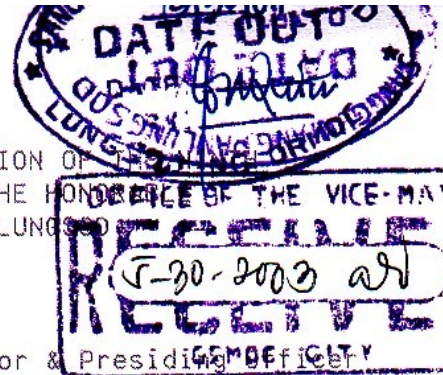


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE OFFICE OF THE VICE-MAYOR
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON MAY 29, 2003

PRESENT:

Hon. Celso P. Adolfo,	Vice Mayor & Presiding Officer
Hon. Nepomuceno P. Aparis I,	City Councilor, Majority Floor Leader
Hon. Jose S. Serafica,	City Councilor, Minority Floor Leader
Hon. Ruviniu E. Mendola,	City Councilor, Assist. Maj. Floor Leader
Hon. Demosthenes F. Tugonon,	City Councilor
Hon. Eduardo P. Tan,	City Councilor
Hon. Rafael C. Omega, Jr.	City Councilor
Hon. Fernando P. Parrilla,	City Councilor
Hon. Jovencio A. Laurente,	City Councilor
Hon. Fe. S. Lladoc,	City Councilor
Hon. Emeterio Y. Larrazabal, Jr.,	Ex-Officio City Councilor,
	Chapter President, Liga ng mga Barangay ng Ormoc

ABSENT:

Hon. Gregorio A. Yrastorza, Jr. (O.B. - Cebu City),	City Councilor,
	Assist. Minority Floor Leader
Hon. Cheryl L. Alfar, (O.B. - Tacloban City),	Ex-Officio
	City Councilor, SK Federation President

RESOLUTION NO. 2003-090

A RESOLUTION NOT CONCURRING THE APPOINTMENT OF MR. EMILIO G. TINGSON AS CITY GOVERNMENT DEPARTMENT HEAD I (CITY ASSESSOR) THIS CITY ON THE GROUND THAT HE HAS NOT MET THE REQUIRED EXPERIENCE AS PROVIDED FOR UNDER THE LOCAL GOVERNMENT CODE (LGC).

WHEREAS, this Sanggunian is in receipt of 1st Indorsement dated April 29, 2003 from the Honorable City Mayor Carmelo J. Locsin, the appointment of Mr. Emilio G. Tingson as City Government Department Head I (City Assessor) this city, for concurrence pursuant to Sec. 454, Par.(d) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 which states:

"Sec. 454, Par.(d) X X X heads of departments and offices shall be appointed by the City Mayor with the concurrence of the majority of all the sangguniang panlungsod members, subject to Civil Service law, rules and regulations. The Sangguniang Panlungsod shall act on the appointment within fifteen (15) days from the date of its submission, otherwise the same shall be deemed confirmed";

WHEREAS, on 09 May 2003 this Sanggunian thru its Presiding Officer, Vice Mayor Celso P. Adolfo sent a letter addressed to Atty. Ireneo A. Morales, CESO III, Regional Director, Civil Service Commission, Region VIII, Tacloban City requesting for clarification as regards the experience and educational qualification of Mr. Emilio G. Tingson;

WHEREAS, in response to the letter request for clarification of the Honorable Vice Mayor Celso P. Adolfo as regards the experience and educational qualification of Mr. Emilio G. Tingson, the Regional Director, Civil Service Commission, Region 8, Tacloban City issued legal opinion No. 030037 dated May 15, 2003, a copy of which is hereto attached and made part of this resolution, stating:

1. As to the educational requirement of the nominee, the appointing officer is therefore not precluded from appointing a college degree holder whose field of specialization is not among those given preference.
2. As to the experience requirement, citing CSC Resolution No. 98-3234 dated December 29, 1998 and further implemented under CSC Memorandum Circular No. 42, series of 1998 says:

"1. Relevant experience, as a requirement in the QS Manual, refers to experience within the same level of positions which will enable the candidate to successfully perform the duties and responsibilities of the position to be filled-up.

"2. Experience may be gained in the same level of position from either the government or private employment. Experience gained from first level positions shall not be considered relevant to positions in the second level.

"Experience acquired on the basis of designation shall not be considered for purposes of meeting the required experience unless said designation is covered by an Office or Memorandum Order." (emphasis supplied)

WHEREAS, the legal opinion of the CSC Regional Director clearly indicates that Mr. Emilio G. Tingson lacks the relevant experience which will enable him to perform the duties and responsibilities of the position to be filled up;

WHEREFORE, foregoing premises considered, on motion of City Councilor Nepomuceno P. Aparis I, Chairman, Committee on Good Government and Ethics, duly seconded by City Councilor Demosthenes F. Tugonon; be it


RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution NOT CONCURRING THE APPOINTMENT OF MR. EMILIO G. TINGSON AS CITY GOVERNMENT DEPARTMENT HEAD I (CITY ASSESSOR) THIS CITY ON THE GROUND THAT HE HAS NOT MET THE REQUIRED EXPERIENCE AS PROVIDED FOR UNDER THE LOCAL GOVERNMENT CODE (LGC);

ADOPTED, May 29, 2003.

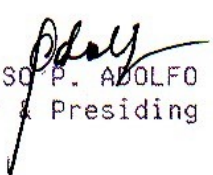
RESOLVED, FURTHER, to furnish copies of this resolution each to His Honor, the City Mayor; the City Administrator, the City Legal Officer, the City Treasurer, the City Budget, the City Accountant, the City Auditor, the HRM Officer IV, the CSC Regional Director through the CSC Ormoc Field Office, the HRM Officer, Mr. Emilio G. Tingson and others concerned; - in Ormoc City;

CARRIED by Eight (8) Affirmative Votes with Two (2) Abstentions registered by City Councilors Jose S. Serafica and Eduardo P. Tan.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


OSCAR P. LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:


CELSO P. ADOLFO
Vice Mayor & Presiding Officer