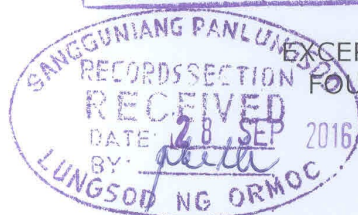
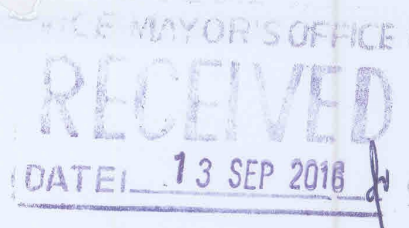
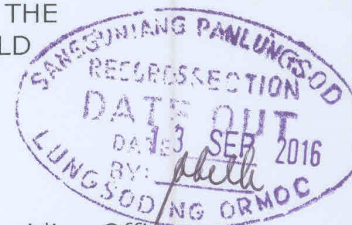


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON SEPTEMBER 08, 2016



PRESENT:

Leo Carmelo L. Locsin, Jr.
Rolando M. Villasencio,
Vincent L. Rama,
Mario M. Rodriguez
Tomas R. Serafica,
Eusebio Gerardo S. Penserga,
Gregorio G. Yrastorza III
Nolito M. Quilang
John Eulalio Nepomuceno O. Aparis II,

Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader
SP Member, Asst. Majority Floor Leader
SP Member, Presiding Officer "Pro-Tempore"

SP Member
SP Member
SP Member
SP Member
SP Member

Lea Doris C. Villar
Mariano Y. Corro,

Minority Floor Leader
SP Member, Asst. Minority Floor Leader
Ex-Officio SP Member

Chapter President, Liga ng mga Barangay ng Ormoc

ON LEAVE:

Benjamin S. Pongos, Jr.,

SP Member

PREFATORY STATEMENT

WHEREAS, the 14th Sangguniang Panlungsod ng Ormoc received a letter dated July 26, 2016 from the Office of the City Mayor anent the proposal of the for the creation of the position – Assistant City Legal Officer under the office of the City Legal Officer. The letter explained that the proposed creation is deemed necessary for a better, more effective and efficient service of the City Legal Office.

WHEREAS, the Assistant City Legal Officer has a very important function in assisting the City Legal Officer in overseeing the city's legal needs. In particular, there is a need to assist the City Legal Officer in legal matters concerning the Local Government Unit of Ormoc which consists of 25 Departments/Offices, 18 Divisions, and 110 Barangays. Adding to the workload is attending to legal and pending matters in the absence of the City Legal Officer. On account of work complexities at the City Legal Office, it is imperative that an additional lawyer, empowered and delegated as such, shall be taken to complement the manpower requirements of the said office.

WHEREAS, the creation of the said position is in accordance with the Revised Index of Occupational Service, Position Titles and Salary Grades in the Local Government Units (IOS-LGUs) per Local Budget Circular Nos. 61 and 2009-92 dated March 18, 1996, and September 3, 2009, respectively.

WHEREAS, the matter was carefully considered taking into consideration the provisions of section 76 of the Local Government Code of 1991. The Sangguniang Panlungsod, as the Legislative Body of the City, has the responsibility to enact ordinances, approve resolutions and appropriate funds for the general welfare of the city (Sec. 458, LGC of 1991). Furthermore, the Code provides that the Sangguniang Panlungsod shall approve ordinances and pass resolutions necessary for an efficient and effective city government, emoluments and benefits of officials and employees paid wholly or mainly from city funds and provide for expenditures necessary for the proper conduct of programs, services, and activities of the city government (Sec. 458 (1)(viii) of LGC of 1991).

WHEREAS, this august Body believes that there is merit to the proposed creation of the position as proposed by the City Mayor and is convinced that the move is directed towards the improvement of city operations and betterment of public service to the Ormocanons.

FOREGOING PREMISES CONSIDERED, on motion of SP Member Nolito M. Quilang, Chairman, Committee on Good Government, severally seconded by SP Members Tomas R. Serafica, Gregorio G. Yrastorza III, Eusebio Gerardo S. Penserga, John Eulalio Nepomuceno O. Aparis II and Mariano Y. Corro; be it

RESOLVED, to enact:

ORDINANCE NO. 009

AN ORDINANCE CREATING THE POSITION - ASSISTANT CITY LEGAL OFFICER UNDER THE CITY LEGAL OFFICE AND APPROPRIATING THE NECESSARY FUNDS FOR THE PURPOSE.

BE IT ENACTED, by the 14th Sanguniang Panlungsod ng Ormoc, That:

SECTION 1. There shall be created One (1) new position at the Office of the City Legal Office which is deemed necessary for its better, more effective and efficient operation. By virtue of this Ordinance, the following positions under the Office of the City Mayor shall be abolished:

No. of items	POSITION	Salary Grade	Item Number
1	Administrative Assistant II	8	CMO-5
1	Administrative Aide IV	4	CMO-6
1	Administrative Officer IV	15	CMO-18

SECTION 2. NOMENCLATURE OF THE NEW POSITION CREATED. The newly created position under the City Legal Office and the corresponding Salary Grade Level and respective salary is as follows, to wit:

No. of items	POSITION	Salary Grade	Annual Salary
1	City Government Asst Dept Head I (Assistant City Legal Officer)	SG 23	P 621,912

SECTION 3. QUALIFICATIONS. DUTIES AND FUNCTIONS.

Education: Bachelor of Laws or Juris Doctor
Experience: Three (3) years of relevant experience
Training: Sixteen (16) hours of relevant training
Eligibility: R.A. 1080 (Bar)
Other: Member in good standing of the IBP
Residency: Resident of Ormoc City

Duties and Responsibilities:

1. Assist the City Legal Officer in performing the mandates of the City Legal Officer, to wit:

- a. Formulate measures for the consideration of the sanggunian and provide legal assistance and support to the City Mayor in carrying out the delivery of basic services and provisions of adequate facilities.
- b. Develop plans and strategies and upon approval thereof by the City Mayor, implement the same, particularly those which have to do with programs and projects related to legal services which the City Mayor is empowered to implement and which the Sanggunian is empowered to provide.
- c. In addition:
 - i. Represent the City of Ormoc in all civil actions and special proceedings wherein the City of Ormoc, in his official capacity, is a party: Provided, That, in actions or proceedings where a component of Ormoc City is a party adverse to the provincial government or to another component of Ormoc City, a special legal officer may be employed to represent the adverse party;
 - ii. When required by the City Mayor or Sanggunian, draft ordinances, contracts, bonds, leases and other instruments involving any interest of the local government unit and provide comments and recommendations on any instruments already drawn;
 - iii. Render his opinion in writing on any question of law when requested to do so by the City Mayor or Sanggunian.
 - iv. Investigate or cause to be investigated any local official or employee for administrative neglect or misconduct in office and recommend appropriate action to the City Mayor or Sanggunian;
 - v. Investigate or cause to be investigated any person, firm, or corporation holding any franchise or exercising any public privilege for failure to comply with any term or condition in the grant of such franchise or privilege and recommend appropriate action to the City Mayor or Sanggunian
 - vi. When directed by the City Mayor or Sanggunian, initiate and prosecute, in the interest of the City of Ormoc, any civil action on any bond, lease or other contract upon any breach or violation thereof.
 - vii. Review and submit recommendations on ordinances approved and execute orders issued by component units;
- d. Recommend measures to the sanggunian and advise the City Mayor on all matters related to upholding the rule of law;

- e. Be in the frontline of protecting human rights and prosecuting any violations thereof, particularly those which occur during and in the aftermath of man-made or natural disasters and calamities; and
- f. Exercise such other powers and perform such other duties and functions as may be assigned by the City Legal Officer from time to time.

2. Function as City Legal Officer in his absence.

3. Do all duties that may be assigned to him from time to time by the City Legal Officer and/or by the City Mayor.

SECTION 4. The appropriation necessary to cover the cost for the newly created position under the City Legal Office for the period August to December 31, 2016 shall be taken from the Unappropriated Surplus, End of Year 2016. For the succeeding years, the appropriation for the newly created position shall be included in the Annual Budget of the City Legal Office.

SECTION 5. Should any part or provision of this Ordinance be held unconstitutional and declared invalid by competent court, other parts or provisions hereof are not affected thereby shall continue to be in full force and effect.

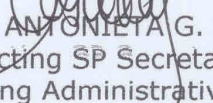
SECTION 6. This ordinance shall take effect immediately subject to the compliance of the necessary posting requirements;

ENACTED, September 08, 2016

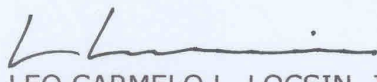
RESOLVED, FURTHER, that copies of this Ordinance be furnished each to the City Mayor Richard I. Gomez; the OIC-City Administrator, Mr. Vincent L. Emnas; the Acting City Legal Officer, Atty. Marcelo C. Oñate; the Human Resource Management Office; the City Budget Office; the City Accountant; the City Treasurer; the Civil Service Commission (CSC), Regional Office No. 8 thru the CSC - Ormoc Field Office; the OIC-City Director, DILG, Ormoc City; and other offices concerned;

CARRIED UNANIMOUSLY.

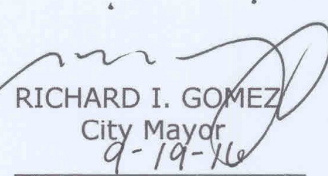
I HEREBY CERTIFY to the correctness of the above ordinance.


MARIA ANTONIETA G. CO HAT
(Acting SP Secretary)
Supervising Administrative Officer

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
Vice Mayor & Presiding Officer

APPROVED:


RICHARD I. GOMEZ
City Mayor
9-19-16
(Date)