

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
THIRTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ORMOC CITY HALL BUILDING
ON JANUARY 21, 2016



PRESENT:

Hon. Leo Carmelo L. Locsin, Jr.	Vice Mayor & Presiding Officer
Hon. Rolando M. Villasencio,	SP Member, Majority Floor Leader
Hon. Tomas R. Serafica,	SP Member, Asst. Majority Floor Leader
Hon. Mario M. Rodriguez	SP Member, Presiding Officer "Pro-Tempore"
Hon. Ruben R. Capahi,	SP Member, Asst. Minority Floor Leader
Hon. Benjamin S. Pongos, Jr.,	SP Member
Hon. Antonio M. Codilla,	SP Member
Hon. Vincent L. Rama,	SP Member
Hon. Pedro Godiardo P. Ebcas,	SP Member
Hon. Eusebio Gerardo S. Penserga,	SP Member
Hon. John Eulalio Nepomuceno O. Aparis II,	SP Member
Hon. Mariano Y. Corro,	Ex-Officio SP Member
Chapter President, Liga ng mga Barangay ng Ormoc	

RESOLUTION NO. 2016-004

A RESOLUTION FINDING MERITORIOUS, ON THE BASIS OF SUBSTANTIAL EVIDENCE, THE ADMINISTRATIVE COMPLAINT FILED BY MYLANE V. BARQUERA AGAINST PUNONG BARANGAY ISAGANI R. BAÑEZ OF BARANGAY TONGONAN, ORMOC CITY, FOR THE COMMISSION OF ACTS CONSTITUTING THE ADMINISTRATIVE OFFENSE OF CONDUCT PREJUDICIAL TO THE BEST INTEREST OF THE SERVICE IN ADMINISTRATIVE CASE NO. 2015-01, ENTITLED: MYLANE V. BARQUERA, Complainant, VS. ISAGANI R. BAÑEZ, Respondent, THEREBY, IMPOSING THE PENALTY OF THREE (3) MONTHS OF SUSPENSION FROM OFFICE.

WHEREAS, this august Body was in receipt of an administrative complaint filed by Complainant Mylane V. Barquera, then School Principal of Pedro G. Bañez National High School in Barangay Tongonan, Ormoc City, against Respondent Isagani R. Bañez, Punong Barangay of said Barangay, seeking to hold Respondent administratively liable for the commission of acts constitutive of the administrative offenses of Gross Misconduct in Office penalized by Section 60 (c) of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991" (LGC), and Conduct Prejudicial to the Best Interest of the Service penalized by Section 4 (A) (c) of Republic Act No. 6713, otherwise known as the "Code of Conduct and Ethical Standards for Public Officials and Employees";

WHEREAS, said administrative complaint was filed pursuant to the authority and powers vested on this Sanggunian by Section 61 (c) of the LGC to hear and decide administrative cases filed before it against elective barangay officials within its jurisdiction;

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WHEREAS, the Complaint was found to be proper and in order and thereby given due course, and the consequent administrative case was docketed as Administrative Case No. 2015-01, entitled: Mylane V. Barquera, *Complainant*, vs. Isagani R. Bañez, *Respondent*, after which an administrative investigation was conducted by this Sanggunian with utmost impartiality and due regard to the rights of the parties to be afforded due process of law in accordance with established applicable law and rules of procedures;

WHEREAS, after a thorough and objective evaluation of said administrative case by this Sanggunian, on the basis of testimonies of the witnesses and evidence adduced by the parties, a fair, just and objective Decision was finally arrived at and approved by this august Body (a copy of said Decision is attached herein and made an integral part hereof);

WHEREAS, this Resolution affirms the said Decision without any note of reservation or expression of dissent to the findings and sanctions imposed therein and, likewise, it effectively formalizes the same as the judgment of this Sanggunian, for that matter;

WHEREFORE, on motion of the Honorable SP Member Benjamin S. Pongos Jr., Chairman, Committee on Good Government, severally seconded by the Honorable SP Members Rolando M. Villasencio, Tomas R. Serafica and Mario M. Rodriguez; be it

RESOLVED AS IT IS HEREBY RESOLVED, to pass a RESOLUTION FINDING MERITORIOUS, ON THE BASIS OF SUBSTANTIAL EVIDENCE, THE ADMINISTRATIVE COMPLAINT FILED BY MYLANE V. BARQUERA AGAINST PUNONG BARANGAY ISAGANI R. BANEZ OF BARANGAY TONGONAN, ORMOC CITY, FOR THE COMMISSION OF ACTS CONSTITUTING THE ADMINISTRATIVE OFFENSE OF CONDUCT PREJUDICIAL TO THE BEST INTEREST OF THE SERVICE IN ADMINISTRATIVE CASE NO. 2015-01, ENTITLED: *MYLANE V. BARQUERA, Complainant, VS. ISAGANI R. BANEZ, Respondent*, THEREBY, IMPOSING THE PENALTY OF THREE (3) MONTHS OF SUSPENSION FROM OFFICE;

ADOPTED, January 21, 2016.

RESOLVED, FURTHER, to furnish copies of this Resolution each to His Honor, the City Mayor of Ormoc Edward C. Codilla, the City Legal Officer, the DILG-City Director, Ms. Lucia C. Ong, the Office of the Liga ng Mga Barangay ng Ormoc, to the parties of herein Administrative Case, and to other offices concerned;

RESOLVED, FINALLY, that in view of Commission on Elections Resolution No. 10030 promulgated on December 22, 2015, requiring prior approval of said Body before impositions of suspensions against elective barangay officials from January 10, 2016 to June 8, 2016 can be had, said approval must first be immediately applied for and obtained by this Sanggunian before the Honorable City Mayor, as disciplining authority, can immediately implement the penalty imposed in this Resolution to the concerned barangay official;

CARRIED UNANIMOUSLY.

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I HEREBY CERTIFY to the correctness of the foregoing resolution.


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

ATTESTED:



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


01-26-16 2:55pm
HON. ISAGANI R. BANEZ
Respondent
Punong Barangay
Barangay Tongonan


MS. MYLANE V. BARQUERA
Complainant