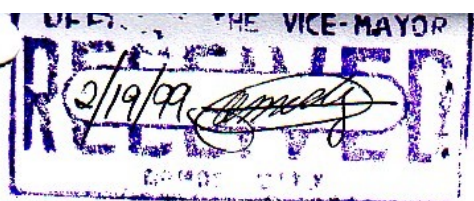
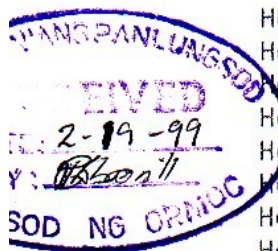


REPUBLIKA NG PILIPINAS  
SANGGUNANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE EIGHTH  
SANGGUNANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE  
PLACIDO ENECIO HALL, SANGGUNANG PANLUNGSOD  
BUILDING ON FEBRUARY 18, 1999

PRESENT:



Hon. Celso P. Adolfo, City Vice Mayor & Presiding Officer  
Hon. Nepomuceno P. Aparis I, City Councilor, Assistant Floor Leader  
Hon. Dennis Y. Capuyan, City Councilor  
Hon. Mariano Y. Corro, City Councilor  
Hon. Sotero M. Pepito, City Councilor  
Hon. Alfredo F. Capahi, City Councilor  
Hon. Claudio P. Larrazabal, City Councilor  
Hon. Fernando P. Parrilla, Ex-Officio City Councilor,  
Chapter President, Liga ng mga Barangay ng Ormoc  
Hon. Chiqui B. Labagala, Ex-Officio City Councilor,  
SK Federation President

ABSENT:

Hon. Jose S. Serafica, (Sick Leave), City Councilor, Floor Leader  
Hon. Benjamin B. Lladoc, (Sick Leave), City Councilor  
Hon. Eduardo P. Tan, (Sick Leave), City Councilor  
Hon. Jose C. Alfaro, Jr., (Forced Leave), City Councilor

RESOLUTION NO. 99-24

A RESOLUTION RESPECTFULLY REQUESTING HONORABLE BENJAMIN  
DIOKNO, SECRETARY OF THE DEPARTMENT OF BUDGET AND  
MANAGEMENT, TO AUTHORIZE CITY OFFICIALS OF ORMOC  
ENTITLED TO RATA, TO ENJOY THE RATES APPLICABLE TO  
HIGHLY URBANIZED CITIES FOR THE REASONS STATED HEREIN.

WHEREAS, the Philippine Constitution, specifically, Article X,  
Section 12, thereof, classifies Cities into: Highly-Urbanized,  
Independent Component, and Component Cities;

WHEREAS, Ormoc City is classified as an INDEPENDENT COMPONENT CITY  
as its voters are prohibited by its Charter to vote for provincial  
elective officials. As such is Independent of the province; (Sec. 451  
of RA 7160)

WHEREAS, as an Independent Component City, its Appropriation  
Ordinances are not subject to review by the Sangguniang Panlalawigan  
(Section 327 of RA 7160), but like Highly-Urbanized Cities are reviewed  
by DBM; (Section 326 of RA 7160)

WHEREAS, in all Liga contributions, independent component cities  
are categorized with highly urbanized cities and being assessed for  
contribution as such;

WHEREAS, Article 77 of RRILGC '91 which provides the Compensation  
and Benefits of Elective Local Officials, categorizes Cities into  
Highly-Urbanized, and Component Cities. No mention is made regarding  
Independent Component Cities, like Ormoc City;

WHEREAS, in the consolidated Case of ABELLA vs. COMELEC and  
LARRAZABAL, and LARRAZABAL vs. COMELEC and DELA CRUZ (201 SCRA 253), the  
Supreme Court had the occasion to rule that:



"Section 12, Article X of the Constitution is explicit in that aside from Highly-Urbanized Cities, Component Cities whose charters prohibit their voters from voting for provincial elective officials are Independent of the province. X X X Necessarily, component cities like ORMOC CITY whose charter prohibits their voters from voting for provincial elective officials are treated like HIGHLY URBANIZED CITIES which are outside the supervisory power of the province to which they are geographically attached. X X X";

WHEREAS, in other provisions of the Local Government Code of 1991 except on Compensation and Benefits of Elective Local Officials, may it be on Administrative procedure, sharing of national wealth, environmental protection taxation, succession and many others, an Independent Component City has always been categorized on the same level as a HIGHLY-URBANIZED CITY;

WHEREAS, in view of the absence of a specific provision of the Local Government Code of 1991 regarding the Compensation and Benefits of Elective Local Officials of INDEPENDENT COMPONENT CITIES, like the City of Ormoc, and in line with the aforementioned ruling of the Supreme Court in the aforecited case, Ormoc City should be treated as HIGHLY-URBANIZED CITY for purposes of RATA entitlement.

FOREGOING PREMISES CONSIDERED, on motion of Councilor Mariano Y. Corro, Chairman, Committee on Ways and Means, jointly seconded by Councilors Sotero M. Pepito and Fernando P. Parrills; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution RESPECTFULLY REQUESTING HONORABLE BENJAMIN DIOKNO, SECRETARY OF THE DEPARTMENT OF BUDGET AND MANAGEMENT, TO AUTHORIZE CITY OFFICIALS OF ORMOC ENTITLED TO RATA, TO ENJOY THE RATES APPLICABLE TO HIGHLY URBANIZED CITIES FOR THE REASONS STATED HEREIN;

ADOPTED, February 18, 1999.

RESOLVED, FURTHER, to furnish copies of this Resolution - Honorable Benjamin Diokno, Secretary of the Department of Budget and Management; The Secretary, Department of the Interior and Local Government; The Regional Director, DBM, Mr. Manuel I. Bernal; The City Budget Officer, Mrs. Elena S. Aviles, The City Accountant, Mrs. Rosalinda S. Muyuela, The City Auditor, Oda F. Nuez, The City Administrator, Mr. Vicente V. Redoña, The City Attorney, Atty. Cleto L. Evangelista, Jr., and other officials concerned.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

OSCAR P. LASAM  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

  
CELSO P. ADOLFO  
City Vice Mayor & Presiding Officer