

REPUBLIC OF THE PHILIPPINES
ORMOC CITY

Office of the Municipal Board

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD
BY THE MUNICIPAL BOARD OF ORMOC CITY, PHILIPPINES IN
ITS SESSION HALL ON JANUARY 5, 1952

PRESENT:

His Honor, Lucilo A. Genai.....	Presiding Officer
Hon. Marcelo D. Bandalan.....	Vice Mayor
" Isaki Larrasabal.....	City Councilor
" Victorino C. Teleron.....	" "
" Guillermo T. Parrilla.....	" "
" Esteban C. Conejes.....	" "
" Jorge S. Tan.....	" "
" Usualdo P. Laguitan.....	" "
" Teotimo Ocuillo.....	" "
" Alvaro I. Gutierrez.....	" "

ABSENT:

None

RESOLUTION NO. 13

WHEREAS, Councilor Victorino C. Teleron, brought to the attention of the Honorable Body that the annual fund budget of Ormoc City for the fiscal year 1951-52 failed to provide for the insurance premium of the city employees and to teachers, which according to the City Treasurer, would amount to around P8,000.00;

WHEREAS, the annual fund budget of Ormoc City for the fiscal year 1951-52, as noted by the Honorable Sixto B. Orta, Undersecretary of Finance in a letter addressed to the Municipal Board, thru the City Treasurer, Ormoc City, dated November 5, 1951, failed to provide five per cent (5%) reserve based on the estimated income of the City;

WHEREAS, the annual fund budget of Ormoc City as above stated provided appropriations for salaries and wages in the general annual fund budget an amount in excess of P39,843.27 the amount allowable for the purpose as fixed under Executive Order No. 405, s. 1951;

WHEREAS, in order to save enough funds to cover the deficits that the city government may incur and to bring the city finances to normalcy, it is deemed necessary to abolish non-essential positions with the corresponding appropriations thereof in the Fire Department, Ormoc City;

NOW THEREFORE, the Board, on motion of Councilor Victorino C. Teleron, seconded by Councilor Alvaro I. Gutierrez;

BE IT RESOLVED, as is hereby resolved to abolish the following non-essential positions with the corresponding appropriations thereof in the Fire Department, Ormoc City:

1. One Driver - occupied by Joventino Lazo
2. Five Firemen - occupied by Celerino Baul, Florentino Cantuja, Pedro Cacanug, Florencio Cabahug and Roberto Napoles

(over)

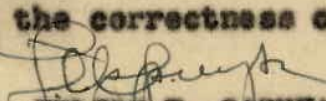
Jan. 1952
(Resolution No. 13, Cont'd)

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RESOLVED FINALLY, to furnish copy of this resolution each to the Executive Secretary, Malacañan Palace, Manila; the Secretary of Finance, Manila; the Commissioner of Civil Service, Manila; City Mayor, Ormoc City; City Treasurer, Ormoc City; City Auditor, Ormoc City; Fire Chief, Ormoc City.

CARRIED.

I HEREBY CERTIFY to the correctness of the above quoted resolution.


FELIPE T. CAPUYAN
Actg. Secretary

APPROVED AS TO PROCEEDINGS:

LUCILO A. CONUI
City Mayor
Presiding Officer

COPY FURNISHED:

The Hon. Executive Secretary, Malacañan Palace, Manila
The Hon. Secretary of Finance, Manila
The Hon. Commissioner of Civil Service, Manila
The Hon. City Mayor, Ormoc City
The City Treasurer, Ormoc City
The City Auditor, Ormoc City
The City Fire Chief, Ormoc City

ATTESTED AS TO PROCEEDINGS:

PROVILO C. MALINAO
Acting Secretary to the City Mayor

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Republic of the Philippines
ORMOC CITY
Office of the City Mayor

VETO OF RESOLUTION NO. 13, CURRENT SERIES,
OF THE HONORABLE MUNICIPAL BOARD,
ORMOC CITY, PURSUANT TO
REP. ACT 179

The undersigned by virtue of and pursuant to Art 3, Sec. 14, Republic Act No. 179, vetoes Res. No. 13, current series, of the Honorable Municipal Board, Ormoc City, with the reasons hereunder stated:

a.- Quoted hereunder is a portion of the undersigned's veto of Res. No. 9, current series, of the Hon. Mun. Board, this city, which is pertinent to Res. No. 13. to wit:

" In the letter of Honorable Sixto B. Ortiz, Undersecretary of Finance, Manila, dated November 5, 1951, referred to in the said resolution, it is true that the General Annual Fund Budget exceeds by ₱39,843.27 or 14.97 % more than the amount allowed as fixed under Executive Order No. 405 current series. It is also true that no provision has been made for the retirement insurance premium and that the unappropriated balance of the respective budget is not sufficient to meet the required 5% reserve. But this failure is not in the opinion of the Undersecretary a sufficient ground to abolish any single position in the City government, as submitted by the former Municipal Board. To meet however this contingency, and in order to sufficiently cover this requirement, the same letter instructed the Municipal Board (the former Board did so) that no creation of new positions or salary increases should be made and any over collections or saving from appropriation should be left unappropriated until the reserved fund is realized. On the other hand, the last paragraph of the letter, in black and white says: "the plantilla of personnel of that city for the past fiscal year (referring to 1950-1951) is hereby continued and made effective this year", (referring to 1951-1952).

The 4th paragraph of the resolution which says that the City is in a critical condition because it will incur a probable overdraft of from ₱40,000 to ₱60,000 is misleading, because the general fund of the City out of which the salaries of the personnel Fire Department are appropriated, does not incur any overdraft as shown by the financial statement of the City Treasurer, dated Jan. 8, 1952, a copy of which is hereto attached for the information of the Board. A hurried examination of the said statement shows that there is actual funds available for expenditure the amount of ₱11,173.83, which does not include the internal revenue allotment of ₱16,609.08 for the quarter ending December 31, 1951, which by law the City Government is entitled to receive.

It shows that the apprehension of the Municipal Board of a probable overdraft in the general fund out of which the salaries of the members of the Fire Department is taken, is not supported by the record of the City Treasurer.

Republic of the Philippines
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(Page Two - cont'd Veto of Res. No. 13)

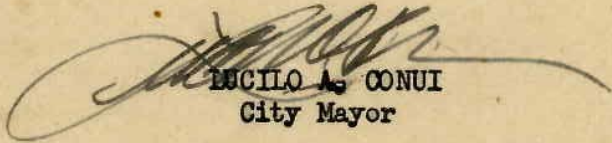
The last paragraph of Resolution No. 9 of the Municipal Board by enumerating the positions to be abolished and naming the persons holding thereto is not only defective but also vindictive and illegal: because it takes away and usurps the power of the local Department head, as to who of his subordinates should be laid off (in the resolution in the guise of abolition) in accordance with Civil Service Rules.

The Municipal Board is a local legislative body and the power of who should be appointed or removed is primarily an executive function, which in this case is the prerogative of the Mayor of the City thru the recommendation of the Department head, as provided for in the last paragraph of Art. 4, Sec. 19 of Act No. 179. The said paragraph says: "that the positions abolished are non-essential. "

The Fire Department including officers and men is composed of 16 members - short of the standard fire brigade which consists of 18 members, as found in all cities of the Philippines.

The record of the Fire Department is an open book to the members of the Board. It is not amiss to state however that according to the records of the Fire Department, there had been no conflagrations that resulted in the loss of lives and properties in the City of Ormoc ever since its organization. By reducing the members thereof, its operation will be greatly hampered and its value as a fire fighting unit will be greatly diminished. With the rapid increase of the population of Ormoc goes the greater risk of fire hazards. The only department charged with the burden and duty of preventing and extinguishing fire is the Fire Department. All people including the members of the Board desire to be an effective weapon against the loss of lives and properties caused by fire. By reducing the members thereof the Board has acted otherwise.

Done In the City Hall of Ormoc City, on this 10th day of January, In the Year of Our Lord, Nineteen Hundred and Fifty-Two.


LUCILO A. CONUI
City Mayor