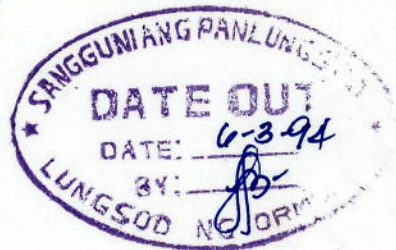


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SIXTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO SESSION HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON JUNE 2, 1994

Hon. Benjamin F. Tugonon,
Hon. Sotero M. Pepito,
Hon. Celso P. Adolfo,
Hon. Sixto T. Pongos,
Hon. Benjamin B. Lladoc,
Hon. Mariano Y. Corro,
Hon. Nestor C. Penserga,
Hon. Claudio P. Larrazabal,
Hon. Jose C. Alfaro, Jr.,
Hon. Alfredo F. Capahi,
Hon. Fernando P. Parrilla,
Hon. Angelyn R. Paca,

Vice-Mayor & Presiding Officer
Majority Floor Leader, Kagawad

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ABC President, Ex-Officio, Kagawad
Sk. Fed. Pres., Ex-Officio, Kagawad

ABSENT:

Hon. Jose B. Conejos, (On Leave), Asst. Maj. Floor Leader, Kagawad

RESOLUTION NO. 97

A RESOLUTION RESPECTFULLY REQUESTING THE HONORABLE SECRETARY OF THE INTERIOR AND LOCAL GOVERNMENT, RAFAEL M. ALUNAN III, FOR HIS OPINION AND/OR INTERPRETATION OF SECTION 107, PARAGRAPH (B) SUBPARAGRAPH (4) OF REPUBLIC ACT 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991 ANENT "REPRESENTATIVES OF NON-GOVERNMENTAL ORGANIZATIONS OPERATING IN THE CITY OR MUNICIPALITY, AS THE CASE MAY BE, WHO SHALL CONSTITUTE NOT LESS THAN ONE-FOURTH (1/4) OF THE MEMBERS OF THE FULLY ORGANIZED COUNCIL" WHETHER THE SAME IS MANDATORY OR MERELY DIRECTORY, AND THE STATUS OF THE RESOLUTIONS PASSED BY THE CITY DEVELOPMENT COUNCIL WHOSE REPRESENTATIVES OF NON-GOVERNMENTAL ORGANIZATIONS ARE VERY MUCH LESS THAN ONE-FOURTH (1/4) OF THE MEMBERS OF THE FULLY ORGANIZED COUNCIL DUE TO THE ABSENCE OF QUALIFIED AND/OR INTERESTED NGOs OPERATING IN THE CITY.

WHEREAS, Section 107, paragraph (b) of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides:

"The City or Municipal Development Council shall be headed by the Mayor and shall be composed of the following members:

- (1) All punong barangays in the city or municipality;
- (2) The Chairman of the committee on appropriations of the sangguniang panlungsod or sangguniang bayan concerned;
- (3) The congressman or his representative; and
- (4) Representatives of non-governmental organizations operating in the city or municipality, as the case may be, who shall constitute not less than one-fourth (1/4) of the members of the fully organized council."

WHEREAS, Memorandum Circular No. 93-94 dated April 5, 1993 of the Department of the Interior and Local Government, Section 6 thereof, provides:

"After sixty (60) days from the effectivity of this Memorandum-Circular, any action of the local special bodies which have not been constituted and organized as contemplated herein shall be declared null and void."

WHEREAS, the City of Ormoc has 110 punong barangays, hence, the composition of a fully constituted and organized City Development Council should be as follows: a) the City Mayor; the b) The 110 Punong Barangays; c) The Chairman, Committee on Appropriations; d) The Congressman or his representative; e) Representatives of non-government organizations operating in the city who shall constitute not less than one-fourth (1/4) of the members of the fully organized council;

WHEREAS, to date only seventeen (17) NGOs had qualified and received accreditation from the Sangguniang Panlungsod and said NGOs represent in the CDC of Ormoc;

WHEREFORE, on motion of Kagawad Mariano Y. Corro, Chairman, Committee on Laws and Ordinance, duly seconded by Kagawad Benjamin B. Lladoc; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution respectfully requesting the Honorable Secretary of the Department of the Interior and Local Government, Rafael M. Alunan III, for his opinion and/or interpretation of Section 107, paragraph (b) and subparagraph (4) of Republic Act 7160, otherwise known as the Local Government Code of 1991, anent "Representatives of non-governmental organizations operating in the city or municipality, as the case may be, who shall constitute not less than one-fourth (1/4) of the members of the fully organized council" whether the same is mandatory or merely directory, and the status of the resolutions passed by the City Development Council whose representatives of non-governmental organizations are very much less than one-fourth (1/4) of the members of the fully organized council due to the absence of qualified and/or interested NGOs operating in the city;

RESOLVED, FURTHER, to furnish copies of this resolution, one copy each to: The Honorable Secretary of the Department of the Interior and Local Government, Rafael M. Alunan III, Metro Manila; Honorable City Mayor, Eufrocino M. Codilla, Sr., the City Legal Officer, the DIC City Planning and Development Office, and all others concerned, all of Ormoc City;

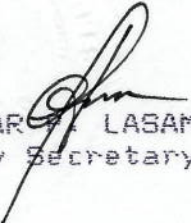
ENACTED, June 2, 1994.

CARRIED UNANIMOUSLY.

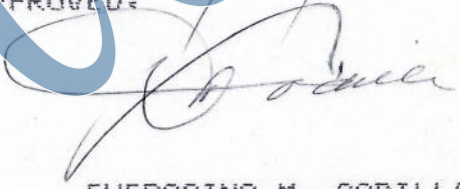
I HEREBY CERTIFY to the correctness of the foregoing resolution.


BENJAMIN A. TUGONON
Vice-Mayor & Presiding Officer

ATTESTED:


OSCAR A. LASAM
City Secretary

APPROVED:


EUFROCINO M. CODILLA, SR.
City Mayor

6/15/94
(Date)

/magoh'94
/ask:R94-2