circular No. 137-2021, entitled: "Index Of Occupational Services, Position Titles And Salary Grades In The Local Government (IOS-LGU), Cy 2021 Edition".

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: April 29, 2024 (perusal)

RECOMMENDING APPROVAL AND INCLUSION IN THE CALENDAR OF BUSINESS IN THE NEXT REGULAR SESSION

Respectfully submitted:


HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Chairperson


HON. ROMEO V. CALIZO
 CITY COUNCILOR
 Vice Chairperson


HON. GEORGE S. GOKING
 CITY COUNCILOR
 Member


HON. ROGER C. ABADAY
 CITY COUNCILOR
 Member


HON. JOYLEEN MERCEDES L. BALABA
 CITY COUNCILOR
 Member

EX-OFFICIO MEMBERS


HON. JOCELYN B. RODRIGUEZ
 CITY VICE MAYOR
 Presiding Officer

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Majority Floor Leader


HON. CHRISTIAN RUSTICO M. ACHAS
 CITY COUNCILOR
 Minority Floor Leader

DISSENTING




Communication Number: 2024-2473

Date: 05/02/2024
 Receiver: EUCILLE

From: CMO
 Subject: REQUEST FOR THE ENACTMENT OF A LEGISLATIVE MEASURE AMENDING THE NEWLY-CREATED POSITION MUSEUM CURATOR, ITEM NO. 111 SG 22 UNDER THE CITY MUSEUM TO MUSEUM CURATOR 1, WITH THE SAME SALARY GRADE

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


 ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION


Date of Meeting: May 6, 2024 (Council)

RECOMMENDING APPROVAL


 HON. YAN LAM S. LIM
 Chairperson


 HON. JOYLEEY MARCEDES L. BALABA
 Vice Chairperson


 HON. ROMEO V. CALIZO
 Member



 HON. EDGAR S. CABANLAS
 Member


 HON. KENNETH JOHN D. SACALA
 Member

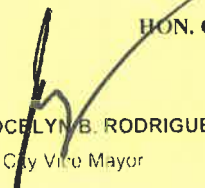
Member

Member

EX-OFFICIO MEMBERS


 HON. EDGAR S. CABANLAS
 Majority Floor Leader


 HON. CHRISTIAN RUSTICO M. ACHAS
 Minority Floor Leader


 HON. JOCELYN B. RODRIGUEZ
 City Vice Mayor

DISSENTING



REPUBLIC OF THE PHILIPPINES
 City of Cagayan de Oro
OFFICE OF THE CITY MAYOR



April 11, 2024

THE HONORABLE MEMBERS OF THE SANGGUNIANG PANLUNGSOD
 City of Cagayan de Oro

Thru : HONORABLE JOCELYN B. RODRIGUEZ
 Vice Mayor and Presiding Officer

Dear Sir/Mesdames:

Greetings!

This is to respectfully request the august body, for the enactment of a legislative measure, amending the newly-created position **Museum Curator**, Item No. 111 SG 22 under the City Museum to **Museum Curator I**, also with the same salary grade.

Museum Curator, under DBM Budget Circular 2018-4 dated October 16, 2018 or the *Index of Occupation Services, Occupational Groups, Classes and Salary Grades (2018 IOS)* is exclusively for the national government agencies while **Museum Curator I** is the appropriate position title under Local Budget Circular No. 137 dated July 13, 2021 entitled "*Index of Occupational Services, Position Titles and Salary Grades (IOS) in the Local Government, CY 2021 Edition*".

This request is also consistent with Section 325 (f) of RA 7160 or the Local Government Code of 1991 which provides for the general limitations on the use of provincial, city and municipal funds, viz.:

xxx

"(f) No changes in designation or nomenclature of positions resulting in a promotion or demotion in rank or increase or decrease in compensation shall be allowed, except when the position is actually vacant, and the filling of such positions shall be strictly made in accordance with the civil service law, rules and regulations; (Underscoring and emphasis supplied)

xxx

Anticipating favorable action and cooperation on this matter.

Thank you.

Truly yours,

ROLANDO A. UY
 City Mayor

File

Republic of the Philippines City of Cagayan de Oro OFFICE OF THE CITY COUNCIL	
RECEIVED: 4-29-24	Time: 3:16 PM
Comm. No.	
ACTION TAKEN	
Respond To Certificate of Appropriation	
Date: 4/29/24	JOSE DE SAN MIGUEL City Council Secretary
REMARKS	

2nd Floor, Executive Building
 City Hall Compound, Capistrano-Hayes Streets
 Cagayan de Oro City, Philippines
www.cagayandeoro.gov.ph

**INDEX OF OCCUPATIONAL SERVICES, POSITION TITLES
AND SALARY GRADES IN THE LOCAL GOVERNMENT**

Position Title	SG
10 EDUCATION, LIBRARY, MUSEUM AND ARCHIVAL SERVICE	
This Service includes occupations concerned with teaching; school, college, university and training center administration; library science; and the restoration, development and maintenance of historical and cultural landmarks, sites, relics, and related exhibits.	
Educational Research, Planning and Supervision	
Education Research Assistant I	9
Education Research Assistant II	10
School Credits Evaluator	11
Library Services	
College Librarian I	13
College Librarian II	15
College Librarian III	18
College Librarian IV	22
College Librarian V	24
Librarian I	11
Librarian II	15
Librarian III	18
Librarian IV	22
Librarian V	24
Museum and Shrine Curation	
Museum Technician I	6
Museum Technician II	8
Museum Researcher I	10
Museum Researcher II	14
Museum Curator I	22
School, College, University and Training Center Administration	
Registrar I	11
Registrar II	15
Registrar III	18
Assistant College Department Head	17
College Department Head	20
Vocational School Administrator I	22
College Administrator	25
UC Vice President III	27
UC Vice President IV	28
UC President III	29
School, College and University Teaching	
Guidance Counselor I	11



Communication Number:

Date:

Receiver:

From Committee on Finance, Budget and Appropriations

Subject PROPOSED ORDINANCE appropriating the sum of ₱24,258.45 from the item: "Non-Office: General Public Services-Terminal Leave Benefits/Monetization of Earned Leave Credits (earmarked for Ms. Marilyn P. Babia, Administrative Officer V of the Office of the City Budget Officer)" in the 2024 Annual Budget to be made available for the payment of the deficiency of Terminal Leave Pay of the late Franklin N. Yamaro, former Administrative Aide I of the Office of the City Librarian, who died last March 11, 2023.

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: April 29, 2024 (perusal)

RECOMMENDING APPROVAL AND INCLUSION IN THE CALENDAR OF BUSINESS IN THE NEXT REGULAR SESSION

Respectfully submitted:


HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Chairperson


HON. ROMEO V. CALIZO
 CITY COUNCILOR
 Vice Chairperson


HON. GEORGE S. GOKING
 CITY COUNCILOR
 Member


HON. ROGER G. ABADAY
 CITY COUNCILOR
 Member


HON. JOYLEEN MERCEDES L. BALABA
 CITY COUNCILOR
 Member

EX-OFFICIO MEMBERS


HON. JOCELYN B. RODRIGUEZ
 CITY VICE MAYOR
 Presiding Officer

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Majority Floor Leader


HON. CHRISTIAN RUSTICO M. ACHAS
 CITY COUNCILOR
 Minority Floor Leader

DISSENTING



Communication Number: 2024-2470

Date: 04/30/2024

Receiver: EUCILLE

From: LFC

Subject: "REQUESTING AUTHORITY TO CHARGE AGAINST CURRENT APPROPRIATION, ANNUAL BUDGET CY 2024, "NON-OFFICE. GENERAL PUBLIC SERVICES- TERMINAL LEAVE BENEFITS" EARMARKED FOR MS. MARILYN P. BABIA, ADMINISTRATIVE OFFICER V, OF THE OFFICE OF THE CITY BUDGET OFFICER, THIS CITY, WHO EXECUTED A WAIVER AMOUNTING TO P24,258.45, TO COVER PAYMENT OF THE DEFICIENCY FOR THE TERMINAL LEAVE PAY OF THE LATE FRANKLIN TN. YAMATO, FORMER ADMINISTRATIVE AIDE I, OF SAME OFFICE, WHO DIED LAST MARCH 11, 2023,"

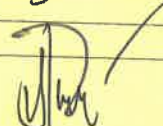
Respectfully referred to COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS the herein communication for study, investigation, report and/or recommendation.


 ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: May 6 2024 (Council)

RECOMMENDING APPROVAL


 HON. YAN LAM S. LIM

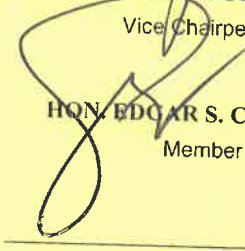
Chairperson


 HON. JOYLEEN MERCEDES L. BALABA


Vice Chairperson


 HON. ROMEO V. CALIZO

Member


 HON. EDGAR S. CABANLAS

Member

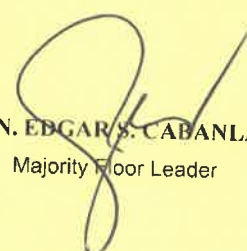

 HON. KENNETH JOHN D. SACALA

Member

Member

Member

EX-OFFICIO MEMBERS


 HON. EDGAR S. CABANLAS

Majority Floor Leader


 HON. CHRISTIAN RUSTICO M. ACHAS

Minority Floor Leader


 HON. JOCELYN B. RODRIGUEZ

City Vice Mayor

DISSENTING



1st Indorsement
 23 April 2024

Respectfully transmitted to **The Honorable Members of the City Council** through **City Vice Mayor JOCELYN B. RODRIGUEZ**, the attached Certificate of Availability of Funds No. 088-2024, to wit:

re: "REQUESTING AUTHORITY TO CHARGE AGAINST CURRENT APPROPRIATION, ANNUAL BUDGET CY 2024, "NON-OFFICE: GENERAL PUBLIC SERVICES- TERMINAL LEAVE BENEFITS" EARMARKED FOR MS. MARILYN P. BABIA, ADMINISTRATIVE OFFICER V, OF THE OFFICE OF THE CITY BUDGET OFFICER, THIS CITY, WHO EXECUTED A WAIVER AMOUNTING TO ₱24,258.45, TO COVER PAYMENT OF THE DEFICIENCY FOR THE TERMINAL LEAVE PAY OF THE LATE FRANKLIN N. YAMARO, FORMER ADMINISTRATIVE AIDE I, OF SAME OFFICE, WHO DIED LAST MARCH 11, 2023," as per request of Ms. Ms. Loreta A. Deloso, Asst. Department Head II.

Thus, we are requesting inclusion in the agenda of the forthcoming City Council Session, for passage of appropriate Ordinance.

ROLANDO "Klarex" A. UY
 City Mayor

OFFICE OF THE CITY COUNCIL
 RECEIVED: 4-30-24 Time: 10:20 AM
 Comm. No.
 ACTION TAKEN
Refer To Com. on Appropriation
 Date: APR 30 2024
 ARNOLD S. DE SAN MIGUEL
 City Council Secretary
 REMARKS

1798
 R-1404-07

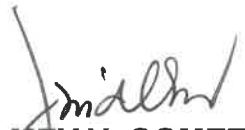


CERTIFICATION

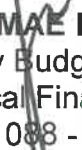
THIS IS TO CERTIFY that the amount of P24,258.45 from Current Appropriation, Annual Budget CY 2024, Non Office: General Public Services – Terminal Leave Benefits, to cover payment of the deficiency for the Terminal Leave Pay of the late Franklin N. Yamaro, former Administrative Aide I, of the Office of the City Public Library, this City, who died last March 11, 2023, earmarked for Ms. Marilyn P. Babia, Administrative Officer V, of the Office of the City Budget Officer, who executed a waiver in favor of Mr. Yamaro, is available.

Issued this 12th day of April 2024, pursuant to Local Finance Committee Resolution No. 050 – 2024.


Ms. JASMIN T. MAAGAD
City Treasurer
City Finance Dept.


Ms. MEY V. GOMEZ, CPA
Acting City Accountant
City Accounting Office

Existence of available appropriation:


Ms. ROXANNE MAE RAVIDAS, CPA
Acting City Budget Officer
Chairperson, Local Finance Committee
CAF - 088 - 2024

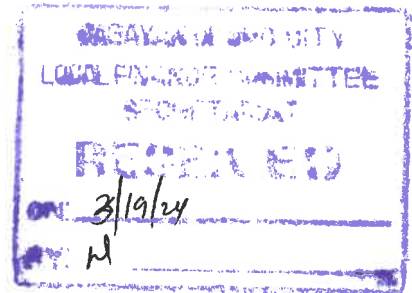


REPUBLIC OF THE PHILIPPINES
City of Cagayan de Oro
CITY PUBLIC LIBRARY
Tel. No. 882-3079

**cagayan
de Oro**
city of golden friendship

March 19, 2024

Ms. Roxanne Mae A. Ravidas, CPA
OIC, City Budget Office
Chair, Local Finance Committee
Cagayan de Oro City



Dear Ma'am Roxanne,

May we respectfully request appropriation amount of ₱24,258.45, to cover payment for the deficiency of Terminal Leave Pay of the late Franklin N. Yamaro, Administrative Aide I of this office, who died last March 11, 2023, to be taken from the Current Appropriation Annual Budget CY 2024, "Non Office: Personal Services-Terminal Leave Benefits", earmarked for Ms. Marilyn D. Babia, Administrative Officer V from the City Budget Office who executed a waiver in favor of the late Franklin N. Yamaro. Attached herewith the waiver and other necessary documents.

Very truly yours,

Loreta A. Deloso
Asst. Dept. Head II

WAIVER

To Whom This May Concern:

This is to signify my intent not to retire this year and to waive my retirement benefit chargeable against Current Appropriation Annual Budget CY 2024, "Non-Office: General Public Services – Personal Services - Terminal Leave Benefits" amounting to ₱ 24,258.45 in favor of the late *Franklin N. Yamara*, Administrative Aide I of the City Public Library to cover the deficiency of Terminal Leave Pay.

Issued this 19th of March 2024, at the City Budget Office, this city.



MARILYN D. BABIA
Administrative Officer V
City Budget Office
Cagayan de Oro City

CLEARANCE FORM

(Instructions at the back)

I PURPOSE

Oct. 24, 2023
Date of Application

TO: City Government of Cagayan de Oro City

I hereby apply for clearance from money, property and work-related accountabilities for:

Purpose: Transfer Resignation Other Mode of Separation:
 Retirement Leave Please specify: Deafa

Effectivity/Inclusive Period: March 11 2023

Office of Assignment: City Public Library Franklin N. Yarran / Pinley A. Yarran
 Position/SG/Step: Admin Aide I Name and Signature of Employee

II CLEARANCE FROM WORK-RELATED ACCOUNTABILITIES

We hereby certify that this applicant is cleared of work-related accountabilities from this Unit/Office/Dept.

LORETA A. DELOSO LORETA A. DELOSO
 ASST. DEPT. HEAD ASST. DEPT. HEAD
 Immediate Supervisor Head of Office

III CLEARANCE FROM MONEY AND PROPERTY ACCOUNTABILITIES

Name of Unit/Office/Department	Cleared	Not Cleared	Name of Clearing Officer/Official	Signature
1. Administration Sector				
a. Supply and Property Procurement and Management Services			ATTY. JEFFREY D. NAMALATA City General Services Office	<i>[Signature]</i>
b. Human Resource Welfare & Assistance			MONALISA B. CAINGLET Assistant City HRMO	<i>[Signature]</i>
c. Agency-accredited Union/Cooperative			ELDIE S. DAAYCTA CHEMCO-GHAIRPER	<i>[Signature]</i>
2. Library				
a. Legal Office Library				<i>[Signature]</i>
b. Library Services			LORETA A. DELOSO Asst. Dept. Head II	<i>[Signature]</i>
3. Finance and Assets Management				
a. Financial Services			JASMIN I. MAAGAD City Treasurer	<i>[Signature]</i>
b. Transaction, Processing & Billing Services			ROXANNE MAE A. RAVIDAS, CPA ACTING CITY BUDGET OFFICER	<i>[Signature]</i>
c. Payroll & Remittance Services			MEY V. GOMEZ, CPA ACTING CITY ACCOUNTANT	<i>[Signature]</i>
4. Professional and Institutional Development				
a. Scholarship Services			MONALISA B. CAINGLET Assistant City HRMO	<i>[Signature]</i>

IV CERTIFICATION OF NO PENDING ADMINISTRATIVE CASE:

a. Internal Affairs Office/Legal Affairs Office

with pending administrative case
 with ongoing investigation (no formal charge yet)

V CERTIFICATION

ROLANDO *Klarax* A. UY
 City Mayor
 Cagayan de Oro City
 Signature over Printed Name of Agency Head

WITH ADVANCE
 INSALLOWANCE
 PRE-AUDIT
 REPRESENTATIVE



Certification of Leave Credits

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that the *Late* Mr. FRANKLIN NAGAC YAMARO, Administrative Aide I, formerly assigned at the Cagayan de Oro City Public Library, City Government of Cagayan de Oro, has earned the following leave credits as of March 11, 2023

<u>Vacation Leave</u>	<u>Sick Leave</u>	<u>Total</u>
170.051*	10.834	180.885

This certification is issued for the purpose of Terminal Leave processing only.

Issued this 28th day of April 2023 at Cagayan de Oro City.

[Signature]
XSZYCLYN FAITH B. LUMBATAN
 HRMO - Officer in Charge
 Human Resource Mgt. Department
 (Designation)

*Balance may have been reduced due to forfeited Forced Leave

P15760 x 180.885 = 2837.1922
 P 109,869.51
 27,120.45

 98,600.12

Republic of the Philippines
OFFICE OF THE CIVIL REGISTRAR GENERAL
CERTIFICATE OF DEATH

Province MISAMIS ORIENTAL Registry No. 2023-1585
City/Municipality CAGAYAN DE ORO CITY

1. NAME (First) (Middle) (Last) FRANKLIN NAGAC YAMARO 2. SEX (Male/Female) MALE

3. DATE OF DEATH (Day, Month, Year) 11 MARCH 2023 4. DATE OF BIRTH (Day) (Month) (Year) 22 MAY 1969 5. AGE AT THE TIME OF DEATH (Fill-in below exactly to age category)
a. 1 YEAR OR ABOVE (2) Completed years 53 b. UNDER 1 YEAR (1) Months (2) Days (3) Hours (4) Min/Sec

6. PLACE OF DEATH (Name of Hospital/Clinic/Institution/House No., St., Barangay, City/Municipality, Province) NORTHERN MINDANAO MEDICAL CENTER, CAPITOL COMPOUND, CAGAYAN DE ORO CITY, MISAMIS ORIENTAL 7. CIVIL STATUS (Single/Married/Widow/Widower/Annulled/Divorced) MARRIED

8. RELIGION/RELIGIOUS SECT IGLESIA FILIPINA INDEPENDIENTE 9. CITIZENSHIP FILIPINO 10. RESIDENCE (House No., St., Barangay, City/Municipality, Province, Country) ZONE 1, KAUSWAGAN, CAGAYAN DE ORO CITY, MISAMIS ORIENTAL, PHILIPPINES

11. OCCUPATION SECURITY GUARD 12. NAME OF FATHER (First, Middle, Last) WARLITO YAMARO 13. MAIDEN NAME OF MOTHER (First, Middle, Last) ANITA NAGAC

MEDICAL CERTIFICATE
(For ages 0 to 7 days, accomplish items 14-19a at the back)

19b. CAUSES OF DEATH (If the deceased is aged 8 days and over) Interval Between Onset and Death
I. Immediate cause : a. ACUTE CORONARY SYNDROME NON ST ELEVATION MYOCARDIAL INFARCTION
Antecedent cause : b. CORONARY ARTERY DISEASE, THREE VESSEL DISEASE
Underlying cause : c. _____
II. Other significant conditions contributing to death: DIABETES MELLITUS TYPE 2

19c. MATERNAL CONDITION (If the deceased is female aged 15-49 years old)
a. pregnant, not in labour _____ b. pregnant, in labour _____ c. less than 42 days after delivery _____ d. 42 days to 1 year after delivery _____ e. None of the choices _____

19d. DEATH BY EXTERNAL CAUSES
Cause of death (Homicide, Suicide, Accident, Legal intervention, etc.) _____
Place of occurrence of External Cause (e.g. home, farm, factory, street, sea, etc.) _____

20. AUTOPSY (Yes / No) _____
21a. If attended, state duration (min/dk/yy) _____
21b. If attended, state duration (min/dk/yy) _____
21c. If attended, state duration (min/dk/yy) _____
21d. If attended, state duration (min/dk/yy) _____
21e. If attended, state duration (min/dk/yy) _____
21f. If attended, state duration (min/dk/yy) _____
21g. If attended, state duration (min/dk/yy) _____
21h. If attended, state duration (min/dk/yy) _____
21i. If attended, state duration (min/dk/yy) _____
21j. If attended, state duration (min/dk/yy) _____
21k. If attended, state duration (min/dk/yy) _____
21l. If attended, state duration (min/dk/yy) _____
21m. If attended, state duration (min/dk/yy) _____
21n. If attended, state duration (min/dk/yy) _____
21o. If attended, state duration (min/dk/yy) _____
21p. If attended, state duration (min/dk/yy) _____
21q. If attended, state duration (min/dk/yy) _____
21r. If attended, state duration (min/dk/yy) _____
21s. If attended, state duration (min/dk/yy) _____
21t. If attended, state duration (min/dk/yy) _____
21u. If attended, state duration (min/dk/yy) _____
21v. If attended, state duration (min/dk/yy) _____
21w. If attended, state duration (min/dk/yy) _____
21x. If attended, state duration (min/dk/yy) _____
21y. If attended, state duration (min/dk/yy) _____
21z. If attended, state duration (min/dk/yy) _____



22. CERTIFICATION OF DEATH
I hereby certify that the foregoing particulars are correct as near as same can be ascertained and I further certify that I have attended/
attended the deceased and that death occurred at 05:30 AM on the date of death specified above
Name in Print (SGD) SELIN B. SALIH, MD
SELIN B. SALIH, MD
Title or Position MEDICAL OFFICER III
Address NORTHERN MINDANAO MEDICAL CENTER, CAPITOL COMP. CDOO, MISAMIS ORIENTAL
Date MARCH 11, 2023
REVIEWED BY:
(SGD) JOSHUA DALE CALINGIN, MD
JOSHUA DALE CALINGIN, MD
Signature Over Printed Name of Health Officer
Date MARCH 14, 2023

23. CORPSE DISPOSAL (Burial, Cremation, if others, specify) _____ 24a. BURIAL/CREMATION PERMIT Number _____ Date issued _____ 24b. TRANSFER PERMIT Number _____ Date issued _____

25. NAME AND ADDRESS OF CEMETERY OR CREMATORY GOLDEN HAVEN MEMORIAL PARK

26. CERTIFICATION OF INFORMANT
I hereby certify that all information supplied are true and correct to my own knowledge and belief
Signature (SGD) PINKY A. YAMARO
Name in Print PINKY A. YAMARO
Relationship to the Deceased WIFE
Address #340 Z-1 KAUSWAGAN, CDOO
Date MARCH 14, 2023

27. PREPARED BY
Signature (SGD) RONEL JOHN A. BURAY, RN, EMT
Name in Print RONEL JOHN A. BURAY, RN, EMT
Title or Position NURSE
Date MARCH 14, 2023

28. RECEIVED BY
Signature (SGD) LEENDLI JAMES A. YAÑEZ
Name in Print LEENDLI JAMES A. YAÑEZ
Title or Position ADMIN AIDE IV
Date MARCH 14, 2023

29. REGISTERED AT THE OFFICE OF THE CIVIL REGISTRAR
Signature (SGD) AENEAS VICENTE C. AKUT
Name in Print AENEAS VICENTE C. AKUT
Title or Position REGISTRATION OFFICER IV
Date MARCH 14, 2023

REMARKS/ANNOTATIONS (For LCRO/OCRG Use Only)

THIS IS A CERTIFIED TRUE COPY FROM THE ORIGINAL

TO BE FILLED-UP AT THE OFFICE OF THE CIVIL REGISTRAR



Communication Number:

Date:

Receiver:

From Committee on Finance, Budget and Appropriations

Subject PROPOSED ORDINANCE appropriating the sum of ₱88,233.33 from the item: "Personal Services-Salaries and Wages (Savings) under Item No. 3 (Professor I) of the City College of Cagayan de Oro for the period January 1-31, 2024" in the 2024 Annual Budget to be made available for the payment of unpaid salaries and wages and other benefits for the period December 12-31, 2023 of Dr. Jestoni P. Babia, Professor III of said school, who was appointed under the permanent position effective December 12, 2023.

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: April 29, 2024 (perusal)

RECOMMENDING APPROVAL AND INCLUSION IN THE CALENDAR OF BUSINESS IN THE NEXT REGULAR SESSION

Respectfully submitted:


HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Chairperson


HON. ROMEO V. CALIZO
 CITY COUNCILOR
 Vice Chairperson


HON. GEORGE S. GOKING
 CITY COUNCILOR
 Member



HON. ROGER C. ABADAY
 CITY COUNCILOR
 Member


HON. JOYLEEN MERCEDES L. BALABA
 CITY COUNCILOR
 Member

EX-OFFICIO MEMBERS


HON. JOCELYN E. RODRIGUEZ
 CITY VICE MAYOR
 Presiding Officer

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Majority Floor Leader


HON. CHRISTIAN RUSTICO M. ACHAS
 CITY COUNCILOR
 Minority Floor Leader

DISSENTING



Communication Number: 2024-2471

Date: 04/30/2024

Receiver: EUCILLE

From: LFC

Subject: "REQUESTING AUTHORITY TO CHARGE AGAINST CURRENT APPROPRIATION, ANNUAL BUDGET CY 2024, "PERSONAL SERVICES- SALARIES AND WAGES (SAVINGS)", UNDER ITEM NO. 3 (PROFESSOR 1) COVERING THE PERIOD JANUARY 1-31, 2024, OF THE CITY COLLEGE OF CAGAYAN DE ORO, AMOUNTING TO P88,233.33, TO DEFRAY PAYMENT OF UNPAID SALARIES AND WAGES & OTHER BENEFITS FOR THE MONTH OF DECEMBER 12-31, 2023, OF DR. JESTONI P. BABIA, PROFESSOR III, OF SAME SCHOOL, WHO WAS APPOINTED UNDER PERMANENT POSITION EFFECTIVE DECEMBER 12, 2023, CONSIDERING THAT THE CY 2023 BUDGET HAS ALREADY BEEN CLOSED",

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

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

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting *May 6, 2024*

recommending approval

[Signature]
 HON. YAN LAM S. LIM
 Chairperson

[Signature]
 HON. JOYLEEN MERCEDES L. BALABA
 Vice Chairperson

[Signature]
 HON. ROMEO V. CALIZO
 Member

[Signature]
 HON. EDGAR S. CABANLAS
 Member

[Signature]
 HON. KENNETH JOHN D. SACALA
 Member

Member

Member

EX-OFFICIO MEMBERS

[Signature]
 HON. EDGAR S. CABANLAS
 Majority Floor Leader

[Signature]
 HON. CHRISTIAN RUSTICO M. ACHAS
 Minority Floor Leader

[Signature]
 HON. JOCELYN B. RODRIGUEZ
 City Vice Mayor

DISSENTING



1st Indorsement
 23 April 2024

Respectfully transmitted to **The Honorable Members of the City Council** through **City Vice Mayor JOCELYN B. RODRIGUEZ**, the attached Certificate of Availability of Funds No. 089-2024, to wit:

re: "REQUESTING AUTHORITY TO CHARGE AGAINST CURRENT APPROPRIATION, ANNUAL BUDGET CY 2024, "PERSONAL SERVICES- SALARIES AND WAGES (SAVINGS)", UNDER ITEM NO. 3 (PROFESSOR 1) COVERING THE PERIOD JANUARY 1-31, 2024, OF THE CITY COLLEGE OF CAGAYAN DE ORO, AMOUNTING TO ₱88,233.33, TO DEFRAID PAYMENT OF UNPAID SALARIES AND WAGES & OTHER BENEFITS FOR THE MONTH OF DECEMBER 12-31, 2023, OF DR. JESTONI P. BABIA, PROFESSOR III, OF SAME SCHOOL, WHO WAS APPOINTED UNDER PERMANENT POSITION EFFECTIVE DECEMBER 12, 2023, CONSIDERING THAT THE CY 2023 BUDGET HAS ALREADY BEEN CLOSED", to wit:

Particulars	mount
Salary and Wages (December 12-31, 2023)	₱74,864.60
Other Compensation	
Personal Economic Relief Allowance (PERA)	1,290.40
Personnel Benefits Contribution	
Life and Retirement Insurance Premium	8,983.75
Pag-ibig Contribution	1,497.29
PhilHealth Contribution	1,497.29
Employees Compensation Insurance Premium	100.00
TOTAL	₱88,233.33

Thus, we are requesting inclusion in the agenda of the forthcoming City Council Session, for passage of appropriate Ordinance.

OFFICE OF THE CITY CLERK
 RECEIVED: 4-30-24 Time: 10:20 AM
 Com. No. _____
 ACTION TAKEN
Refer to Cate on Appropriation
 Date: _____
 _____ S. DE SAN MIGUEL
 City Council Secretary
 REMARKS

ROLANDO "Rolando" A. UY
 City Mayor




CERTIFICATION

THIS IS TO CERTIFY that the amount of P88,233.33 from Current Appropriation, Annual Budget CY 2024, Personal Services – Salaries and Wages (Savings), under Item No. 3 (Professor I), covering the period January 1 – 31, 2024, of the City College of Cagayan de Oro, to defray payment of unpaid salaries and wages and other benefits for the month of December 12 – 31, 2023, of Dr. Jestoni P. Babia, Professor III, of same school, who was appointed under permanent position effective December 12, 2023, considering that the CY 2023 budget has already been closed, is available, to wit:


Particulars	Amount
Personal Services:	
Salaries and Wages (December 12 – 31, 2023)	P74,864.60
<i>Other Compensation</i>	
Personal Economic Relief Allowance (PERA)	1,290.40
<i>Personnel Benefits Contribution</i>	
Life and Retirement Insurance Premium	8,983.75
Pag – ibig Contribution	1,497.29
PhilHealth Contribution	1,497.29
Employees Compensation Insurance Premium	100.00
TOTAL	P88,233.33

Issued this 12th day of April 2024, pursuant to Local Finance Committee Resolution No. 055 – 2024.


Ms. JASMIN T. MAAGAD
 City Treasurer
 City Finance Dept.


Ms. MEY V. GOMEZ, CPA
 Acting City Accountant
 City Accounting Office

Existence of available appropriation:


Ms. ROXANNE MAE RAVIDAS, CPA
 Acting City Budget Officer
 Chairperson, Local Finance Committee
 CAF - 089 - 2024



Ground Floor, Executive Building
 Capistrano-Gaerlan Street, City Hall



(Stamp of Date of Receipt)



Republic of the Philippines
CITY GOVERNMENT OF CAGAYAN DE ORO
Region No. 10

cagayan
de oro

Mr. / Mrs. / Ms. JESTONI P. BABIA

You are hereby appointed as Professor III (SG-26/S-1)
(Position Title)

under Permanent status at City College of Cagayan de Oro
(Permanent, Temporary, etc.) (Office/Department/Unit)

with a compensation rate of One Hundred Sixteen Thousand Forty Pesos (P 116,040.00)
per month.

The nature of this appointment is Original vice N/A,
(Original, Promotion, etc.)

who Vacant with Plantilla Item No. 1 Page 2 SB No.3 - AO No. 14600-2023
(Transferred, Retired, etc.)

This appointment shall take effect on the date of signing by the appointing officer/authority.

Note :

Appointee shall be subject to the probationary period of six (6) months from date of assumption

Very truly yours,

ROLANDO A. UY, Jr.
Chairperson, HRMPSB/Placement Committee
Appointing Officer/Authority

December 12, 2023
Date of Signing

CSC ACTION :

Authorized Official

Date

(Stamp of Date of Release)

Appt. No. : 3647855
Employee No. : 14484



Communication Number:

Date:

Receiver:

From Committee on Finance, Budget and Appropriations

Subject PROPOSED ORDINANCE appropriating the sum of ₱124,170.40 from the item: "Personal Services-Salaries and Wages (Savings) of the various positions under the City Economic Enterprises and Business Development Administration (CEEBDA) for the period January 1-31, 2024" in the 2024 Annual Budget to be made available for the payment of salary differential and other for the period January to December, 2023 due to step increment of the herein personnel of said department

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary

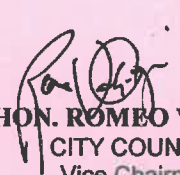
COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: April 29, 2024 (perusal)

RECOMMENDING APPROVAL AND INCLUSION IN THE CALENDAR OF BUSINESS IN THE NEXT REGULAR SESSION

Respectfully submitted:


HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Chairperson


HON. ROMEO V. CALIZO
 CITY COUNCILOR
 Vice Chairperson


HON. GEORGE S. GOKING
 CITY COUNCILOR
 Member


HON. ROGER G. ABADAY
 CITY COUNCILOR
 Member


HON. JOYLEEN MERCEDES L. BALABA
 CITY COUNCILOR
 Member

EX-OFFICIO MEMBERS


HON. JOCELYN B. RODRIGUEZ
 CITY VICE MAYOR
 Presiding Officer

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Majority Floor Leader


HON. CHRISTIAN RUSTICO M. ACHAS
 CITY COUNCILOR
 Minority Floor Leader

DISSENTING



Communication Number: 2024-2478

Date: 05/06/2024

Receiver: EUCILLE

From: CMO

Subject: "REQUESTING AUTHORITY TO CHARGE AGAINST CURRENT APPROPRIATION, ANNUAL BUDGET CY 2024, "PERSONAL SERVICES- SALARIES AND WAGES (SAVINGS)" OF HEREUNDER PRESENTED ITEMS, UNDER THE CITY ECONOMIC ENTERPRISES AND BUSINESS DEVELOPMENT ADMINISTRATION (CEEEDA), THIS CITY, AMOUNTING TO P124,170.40, TO COVER PAYMENT FOR SALARY DIFFERENTIAL AND OTHER BENEFITS OF VARIOUS PERSONNEL (ACAIN, IRMA B. ET. AL), OF SAME OFFICE, FOR THE PERIOD JANUARY TO DECEMBER 2023 BASED FROM THE ISSUED NOTICE OF INCREMENT (NOSI), CONSIDERING THAT THE CY 2023 BUDGET HAS ALREADY BEEN CLOSED"

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: MAY 6, 2024 (Plenary)

RECOMMENDING APPROVAL

HON. YAN LAM S. LIM

Chairperson

HON. JOYLEEN MERCEDES L. BALABA

Vice Chairperson

HON. ROMEO V. CALIZO

Member

HON. EDGAR S. CABANLAS

Member

HON. KENNETH JOHN D. SACALA

Member

Member

Member

EX-OFFICIO MEMBERS

HON. EDGAR S. CABANLAS

Majority Floor Leader

HON. CHRISTIAN RUSTICO M. ACHAS

Minority Floor Leader

HON. JOCELYN B. RODRIGUEZ

City Vice Mayor

DISSENTING



1st Indorsement
 29 April 2024

Respectfully transmitted to **The Honorable Members of the City Council** through **City Vice Mayor JOCELYN B. RODRIGUEZ**, the attached Certificate of Availability of Funds No. 093-2024, to wit:

re: "REQUESTING AUTHORITY TO CHARGE AGAINST CURRENT APPROPRIATION, ANNUAL BUDGET CY 2024, "PERSONAL SERVICES- SALARIES AND WAGES (SAVINGS)" OF HEREUNDER PRESENTED ITEMS, UNDER THE CITY ECONOMIC ENTERPRISES AND BUSINESS DEVELOPMENT ADMINISTRATION (CEEEDA), THIS CITY, AMOUNTING TO ₱124,170.40, TO COVER PAYMENT FOR SALARY DIFFERENTIAL AND OTHER BENEFITS OF VARIOUS PERSONNEL (ACAIN, IRMA B. ET. AL.), OF SAME OFFICE, FOR THE PERIOD JANUARY TO DECEMBER 2023 BASED FROM THE ISSUED NOTICE OF INCREMENT (NOSI), CONSIDERING THAT THE CY 2023 BUDGET HAS ALREADY BEEN CLOSED", to wit:

FROM: Personal Services- Salaries and Wages (Savings)			
ITEM No./Position Title	Monthly Rate	Period Covered	Amount
52 (Market Inspector II)	₱19,744.00	January- March 2024	₱59,232.00
53 (Market Inspector I)	17,553.00	January - March 2024	52,659.00
54 (Metro Aide I)	13,819.00	January 1-28, 2024	12,279.40
TOTAL			₱124,170.40

TO: Personal Services							
No. of Personnel	Particulars	Differential	Life & Ret. Ins.	PAG-IBIG Cont.	PhilHealth Cont.	TOTAL	
44	Salaries and Wages	₱96,369.44	₱11,564.33	₱1,927.39	₱2,409.24	₱112,270.40	
						Mid-Year Bonus Differential	4,158.00
						Year-End Bonus Differential	7,742.00
TOTAL						₱124,170.40	

Thus, we are requesting inclusion in the agenda of the forthcoming City Council Session, for passage of appropriate Ordinance.

Republic of the Philippines
 City of Cagayan de Oro
 OFFICE OF THE CITY MAYOR
 RECEIVED
 5-3-24 10:27 AM
 NOT TAKEN
 Date: _____

 City Council Secretary
 REMARKS

ROLANDO "A. UY"
 City Mayor






CERTIFICATION

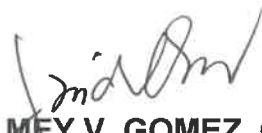
THIS IS TO CERTIFY that the amount of P124,170.40 from Current Appropriation, Annual Budget CY 2024, Personal Services – Salaries and Wages (Savings), of hereunder presented items, under the City Economic Enterprises and Business Development Administration (CEEBDA), this City, to cover payment for salary differential and other benefits of various personnel (ACAIN, IRMA B. et. al), of same office, for the period January to December 2023, based from the issued Notice of Step Increment (NOSI), is available, to wit:

FROM: Personal Services – Salaries and Wages (Savings)			
ITEM No./Position Title	Monthly Rate	Period Covered	TOTAL
52 (Market Inspector II)	P19,744.00	January – March 2024	P59,232.00
53 (Market Inspector I)	17,553.00	January – March 2024	52,659.00
54 (Metro Aide I)	13,819.00	January 1 – 28, 2024	12,279.40
TOTAL			P124,170.40

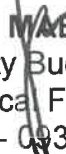
TO: Personal Services						
No. of Personnel	Particulars	Differential	Life & Ret. Ins.	PAG-IBIG Premium	PhilHealth Cont.	TOTAL
44	Salaries and Wages	P96,369.44	P11,564.33	P1,927.39	P2,409.24	P112,270.40
					Mid – Year Bonus Differential	4,158.00
					Year – End Bonus Differential	7,742.00
TOTAL						P124,170.40

Issued this 24th day of April 2024, pursuant to Local Finance Committee Resolution No. 056 – 2024.


Ms. JASMIN T. MAAGAD
 City Treasurer
 City Finance Dept.


Ms. MEY V. GOMEZ, CPA
 Acting City Accountant
 City Accounting Office

Existence of available appropriation:


Ms. ROXANNE MAE RAVIDAS, CPA
 Acting City Budget Officer
 Chairperson, Local Finance Committee
 CAF - 093 - 2024



Ground Floor, Executive Building
 Capistrano-Gaerlan Street, City Hall





25 MARCH 2023

MS. ROXANNE MAE A. RAVIDAS, CPA
 Local Finance Committee
 Local Government of Cagayan de Oro

Dear Ms. Ravidas;

The undersigned would like to formally request for Appropriation of Funds from salary savings covering the period from January 2024 to March 2024 of vacant positions, to payment of underpaid salary - Notice of Salary Increment (NOSI) for C.Y. 2023 of the City Economic Enterprises and Business Development Administration (CEEBDA) personnel.

FROM:	Personal Services	
Item No.	Position	Salary (January to March 2024)
52	Market Inspector II	₱19, 744.00/mo. x 3 mo. = ₱ 59, 232.00
53	Market Inspector I	₱17, 553.00/mo. x 3 mo. = ₱ 52, 659.00
54	Metro Aide I	₱13, 819.00/mo. x 1 mo. = ₱ 13, 819.00
	TOTAL	<u>₱125, 710.00</u>

TO:	SALARY	₱ 96, 369.44
	GSIS G/S	₱ 11, 564.33
	PAG-IBIG	₱ 1, 927.39
	PHILHEALTH	₱ 2, 409.24
	MID-YEAR	₱ 4, 158.00
	YEAR END	₱ 7, 742.00
	TOTAL	<u>₱124,170.40</u>

Attached along with this letter are the NOSI and other supporting documents.

Thank you for your assistance in this matter.

Respectfully yours,

MARY SEAN L. MOLIG
 Acting Manager/Department Head
 CEEBDA

cc: **Hon. Yan Lam S. Lim**
 City Councilor, CEEBDA
 Chairman Committee on Economic Enterprises
Mary Ann C. Tagarda
 Acting Assistant General/Department Manager
 CA
 - File





Republic of the Philippines
 City of Cagayan de Oro
**CITY ECONOMIC ENTERPRISES & BUSINESS
 DEVELOPMENT ADMINISTRATION**
"Syudad nga Mauswagon, Economiya Malambuon"



APPENDIX "K" / PAGE 114

No.	NAME OF EMPLOYEES	POSITION	SALARY RATE	PERIOD	SALARY DIFFERENTIAL	GSIS G/S	GSIS P/S	PAG-IBIG	PHILHEALTH	MID-YEAR	YEAR END
1	ACAIN, ERMA B.	METRO AIDE I	13,925.00	February 3 to December 1-31, 2023	2,641.50	316.98	237.74	52.83	66.04	106.00	106.00
2	ADVINCULA, ARVIN C.	SECURITY GUARD I	14,905.00	October 16 to December 1-31, 2023	280.75	33.69	25.27	5.62	7.02		113.00
3	AWONGON, DURISA D.	METRO AIDE I	14,357.00	August 5 to December 1-31, 2023	527.52	63.30	47.48	10.55	13.19		109.00
4	BALTAZAR, CESAR M.	MARKET SUPERVISOR II	35,971.00	September 15 to December 1-31, 2023	1,281.00	153.72	115.29	25.62	32.03		366.00
5	BEJA, LEMUEL D.	LOCAL REV.COL. OFFICER I	28,161.00	September 26 to December 1-31, 2023	927.48	111.30	83.47	18.55	23.19		296.00
6	BOISER, TEODERICO V.	ADMINISTRATIVE AIDE VI	17,824.00	April 17 to December 1-31, 2023	2,458.99	295.08	221.31	49.18	61.47	136.00	136.00
7	BUENAVENTURA, JINKY A.	ADMINISTRATIVE AIDE I	13,109.00	February 3 to December 1-31, 2023	2,584.50	310.14	232.61	51.69	64.61	109.00	109.00
8	CABANLAS, EDGAR J. II	SLAUGHTERHOUSE MASTER II	34,187.00	January 23 to December 1-31, 2023	8,831.52	1,059.78	794.84	176.63	220.79	344.00	344.00
9	CABEQUIN, MARIA BELLA L.	METRO AIDE I	13,925.00	August 17 to December 1-31, 2023	471.88	56.63	42.47	9.44	11.80		106.00
10	CAHARIAN, DANTON H.	SECURITY GUARD I	15,136.00	January 12 to December 1-31, 2023	3,392.00	407.04	305.28	67.84	84.80	116.00	116.00
11	CARPIO, JULIMEI L.	METRO AIDE I	14,032.00	April 17 to December 1-31, 2023	1,127.31	135.28	101.46	22.55	28.18	107.00	107.00
12	CRUZ, MERLINA P.	LOCAL REV.COL. OFFICER I	27,284.00	December 1-31, 2023	284.00	34.08	25.56	5.68	7.10		
13	DABLIO, DANNY PAUL A.	ADMINISTRATIVE AIDE III	14,905.00	April 17 to December 1-31, 2023	1,194.81	143.38	107.53	23.90	29.87	113.00	113.00
14	DARIMBANG, SALIC S.	ENGINEER I	29,449.00	February 3 to December 1-31, 2023	7,597.75	911.73	683.80	151.96	189.94	284.00	284.00
15	DIMAANO, ALMA B.	METRO AIDE I	14,248.00	November 18 to December 1-31, 2023	151.20	18.14	13.61	3.02	3.78		108.00
16	ELANGO, JENNIFER U.	REV. COLLECTION CLERK III	21,567.00	October 23 to December 1-31, 2023	577.94	69.35	52.01	11.56	14.45		263.00
17	ELIGAN, MARIE GLADYS P.	LOCAL REV.COL. OFFICER I	27,573.00	October 23 to December 1-31, 2023	652.56	78.31	58.73	13.05	16.31		289.00
18	FUENTES, PHILIP P.	ADMINISTRATIVE AIDE I	13,219.00	April 17 to December 1-31, 2023	1,139.09	136.69	102.52	22.78	28.48	110.00	110.00
19	GALLA, JOLLYBETH L.	METRO AIDE I	14,032.00	April 17 to December 1-31, 2023	1,127.31	135.28	101.46	22.55	28.18	107.00	107.00
20	GRABATO, HERMELO M.	ADMINISTRATIVE AIDE I	13,553.00	March 26 to December 1-31, 2023	1,606.70	192.80	144.60	32.13	40.17	112.00	112.00
21	JAGAPE, RUBEN S.	METRO AIDE I	14,578.00	October 9 to December 1-31, 2023	298.10	35.77	26.83	5.96	7.45		110.00
22	JARAMILLO, RICK ANTHONY R.	ADMINISTRATIVE AIDE IV	15,706.00	May 4 to December 1-31, 2023	944.49	113.34	85.00	18.89	23.61		120.00
23	LLABE, BERNAR N.	METRO AIDE I	14,032.00	October 23 to December 1-31, 2023	241.60	28.99	21.74	4.83	6.04		107.00
24	LIBOON, ROMEO JACINTO S.	REV. COLLECTION CLERK III	21,211.00	January 1 to December 1-31, 2023	7,468.00	896.16	672.12	149.36	186.70	82.00	82.00
25	LUNA, SISIÑO	REV. COLLECTION CLERK III	16,799.00	October 23 to December 1-31, 2023	289.04	34.68	26.01	5.78	7.23		128.00
26	MAGHANOY, ARBEL F.	METRO AIDE I	14,032.00	November 6 to December 1-31, 2023	85.68	10.28	7.71	1.71	2.14		107.00
27	MESIAS, MELLICEND Y.	REV. COLLECTION CLERK III	21,567.00	June 23 to December 1-31, 2023	1,639.39	196.73	147.55	32.79	40.98		263.00
28	NORIGA, MARY ANN V.	SECURITY GUARD I	14,792.00	July 1 to December 1-31, 2023	684.00	82.08	61.56	13.68	17.10		114.00
29	OLARTE, MARK BRYAN C.	REV. COLLECTION CLERK I	16,799.00	April 17 to December 1-31, 2023	1,356.41	162.77	122.08	27.13	33.91	128.00	128.00
30	PAASA, PHILIPP P.	PIPEFITTER II	16,671.00	January 3 to December 1-31, 2023	3,998.24	479.79	359.84	79.96	99.96	128.00	128.00
31	PAAYAS, MARIA TERESA G.	PARKING AIDE I	14,357.00	February 21 to December 1-31, 2023	2,309.74	277.17	207.88	46.19	57.74	109.00	109.00
32	PACHECO, MARVIN P.	REV. COLLECTION CLERK III	21,388.00	April 1 to December 1-31, 2023	2,976.00	357.12	267.84	59.12	74.40	259.00	259.00
33	PALICTE, MILA M.	SECURITY OFFICER I	28,161.00	March 14 to December 1-31, 2023	5,243.30	629.20	471.90	104.67	131.08	296.00	296.00
34	PEÑALOSA, JOCELYN Q.	MARKET SUPERVISOR IV	72,577.00	February 17 to December 1-31, 2023	14,782.96	1,773.96	1,330.47	295.66	369.57	1,066.00	1,066.00

No.	NAME OF EMPLOYEES	POSITION	SALARY RATE	PERIOD	SALARY DIFFERENTIAL	GSIS G/S	GSIS P/S	PAG-IBIG	PHILHEALTH	MID-YEAR	YEAR END
35	QUIPANES, FRANCIS H.	CEMETERY CARETAKER	14,248.00	February 22 to December 1-31, 2023	2,270.08	272.41	204.31	45.40	56.75	108.00	108.00
36	RABIA, JESSICA A.	ADMINISTRATIVE ASSISTANT II	20,104.00	April 17 to December 1-31, 2023	1,852.69	222.32	166.74	37.05	46.32		181.00
37	ROA, FROILAN V.	SECURITY GUARD I	15,020.00	March 28 to December 1-31, 2023	1,662.52	199.50	149.63	33.25	41.56	115.00	115.00
38	SERIÑA, MARLA CRISTY A.	REV. COLLECTION CLERK I	16,671.00	July 1 to December 1-31, 2023	768.00	92.16	69.12	15.36	19.20		128.00
39	SUMINGIN, CYNTHIA R.	METRO AIDE I	14,578.00	August 23 to December 1-31, 2023	468.40	56.21	42.16	9.37	11.71		110.00
40	SUPREMO, LUDIVINA P.	ADMINISTRATIVE OFFICER I	23,961.00	September 8 to December 1-31, 2023	742.86	89.14	66.86	14.86	18.57		199.00
41	TABAC, RONALD L.	REV.COLLECTION CLERK III	21,388.00	July 1 to December 1-31, 2023	1,472.00	176.64	132.48	29.44	36.80		259.00
42	TALINES, LILIA E.	METRO AIDE I	14,248.00	November 10 to December 1-31, 2023	180.00	21.60	16.20	3.60	4.50		108.00
43	TALJA, ELORDE Z.	ADMINISTRATIVE AIDE I	13,780.00	January 10 to December 1-31, 2023	3,195.63	383.48	287.61	63.91	79.89	114.00	114.00
44	YAÑEZ, JOHN MICHAEL M.	ADMINISTRATIVE AIDE I	13,109.00	February 3 to December 1-31, 2023	2,584.50	310.14	232.61	51.69	64.61	109.00	109.00
TOTAL					96,369.44	11,564.33	8,673.25	1,927.39	2,409.24	4,158.00	7,742.00

SALARY	P	96,369.44
MID-YEAR CY 2023		4,158.00
YEAR END CY 2023		7,742.00
		<u>108,269.44</u>
GSIS G/S		11,564.33
PAG-IBIG		1,927.39
PHILHEALTH		2,409.24
		<u>124,170.40</u>



Communication Number:

Date:

Receiver:

From Committee on Environment

Subject PROPOSED ORDINANCE authorizing the Honorable City Mayor Rolando A. Uy, representing the City Government of Cagayan de Oro, to enter into and sign the Memorandum of Agreement (MOA) with the Department of Environment and Natural Resources-Region 10 (DENR), represented by its Regional Executive Director, Henry A. Adornado, PhD, covering the partnership in the management of the four caves in the City of Cagayan de Oro, viz: Kweba de Oro Cave, Mambuaya Crystal Cave, Macahambus Cave and Langag Cave (all classified as Class II, per DENR Memorandum Circular No. 2012-03), under the terms and conditions stipulated therein.

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary

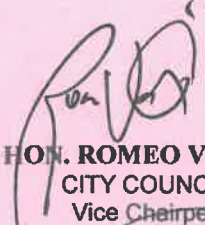
COMMITTEE REPORT AND RECOMMENDATION

Date of Meeting: April 29, 2024 (perusal)

RECOMMENDING APPROVAL AND INCLUSION IN THE CALENDAR OF BUSINESS IN THE NEXT REGULAR SESSION

Respectfully submitted:


HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Chairperson


HON. ROMEO V. CALIZO
 CITY COUNCILOR
 Vice Chairperson


HON. GEORGE S. GOKING
 CITY COUNCILOR
 Member


HON. ROGER G. ABADAY
 CITY COUNCILOR
 Member


HON. JOYLEEN MERCEDES L. BALABA
 CITY COUNCILOR
 Member

EX-OFFICIO MEMBERS


HON. JOCELYN B. RODRIGUEZ
 CITY VICE MAYOR
 Presiding Officer

HON. EDGAR S. CABANLAS
 CITY COUNCILOR
 Majority Floor Leader


HON. CHRISTIAN RUSTICO M. ACHAS
 CITY COUNCILOR
 Minority Floor Leader

DISSENTING



Communication Number: 2024-2463

Date: 04/25/2024

Receiver: EUCILLE

From: CITY ADMINISTRATOR

Subject: MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY GOVERNMENT OF CAGAYAN DE ORO AND DEPARTMENT OF NATURAL RESOURCES-REGION 10 (DENR, R-10) FOR THE CO-MANAGEMENT OF THE FOUR (4) CAVES SITUATED IN THIS CITY, NAMELY: KWEBE DE ORO, LANGAG, MACAHAMBUS, AND MAMBUAYA CRYSTAL CAVES

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

ARTURO S. DE SAN MIGUEL
 City Council Secretary

COMMITTEE REPORT AND RECOMMENDATION

Recommending Approval Date of Meeting: *4/29/2024*

HON. ROGER G. ABADAY
 Chairperson

HON. KENNETH JOHN D. SACALA
 Vice Chairperson

HON. MARIA LOURDES S. GAANE
 Member

HON. YAN LAM S. LIM
 Member

HON. MALVERNA ESPARCIA
 Member

HON. ROMEO V. CALIZO
 Member

Member

EX-OFFICIO MEMBERS

HON. EDGAR S. CABANLAS
 Majority Floor Leader

HON. CHRISTIAN RUSTICO M. ACHAS
 Minority Floor Leader

HON. JOCELYN B. RODRIGUEZ
 City Vice Mayor

DISSENTING



Republic of the Philippines
City of Cagayan de Oro

OFFICE OF THE CITY ADMINISTRATOR



REFERRAL/ENDORSEMENT

Date : 24 April 2024

To : **Mr. ARTURO S. DE SAN MIGUEL**, City Secretary, Office of the City Council

Re : Forwarding the herein preceding indorsement of **Engr. ARMEN A. CUENCA**, Head, CLENRO, re: Memorandum of Agreement (MOA) between the City Government of Cagayan de Oro and Department of Natural Resources-Region 10 (DENR-R10) for the co-management of the four (4) caves situated in this city, namely: Kweba de Oro, Langag, Macahambus, and Mambuaya Crystal Caves.

Action : For guidance and appropriate action.

Desired


ATTY. ROY HILARIO P. RAAGAS
City Administrator

REFERENCE NO. RWI-0345-24







1718-24

1st Endorsement
18 April 2024

Respectfully endorsed to **ATTY. ROY HILARIO P. RAAGAS**, City Administrator, the herein attached **"Memorandum of Agreement (MOA) between the City Government of Cagayan de Oro and Department of Natural Resources-Region 10 (DENR - R10) for the co-management of the four (4) caves situated in Cagayan de Oro City, namely: Kweba de Oro, Langag, Macahambus, and Mambuaya Crystal Caves."**

For your appropriate action. Thank you very much.


ENGR. ARMEN A. CUENCA, MPA, EnP
CGDH-II, CLENRO



4-18-24
3:15

CLENRO, Roof Deck, City Hall Compound, Capistrano-Hayes Street, Cagayan de Oro City, Philippines
E-mail: clenro.cdo@gmail.com





1678-24

16 Apr 2024

ENGR. ARMEN A. CUENCA, MPA, EnP
CGDH-II
CLENRO

**GLENRO
RECEIVED**
DATE: 04.17.24
TIME: 10:45A.M.
CONTROL NO: _____
BY: AE

Dear Engr. Cuenca:

Greetings!

This is in response to your indorsement dated 26 February 2024 seeking for comment, opinion and recommendation the herein attached *Memorandum of Agreement (MOA)* between the City Government of Cagayan de Oro and the Department of Natural Resources - Region 10 (DENR-R10) for the co-management of the four (4) caves situated in Cagayan de Oro City, namely: Kweba de Oro, Langag, Macahambus, and Mambuaya Crystal Caves.

In this connection, kindly be informed that this Office has thoroughly reviewed the above-mentioned draft *Memorandum of Agreement (MOA)* and finds the same to be in legal order, and thus poses no legal objection thereto.

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

For your guidance and appropriate action.

Prepared by:

ATTY. IZELLE FELICE M. FUENTES
Executive Assistant V

Reviewed by:

ATTY. KENNETH O. TAMALA, MBA
City Legal Officer



MEMORANDUM OF AGREEMENT
(Caves and Cave Resources Conservation, Management and Protection)

KNOW ALL MEN BY THESE PRESENTS

This AGREEMENT is made and entered into on _____ by:

The **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES REGION 10** with Office address at Puntod Cagayan de Oro City, represented by its Regional Executive Director **HENRY A. ADORNADO, PhD** hereinafter referred to as the "DENR";

-and-

The **LOCAL GOVERNMENT OF CAGAYAN DE ORO**, a local government unit organized and existing by virtue of its Charter under Republic Act No. 521 and Republic Act No. 7160, otherwise known as the Local Government Code of 1991, with office address at City Hall, Cagayan de Oro City, duly represented herein by its Local Chief Executive, **HON. CITY MAYOR ROLANDO A. UY**, as authorized by the Sangguniang Panlungsod through SP Resolution No. _____ dated _____ hereinafter referred to as the "LGU".

WHEREAS, it is the policy of the State to conserve, protect and manage caves and cave resources as part of the country's natural wealth;

WHEREAS, the DENR is the lead agency tasked to implement the provisions of Republic Act No. 9072 otherwise known as the "National Caves and Cave Resources Management and Protection Act" or "Cave Act" in coordination with the Department of Tourism, the National Museum, the National Historical Commission of the Philippines, the Department of Interior and Local Government and concerned LGUs for specific caves;

WHEREAS, the DENR is authorized to enter into an agreement with the LGU for the preservation, development and management of cave or caves located in the territorial jurisdiction of such LGU;

WHEREAS, the LGU share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction, subject to Republic Act No. 7160 or the "Local Government Code of 1991" and national policies;

WHEREAS, the DENR and the LGU-Cagayan de Oro City agree on the co-management of Kweba de Oro Cave within the territorial jurisdiction of the LGU;

WHEREAS, all Parties agree on the sharing of duties and responsibilities and accountabilities for the common goal of preservation, development and management of a specific cave;

NOW THEREFORE, for and in consideration of the foregoing premises and the mutual covenants herein set forth, the parties agree on the following:

A. OBJECTIVE OF THIS AGREEMENT

This Agreement is entered into by the DENR and the LGU for the purpose of implementing the management plan of a certain cave located within the territorial jurisdiction of the LGU, subject to valid and existing rights, applicable laws, policies, rules and regulations.

B. COVERAGE

This Agreement covers **Kweba de Oro Cave**, classified as **Class II**, listed in DENR Memorandum Circular No. 2012-03, located in Barangay Bayanga, City of Cagayan de Oro, Province of Misamis Oriental, Philippines.

C. RESPONSIBILITIES OF PARTIES INVOLVED

1. The DENR shall:

- 1.1 Regulate the collection and removal of cave resources in Class II caves prior to suitable clearance from Protected Areas and Wildlife Bureau (PAWB), LGU, and/or National Museum;
- 1.2 In general, provide trainings and other related services to the LGU that will ensure the effective protection, development and management of the subject cave;
- 1.4 Upon request, provide technical assistance to the LGU on the implementation of the Cave Management Plan; and
- 1.5 Monitor the implementation of the Cave Management Plan, and oversee the implementation of this Agreement; and
- 1.6 Through the concerned Regional Office, deputize the Cave Protection Enforcement Officers (CPEOs) from locally-based non-government organizations (NGOs), peoples' organizations (POs) and other volunteers in accordance with existing rules and regulations.

2. The LGU shall:

- 2.1 Appoint the City Environment and Natural Resources Officer who shall assume the tasks and functions of this Agreement including the implementation of the Cave Management Plan for Kweba de Oro Cave;
- 2.2 Provide manpower and financial resources for the protection, conservation and management of the subject cave;
- 2.3 Where appropriate, integrate the cave management plan in the land use, development, investment and revenue plans of the City;
- 2.4 Enact the necessary ordinances, rules and regulations consistent with national policies in support of the co-management of the subject caves;
- 2.5 Raise awareness among its constituents on the importance of conservation, protection and sustainable use of caves and cave resources;
- 2.6 Encourage and promote the participation of the private sector and entrepreneurs in the implementation of the Cave Management Plan and subsequent management/development plans especially those ventures that are related to agriculture and nature-based ecotourism;
- 2.7 Actively participate in the implementation of the Cave Management, Protection and Conservation Program within its territorial jurisdiction;

- 2.8 In general, provide such other resources and services that will ensure the effective conservation, protection and management of the subject caves; and
- 2.9 Provide livelihood assistance to the local community thru the hiring of locals as porters, guides and maintenance workers with equal sharing scheme.

D. GENERAL PROVISIONS

- 1. Within fifteen (15) working days following approval of this Agreement, the Sangguniang Panlungsod, shall enact an ordinance imposing entrance fees and other charges for the utilization of the subject caves, and creating a special account in its general fund for the income derived by the LGU from the subject caves which is to be utilized for the maintenance, improvement, protection, monitoring, staff capacity building, and other related expenses of the subject cave. The Ordinance shall be reviewed annually by the Regional Cave Committee and updated every three (3) years by the Sangguniang Panlungsod, if appropriate.

E. DURATION OF THE AGREEMENT

This Agreement shall take effect immediately upon signing and remain in force for a period of five (5) years. Prior to its expiration, the Agreement may be renewed for another five (5) years subject to the favorable endorsement of the concerned Regional Cave Committee and upon compliance by the LGU with the terms and conditions of this Agreement as well as the applicable laws, rules and regulations.

IN WITNESS WHEREOF, the parties hereunto affixed their signatures this _____ at _____.

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES – REGION 10 **LOCAL GOVERNMENT UNIT CITY OF CAGAYAN DE ORO**

By:

HENRY A. ADORNADO, PhD
Regional Executive Director

By:

ROLANDO A. UY
City Mayor

WITNESSETH BY:

VERGILINO P. ALIMA
PENR OFFICER
PENRO MISAMIS ORIENTAL

ENGR. ARMEN A. CUENCA, MPA, EnP
CITY LOCAL ENVIRONMENT AND
NATURAL RESOURCES OFFICER

ACKNOWLEDGMENT

BEFORE ME, this ____ day of _____ in the Philippines, personally appeared:

Henry A. Adornado, Ph.D.	Rolando A. Uy
Passport No. _____	Passport No. _____
Issued at _____	Issued at _____
Valid until _____	Valid until _____

Both known to me as the same person who executed the foregoing Cave Memorandum of Agreement and exhibited to me their respective Philippine Passports as indicated below their names and acknowledged to me that the same is their voluntary act and deed and free act of the entities which they respectively represent.

Notary of Public

Doc. No. _____
Page No. _____
Book No. _____
Series of 2023

MEMORANDUM OF AGREEMENT
(Caves and Cave Resources Conservation, Management and Protection)

KNOW ALL MEN BY THESE PRESENTS

This AGREEMENT is made and entered into on _____ by:

The **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES REGION 10** with Office address at Puntod Cagayan de Oro City, represented by its Regional Executive Director **HENRY A. ADORNADO, PhD** hereinafter referred to as the “**DENR**”;

-and-

The **LOCAL GOVERNMENT OF CAGAYAN DE ORO**, a local government unit organized and existing by virtue of its Charter under Republic Act No. 521 and Republic Act No. 7160, otherwise known as the Local Government Code of 1991, with office address at City Hall, Cagayan de Oro City, duly represented herein by its Local Chief Executive, **HON. CITY MAYOR ROLANDO A. UY**, as authorized by the Sangguniang Panlungsod through SP Resolution No. _____ dated _____ hereinafter referred to as the “**LGU**”.

WHEREAS, it is the policy of the State to conserve, protect and manage caves and cave resources as part of the country's natural wealth;

WHEREAS, the DENR is the lead agency tasked to implement the provisions of Republic Act No. 9072 otherwise known as the "National Caves and Cave Resources Management and Protection Act" or “Cave Act” in coordination with the Department of Tourism, the National Museum, the National Historical Commission of the Philippines, the Department of Interior and Local Government and concerned LGUs for specific caves;

WHEREAS, the DENR is authorized to enter into an agreement with the LGU for the preservation, development and management of cave or caves located in the territorial jurisdiction of such LGU;

WHEREAS, the LGU share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction, subject to Republic Act No. 7160 or the "Local Government Code of 1991" and national policies;

WHEREAS, the DENR and the LGU-Cagayan de Oro City agree on the co-management of Mambuaya Crystal Cave within the territorial jurisdiction of the LGU;

WHEREAS, all Parties agree on the sharing of duties and responsibilities and accountabilities for the common goal of preservation, development and management of a specific cave;

NOW THEREFORE, for and in consideration of the foregoing premises and the mutual covenants herein set forth, the parties agree on the following:

A. OBJECTIVE OF THIS AGREEMENT

This Agreement is entered into by the DENR and the LGU for the purpose of implementing the management plan of a certain cave located within the territorial jurisdiction of the LGU, subject to valid and existing rights, applicable laws, policies, rules and regulations.

B. COVERAGE

This Agreement covers **Mambuaya Crystal Cave**, classified as **Class II**, listed in DENR Memorandum Circular No. 2012-03, located in Barangay Mambuaya, City of Cagayan de Oro, Province of Misamis Oriental, Philippines.

C. RESPONSIBILITIES OF PARTIES INVOLVED

1. The DENR shall:

- 1.1 Regulate the collection and removal of cave resources in Class II caves prior to suitable clearance from Protected Areas and Wildlife Bureau (PAWB), LGU, and/or National Museum;
- 1.2 In general, provide trainings and other related services to the LGU that will ensure the effective protection, development and management of the subject cave;
- 1.4 Upon request, provide technical assistance to the LGU on the implementation of the Cave Management Plan; and
- 1.5 Monitor the implementation of the Cave Management Plan, and oversee the implementation of this Agreement; and
- 1.6 Through the concerned Regional Office, deputize the Cave Protection Enforcement Officers (CPEOs) from locally-based non-government organizations (NGOs), peoples' organizations (POs) and other volunteers in accordance with existing rules and regulations.

2. The LGU shall:

- 2.1 Appoint the City Environment and Natural Resources Officer who shall assume the tasks and functions of this Agreement including the implementation of the Cave Management Plan for Mambuaya Crystal Cave;
- 2.2 Provide manpower and financial resources for the protection, conservation and management of the subject cave;
- 2.3 Where appropriate, integrate the cave management plan in the land use, development, investment and revenue plans of the City;
- 2.4 Enact the necessary ordinances, rules and regulations consistent with national policies in support of the co-management of the subject caves;
- 2.5 Raise awareness among its constituents on the importance of conservation, protection and sustainable use of caves and cave resources;
- 2.6 Encourage and promote the participation of the private sector and entrepreneurs in the implementation of the Cave Management Plan and subsequent management/development plans especially those ventures that are related to agriculture and nature-based ecotourism;
- 2.7 Actively participate in the implementation of the Cave Management, Protection and Conservation Program within its territorial jurisdiction;

- 2.8 In general, provide such other resources and services that will ensure the effective conservation, protection and management of the subject caves; and
- 2.9 Provide livelihood assistance to the local community thru the hiring of locals as porters, guides and maintenance workers with equal sharing scheme.

D. GENERAL PROVISIONS

- 1. Within fifteen (15) working days following approval of this Agreement, the Sangguniang Panlungsod, shall enact an ordinance imposing entrance fees and other charges for the utilization of the subject caves, and creating a special account in its general fund for the income derived by the LGU from the subject caves which is to be utilized for the maintenance, improvement, protection, monitoring, staff capacity building, and other related expenses of the subject cave. The Ordinance shall be reviewed annually by the Regional Cave Committee and updated every three (3) years by the Sangguniang Panlungsod, if appropriate.

E. DURATION OF THE AGREEMENT

This Agreement shall take effect immediately upon signing and remain in force for a period of five (5) years. Prior to its expiration, the Agreement may be renewed for another five (5) years subject to the favorable endorsement of the concerned Regional Cave Committee and upon compliance by the LGU with the terms and conditions of this Agreement as well as the applicable laws, rules and regulations.

IN WITNESS WHEREOF, the parties hereunto affixed their signatures
 this _____ at _____.

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES – REGION 10 **LOCAL GOVERNMENT UNIT CITY OF CAGAYAN DE ORO**

By:

By:

HENRY A. ADORNADO, PhD
 Regional Executive Director

ROLANDO A. UY
 City Mayor

WITNESSETH BY:

VERGILINO P. ALIMA
 PENR OFFICER
 PENRO MISAMIS ORIENTAL

ENGR. ARMEN A. CUENCA, MPA, EnP
 CITY LOCAL ENVIRONMENT AND
 NATURAL RESOURCES OFFICER

ACKNOWLEDGMENT

BEFORE ME, this ____ day of _____ in the Philippines, personally appeared:

Henry A. Adornado, Ph.D.	Rolando A. Uy
Passport No. _____	Passport No. _____
Issued at _____	Issued at _____
Valid until _____	Valid until _____

Both known to me as the same person who executed the foregoing Cave Memorandum of Agreement and exhibited to me their respective Philippine Passports as indicated below their names and acknowledged to me that the same is their voluntary act and deed and free act of the entities which they respectively represent.

Notary of Public

Doc. No. _____
Page No. _____
Book No. _____
Series of 2023

MEMORANDUM OF AGREEMENT
(Caves and Cave Resources Conservation, Management and Protection)

KNOW ALL MEN BY THESE PRESENTS

This AGREEMENT is made and entered into on _____ by:

The **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES REGION 10** with Office address at Puntod Cagayan de Oro City, represented by its Regional Executive Director **HENRY A. ADORNADO, PhD** hereinafter referred to as the “**DENR**”;

-and-

The **LOCAL GOVERNMENT OF CAGAYAN DE ORO**, a local government unit organized and existing by virtue of its Charter under Republic Act No. 521 and Republic Act No. 7160, otherwise known as the Local Government Code of 1991, with office address at City Hall, Cagayan de Oro City, duly represented herein by its Local Chief Executive, **HON. CITY MAYOR ROLANDO A. UY**, as authorized by the Sangguniang Panlungsod through SP Resolution No. _____ dated _____ hereinafter referred to as the “**LGU**”.

WHEREAS, it is the policy of the State to conserve, protect and manage caves and cave resources as part of the country's natural wealth;

WHEREAS, the DENR is the lead agency tasked to implement the provisions of Republic Act No. 9072 otherwise known as the "National Caves and Cave Resources Management and Protection Act" or “Cave Act” in coordination with the Department of Tourism, the National Museum, the National Historical Commission of the Philippines, the Department of Interior and Local Government and concerned LGUs for specific caves;

WHEREAS, the DENR is authorized to enter into an agreement with the LGU for the preservation, development and management of cave or caves located in the territorial jurisdiction of such LGU;

WHEREAS, the LGU share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction, subject to Republic Act No. 7160 or the "Local Government Code of 1991" and national policies;

WHEREAS, the DENR and the LGU-Cagayan de Oro City agree on the co-management of Macahambus Cave within the territorial jurisdiction of the LGU;

WHEREAS, all Parties agree on the sharing of duties and responsibilities and accountabilities for the common goal of preservation, development and management of a specific cave;

NOW THEREFORE, for and in consideration of the foregoing premises and the mutual covenants herein set forth, the parties agree on the following:

A. OBJECTIVE OF THIS AGREEMENT

This Agreement is entered into by the DENR and the LGU for the purpose of implementing the management plan of a certain cave located within the territorial jurisdiction of the LGU, subject to valid and existing rights, applicable laws, policies, rules and regulations.

B. COVERAGE

This Agreement covers **Macahambus Cave**, classified as **Class II**, listed in DENR Memorandum Circular No. 2012-03, located in Barangay Bayanga, City of Cagayan de Oro, Province of Misamis Oriental, Philippines.

C. RESPONSIBILITIES OF PARTIES INVOLVED

1. The DENR shall:

- 1.1 Regulate the collection and removal of cave resources in Class II caves prior to suitable clearance from Protected Areas and Wildlife Bureau (PAWB), LGU, and/or National Museum;
- 1.2 In general, provide trainings and other related services to the LGU that will ensure the effective protection, development and management of the subject cave;
- 1.4 Upon request, provide technical assistance to the LGU on the implementation of the Cave Management Plan; and
- 1.5 Monitor the implementation of the Cave Management Plan, and oversee the implementation of this Agreement; and
- 1.6 Through the concerned Regional Office, deputize the Cave Protection Enforcement Officers (CPEOs) from locally-based non-government organizations (NGOs), peoples' organizations (POs) and other volunteers in accordance with existing rules and regulations.

2. The LGU shall:

- 2.1 Appoint the City Environment and Natural Resources Officer who shall assume the tasks and functions of this Agreement including the implementation of the Cave Management Plan for Macahambus Cave;
- 2.2 Provide manpower and financial resources for the protection, conservation and management of the subject cave;
- 2.3 Where appropriate, integrate the cave management plan in the land use, development, investment and revenue plans of the City;
- 2.4 Enact the necessary ordinances, rules and regulations consistent with national policies in support of the co-management of the subject caves;
- 2.5 Raise awareness among its constituents on the importance of conservation, protection and sustainable use of caves and cave resources;
- 2.6 Encourage and promote the participation of the private sector and entrepreneurs in the implementation of the Cave Management Plan and subsequent management/development plans especially those ventures that are related to agriculture and nature-based ecotourism;
- 2.7 Actively participate in the implementation of the Cave Management, Protection and Conservation Program within its territorial jurisdiction;

- 2.8 In general, provide such other resources and services that will ensure the effective conservation, protection and management of the subject caves; and
- 2.9 Provide livelihood assistance to the local community thru the hiring of locals as porters, guides and maintenance workers with equal sharing scheme.

D. GENERAL PROVISIONS

- 1. Within fifteen (15) working days following approval of this Agreement, the Sangguniang Panlungsod, shall enact an ordinance imposing entrance fees and other charges for the utilization of the subject caves, and creating a special account in its general fund for the income derived by the LGU from the subject caves which is to be utilized for the maintenance, improvement, protection, monitoring, staff capacity building, and other related expenses of the subject cave. The Ordinance shall be reviewed annually by the Regional Cave Committee and updated every three (3) years by the Sangguniang Panlungsod, if appropriate.

E. DURATION OF THE AGREEMENT

This Agreement shall take effect immediately upon signing and remain in force for a period of five (5) years. Prior to its expiration, the Agreement may be renewed for another five (5) years subject to the favorable endorsement of the concerned Regional Cave Committee and upon compliance by the LGU with the terms and conditions of this Agreement as well as the applicable laws, rules and regulations.

IN WITNESS WHEREOF, the parties hereunto affixed their signatures this _____ at _____.

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES – REGION 10

LOCAL GOVERNMENT UNIT CITY OF CAGAYAN DE ORO

By:

By:

HENRY A. ADORNADO, PhD
Regional Executive Director

ROLANDO A. UY
City Mayor

WITNESSETH BY:

VERGILINO P. ALIMA
PENR OFFICER
PENRO MISAMIS ORIENTAL

ENGR. ARMEN A. CUENCA, MPA, EnP
CITY LOCAL ENVIRONMENT AND NATURAL RESOURCES OFFICER

ACKNOWLEDGMENT

BEFORE ME, this ____ day of _____ in the Philippines, personally appeared:

Henry A. Adornado, Ph.D.	Rolando A. Uy
Passport No. _____	Passport No. _____
Issued at _____	Issued at _____
Valid until _____	Valid until _____

Both known to me as the same person who executed the foregoing Cave Memorandum of Agreement and exhibited to me their respective Philippine Passports as indicated below their names and acknowledged to me that the same is their voluntary act and deed and free act of the entities which they respectively represent.

Notary of Public

Doc. No. _____
Page No. _____
Book No. _____
Series of 2023

MEMORANDUM OF AGREEMENT
(Caves and Cave Resources Conservation, Management and Protection)

KNOW ALL MEN BY THESE PRESENTS

This AGREEMENT is made and entered into on _____ by:

The **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES REGION 10** with Office address at Puntod Cagayan de Oro City, represented by its Regional Executive Director **HENRY A. ADORNADO, PhD** hereinafter referred to as the “**DENR**”;

-and-

The **LOCAL GOVERNMENT OF CAGAYAN DE ORO**, a local government unit organized and existing by virtue of its Charter under Republic Act No. 521 and Republic Act No. 7160, otherwise known as the Local Government Code of 1991, with office address at City Hall, Cagayan de Oro City, duly represented herein by its Local Chief Executive, **HON. CITY MAYOR ROLANDO A. UY**, as authorized by the Sangguniang Panlungsod through SP Resolution No. _____ dated _____ hereinafter referred to as the “**LGU**”.

WHEREAS, it is the policy of the State to conserve, protect and manage caves and cave resources as part of the country's natural wealth;

WHEREAS, the DENR is the lead agency tasked to implement the provisions of Republic Act No. 9072 otherwise known as the "National Caves and Cave Resources Management and Protection Act" or “Cave Act” in coordination with the Department of Tourism, the National Museum, the National Historical Commission of the Philippines, the Department of Interior and Local Government and concerned LGUs for specific caves;

WHEREAS, the DENR is authorized to enter into an agreement with the LGU for the preservation, development and management of cave or caves located in the territorial jurisdiction of such LGU;

WHEREAS, the LGU share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction, subject to Republic Act No. 7160 or the "Local Government Code of 1991" and national policies;

WHEREAS, the DENR and the LGU-Cagayan de Oro City agree on the co-management of Kweba de Oro Cave within the territorial jurisdiction of the LGU;

WHEREAS, all Parties agree on the sharing of duties and responsibilities and accountabilities for the common goal of preservation, development and management of a specific cave;

NOW THEREFORE, for and in consideration of the foregoing premises and the mutual covenants herein set forth, the parties agree on the following:

A. OBJECTIVE OF THIS AGREEMENT

This Agreement is entered into by the DENR and the LGU for the purpose of implementing the management plan of a certain cave located within the territorial jurisdiction of the LGU, subject to valid and existing rights, applicable laws, policies, rules and regulations.

B. COVERAGE

This Agreement covers **Langag Cave**, classified as **Class II**, listed in DENR Memorandum Circular No. 2012-03, located in Barangay Dansolihon, City of Cagayan de Oro, Province of Misamis Oriental, Philippines.

C. RESPONSIBILITIES OF PARTIES INVOLVED

1. The DENR shall:

- 1.1 Regulate the collection and removal of cave resources in Class II caves prior to suitable clearance from Protected Areas and Wildlife Bureau (PAWB), LGU, and/or National Museum;
- 1.2 In general, provide trainings and other related services to the LGU that will ensure the effective protection, development and management of the subject cave;
- 1.4 Upon request, provide technical assistance to the LGU on the implementation of the Cave Management Plan; and
- 1.5 Monitor the implementation of the Cave Management Plan, and oversee the implementation of this Agreement; and
- 1.6 Through the concerned Regional Office, deputize the Cave Protection Enforcement Officers (CPEOs) from locally-based non-government organizations (NGOs), peoples' organizations (POs) and other volunteers in accordance with existing rules and regulations.

2. The LGU shall:

- 2.1 Appoint the City Environment and Natural Resources Officer who shall assume the tasks and functions of this Agreement including the implementation of the Cave Management Plan for Langag Cave;
- 2.2 Provide manpower and financial resources for the protection, conservation and management of the subject cave;
- 2.3 Where appropriate, integrate the cave management plan in the land use, development, investment and revenue plans of the City;
- 2.4 Enact the necessary ordinances, rules and regulations consistent with national policies in support of the co-management of the subject caves;
- 2.5 Raise awareness among its constituents on the importance of conservation, protection and sustainable use of caves and cave resources;
- 2.6 Encourage and promote the participation of the private sector and entrepreneurs in the implementation of the Cave Management Plan and subsequent management/development plans especially those ventures that are related to agriculture and nature-based ecotourism;
- 2.7 Actively participate in the implementation of the Cave Management, Protection and Conservation Program within its territorial jurisdiction;

- 2.8 In general, provide such other resources and services that will ensure the effective conservation, protection and management of the subject caves; and
- 2.9 Provide livelihood assistance to the local community thru the hiring of locals as porters, guides and maintenance workers with equal sharing scheme.

D. GENERAL PROVISIONS

- 1. Within fifteen (15) working days following approval of this Agreement, the Sangguniang Panlungsod, shall enact an ordinance imposing entrance fees and other charges for the utilization of the subject caves, and creating a special account in its general fund for the income derived by the LGU from the subject caves which is to be utilized for the maintenance, improvement, protection, monitoring, staff capacity building, and other related expenses of the subject cave. The Ordinance shall be reviewed annually by the Regional Cave Committee and updated every three (3) years by the Sangguniang Panlungsod, if appropriate.

E. DURATION OF THE AGREEMENT

This Agreement shall take effect immediately upon signing and remain in force for a period of five (5) years. Prior to its expiration, the Agreement may be renewed for another five (5) years subject to the favorable endorsement of the concerned Regional Cave Committee and upon compliance by the LGU with the terms and conditions of this Agreement as well as the applicable laws, rules and regulations.

IN WITNESS WHEREOF, the parties hereunto affixed their signatures
 this _____ at _____.

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES – REGION 10 **LOCAL GOVERNMENT UNIT CITY OF CAGAYAN DE ORO**

By:

By:

HENRY A. ADORNADO, PhD
 Regional Executive Director

ROLANDO A. UY
 City Mayor

WITNESSETH BY:

VERGILINO P. ALIMA
 PENR OFFICER
 PENRO MISAMIS ORIENTAL

ENGR. ARMEN A. CUENCA, MPA, EnP
 CITY LOCAL ENVIRONMENT AND
 NATURAL RESOURCES OFFICER

ACKNOWLEDGMENT

BEFORE ME, this ____ day of _____ in the Philippines, personally appeared:

Henry A. Adornado, Ph.D.	Rolando A. Uy
Passport No. _____	Passport No. _____
Issued at _____	Issued at _____
Valid until _____	Valid until _____

Both known to me as the same person who executed the foregoing Cave Memorandum of Agreement and exhibited to me their respective Philippine Passports as indicated below their names and acknowledged to me that the same is their voluntary act and deed and free act of the entities which they respectively represent.

Notary of Public

Doc. No. _____
Page No. _____
Book No. _____
Series of 2023



06 May 2024

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

SUBJECT: URGENT REQUEST TO ENACT "AN ORDINANCE ADOPTING THE USE OF DOCUMENT SECURITY SEAL BY ALL FRONTLINE OFFICES/DEPARTMENTS OF THE CITY GOVERNMENT OF CAGAYAN DE ORO ON OFFICIAL AND ORIGINAL DOCUMENTS ISSUED TO TRANSACTING PERSONS AND/OR ENTITIES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES."

LADIES AND GENTLEMEN:

This refers to the herein-attached Ordinance entitled, "*An Ordinance Adopting The Use Of Document Security Seal By All Frontline Offices/Departments Of The City Government Of Cagayan de Oro On Official And Original Documents Issued To Transacting Persons And/Or Entities, Appropriating Funds Therefor And For Other Purposes.*"

In view of the undersigned's **RISE** vision for Cagayan de Oro City, under the *Institutional Development and Participatory Governance – Data-driven Management of and Upgrade of Public Services*, it is with great pride and honor to indorse the abovementioned Ordinance before this Honorable body for its favorable consideration.

For this reason, I respectfully request that the above-mentioned ordinance be enacted, signified as *urgent*, which shall provide for the adoption of a Document Security Seal System to confirm and guarantee the lawfulness and authenticity of the issuance of official documents/papers consistent with the City's commitment to uphold the highest standards of document integrity and security.

Hoping for your favorable and prompt response on this request.

Thank you.

Truly yours,

ROLANDO A. UY
City Mayor

Handwritten signature of Rolando A. Uy



Republic of the Philippines City of Cagayan de Oro OFFICE OF THE CITY MAYOR	
RECEIVED: 5-16-24	2:41 PM
ACTION TAKEN	
Date: <input checked="" type="checkbox"/> 5-16-24	
City Council Secretary	
REMARKS	

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

DRAFT ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE USE OF DOCUMENT SECURITY SEAL BY ALL FRONTLINE OFFICES/DEPARTMENTS OF THE CITY GOVERNMENT OF CAGAYAN DE ORO ON OFFICIAL AND ORIGINAL DOCUMENTS ISSUED TO TRANSACTING PERSONS AND/OR ENTITIES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

WHEREAS, the Local Chief Executive, pursuant to Section 16 of The Local Government Code of 1991, otherwise known as the "General Welfare Clause", is empowered to exercise powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare of its populace;

WHEREAS, frontline offices/Departments of the City Government of Cagayan de Oro regularly issue official documents to transacting persons and/or entities, such as permits, licenses, clearances, certificates, receipts, registrations and other official records as part of their mandated functions;

WHEREAS, the prevalence of fake, counterfeit, bogus and forged documents made it necessary for the City Government of Cagayan de Oro to adopt a document security feature in order to confirm and guarantee the authenticity of the issuance of said official documents/papers;

WHEREAS, the unique features of the document security seal will facilitate ease of identification and verification of authentic documents, thereby streamline administrative processes and reduce delays in the delivery of services;

WHEREAS, it is hereby necessary to adopt a document security seal system in order to confirm and guarantee the lawfulness and authenticity of the issuance of official documents/papers, and thereby promote public trust and faith;

NOW, THEREFORE:

BE IT ORDAINED by the 20th City Council (*Sangguniang Panlungsod*) in session duly assembled, that:

SECTION 1. TITLE. This Ordinance shall be known as the "*Document Security Seal Ordinance of the City of Cagayan de Oro*".

SECTION 2. DECLARATION OF POLICY. It is hereby declared the policy of the City Government of Cagayan de Oro to implement a simple but effective manner of verifying and authenticating official documents and papers issued by frontline offices/departments consistent with its commitment to uphold the highest standards of document integrity and security.

It is also the policy of the City Government to increase revenue collection through the mandatory use of Document Security Seal as well as minimize if not completely eliminate the use of falsified documents and papers.

SECTION 3. DEFINITION OF TERMS. For the purpose of this Ordinance, the following terms are defined as:

- a) **Frontline Office/Department** – the different offices/departments of the City Government of Cagayan de Oro that regularly prepare and issue official documents to transacting persons and/or entities, such as those enumerated under section 5 hereof;
- b) **Official Document** – shall refer to documents regularly issued by the different offices/departments of the City Government of Cagayan de Oro to transacting persons and/or entities, including but not limited to permits, clearances, licenses, franchises, certificates, registrations and receipts;
- c) **Indigent Person** - A person who has no visible means of income, or whose income is insufficient for the subsistence of his family, as identified by the Department of Social Welfare and Development (DSWD) or City Social Welfare and Development Department (CSWDD);
- d) **Person with Disability** – shall refer to individuals defined under Republic Act No. 7277, as amended, otherwise known as the “*Magna Carta for Disabled Persons*”;
- e) **Senior Citizen** – shall refer to individuals defined under Republic Act No. 9994, otherwise known as the “*Expanded Senior Citizens Act of 2010*”;
- f) **Solo Parent** – shall refer to individuals defined under Republic Act No. 8972, otherwise known as the “*Solo Parents’ Welfare Act of 2000*”;

SECTION 4. DOCUMENT SECURITY SEAL. The City Mayor shall have the discretion to determine and choose the appearance, features and/or design of the Document Security Seal.

SECTION 5. USE OF DOCUMENT SECURITY SEAL. It shall be mandatory for all frontline offices/departments of the City Government of Cagayan de Oro to use Document Security Seal which shall be affixed to the official documents issued by such offices/departments in a visible and permanent manner, such as:

- 1. City Civil Registrar Office (CCR) - *Certified Copy of Birth Certificate, Certified Copy of the Marriage Certificate, Certified Copy of Death Certificate, Certified Copy of Marriage License;*
- 2. Business Permits and Licensing Office (BPLO) - *Business Permits, License/Franchise to Operate for Tricycle, Occupational Permit;*
- 3. City Assessor's Office - *Tax Declaration, Tax Clearance, Certificate of No Improvement, and other Certifications requested by the transacting person;*

4. City Engineering Office (CEO) - *Certificate of Completion and other Certifications and clearances requested by the transacting person, excavation permits;*
5. J.R Borja General Hospital (JRBGH) - *Medical Certificate, Medico Legal Certification;*
6. City Health Office (CHO) - *Sanitary Permit, All Health Cards, Medical Certificate, Medico Legal Certification, other clearances and certifications;*
7. City Planning and Development Office (CPDO) - *Zoning clearances, Zoning certification, Special Permits;*
8. City Local Environment and Natural Resources Office (CLENRO) - *Commercial Sand Permit, Quarry Permit;*
9. Office of the Building Official (OBO) - *Building Permit, Occupancy Permit, Fencing Permit;*
10. Tourism Office – *Clearances, Certifications;*
11. City Agriculture Office (CAO) - *Fishing Vessel Permit, Fishing Gears Permit;*
12. City College of Cagayan de Oro (CCC) - *Transcript of Records, Diploma;*
13. City Administrator's Office (CAO) - *Special Permits, Mayor's Permit;*
14. City Treasurer's Office - *Tax Clearance, Certificate of Closure, Certificate of No Business;*
15. City Legal Office - *Certificate of No Pending Case;*
16. Community and Improvement Division (CID) - *Certificate of Marriage Counseling;*

SECTION 6. FEES. An additional fee of Fifty pesos (P50.00) shall be imposed for every official document issued with Document Security Seal to transacting persons and/or entities.

The collection hereof shall be made in accordance with the prescribed procedure under City Ordinance No. 12860-2014, otherwise known as the “*Cagayan de Oro City Revenue Code of 2015*”, and other prevailing government rules and regulations. For this purpose, the concerned office/department or its authorized representative shall issue an Order of Payment to be paid in full by the transacting person or entity, for the issuance of the corresponding Official Receipt by the City Treasurer’s Office.

SECTION 7. CUSTODY. The Document Security Seal provided under this Ordinance shall be distributed to the frontline offices/departments enumerated under Section 5 hereof or as determined by the City Mayor. For this purpose, such frontline offices/departments shall designate a Security Seal Custodian. The said custodian shall be entrusted with the custody of the Document Security Seal and shall be accountable therefor.

SECTION 8. EXEMPTION. Transactions, requests or issuances made and requested by government agencies, instrumentalities and local government units shall be free of charge.

Senior Citizens, Indigent Persons, Person with Disabilities, Solo Parents and Cagayan de Oro City College students shall only be assessed with the amount not exceeding the cost of document security seal. Provided, however, that the foregoing exempt persons shall present sufficient proof of qualification, including but not limited to: Certificate of indigency, PWD I.D., Senior Citizen I.D., Solo Parent I.D., and City College student I.D.

SECTION 9. PENALTIES. Officials and employees of the City Government of Cagayan de Oro who fail to comply with and enforce rules and regulations promulgated relative to this Ordinance shall be punished under Civil Service laws, Republic Act No. 6713 or the *"Code of Conduct and Ethical Standards for Public Officials and Employees"*, and other laws pertaining to public officers and employees.

Any person in possession and use of any tampered, forged and/or counterfeit Document Security Seal shall be prosecuted and penalized in accordance with existing law, rules and regulations.

SECTION 10. APPROPRIATION. The appropriation for the procurement of the Document Security Seal shall be taken from the general funds of the City to be determined by the Local Finance Committee.

SECTION 11. SEPARABILITY CLAUSE. If for any reason, any section or provision of this Ordinance is declared illegal, or unconstitutional, other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 12. REPEALING CLAUSE. All laws, decree, order, rules and regulations or other issuance or part thereof inconsistent with the provision of this Ordinance are hereby repealed.

SECTION 13. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately after all requirements for public hearing, posting and publication shall have been complied with.



20th City Council

CAGAYAN DE ORO CITY



HON. JOCELYN B. RODRIGUEZ
CITY VICE MAYOR

DISTRICT 1 CITY COUNCILORS



HON. AGA C. SUAN



HON. ROGER C. ABADAY



HON. JAY R. PASCUAL



HON. IMEE ROSE P. MORENO



HON. ROMEO V. CALIZO



HON. GEORGE S. COKING



HON. JOSE PEPE S. ABBU JR.



HON. MALVERN A. ESPARCIA

DISTRICT 2 CITY COUNCILORS



HON. YEVONNA YACINE B. EMAMO



HON. MARIA LOURDES S. GAANE



HON. JOYLEEN MERCEDES L. BALABA



HON. JAMES K. JUDITH II



HON. IAN MARK Q. NACAYA



HON. EDGAR S. CABANLAS



HON. CHRISTIAN RUSTICO M. ACHAS



HON. SUZETTE G. MAGTAJAS DABA

EX-OFFICIO MEMBERS



HON. YAN LAM S. LIM
ABC PRESIDENT



HON. JOHN MICHAEL L. SENO
SK FEDERATION PRESIDENT