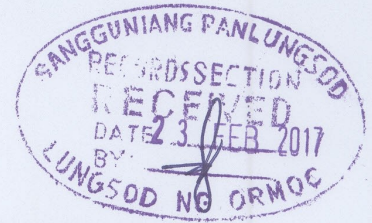


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,  
ORMOC CITY HALL BUILDING  
ON FEBRUARY 20, 2017 IN LIEU OF  
FEBRUARY 23, 2017

PRESENT:

Rolando M. Villasencio,	(OIC-City Vice Mayor & Temporary Presiding Officer),
	SP Member, Majority Floor Leader
Vincent L. Rama,	SP Member, Asst. Majority Floor Leader
Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica,	SP Member
Benjamin S. Pongos, Jr.,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Gregorio G. Yrastorza III,	SP Member
Nolito M. Quilang,	SP Member
John Eulalio Nepomuceno O. Aparis II,	SP Member
	Minority Floor Leader
Mariano Y. Corro,	Ex-Officio SP Member
	Chapter President, Liga ng mga Barangay ng Ormoc

ON OFFICIAL BUSINESS:

Leo Carmelo L. Locsin, Jr., (OIC - City Mayor), Vice Mayor & Presiding Officer

ON LEAVE:

Lea Doris C. Villar, SP Member, Asst. Minority Floor Leader

RESOLUTION NO. 2017-034

A RESOLUTION APPROVING THE DISMISSAL OF THE  
ADMINISTRATIVE CASE NO. 2016-02 FILED BEFORE THE  
14<sup>TH</sup> SANGGUNIANG PANLUNGSOD OF ORMOC CITY  
ENTITLED: GARY D. JOSOL AS COMPLAINANT -VERSUS-  
HON. ALFREDO A. PANCHACALA AS RESPONDENT FOR  
SIMPLE MISCONDUCT.

WHEREAS, the Sangguniang Panlungsod, is authorized by law to hear and decide administrative complaints filed against elected barangay officials, with power to impose appropriate sanctions or penalties;

WHEREAS, in the exercise of the power, the Sanggunian took cognizance of the Complaint, docketed as Administrative Case No. 2016-02, filed by Gary D. Josol against Respondent Alfredo A. Panchacala of Barangay Cabintan, Ormoc City, for Simple Misconduct, and constituted the body as a Committee of the Whole to hear the charges;

WHEREAS, during the preliminary conference scheduled on January 12, 2017, the complainant failed to appear despite receipt of notice of hearing as evidenced by a certification from the Postal Office that the notice of hearing was received on December 21, 2016 by Mr. Reginald M. Tabones, Records Officer of the Office of the Ombudsman in Tacloban City, the address indicated by the complainant in his complaint;



WHEREAS, the Chairman of the Committee on Good Government, based on the agreement of the Committee on the Whole, issued an order informing the complainant that the next hearing is set on February 16, 2017 and directing him to explain in writing within ten (10) days from receipt of the Order why the case should not be dismissed for his failure to appear on January 12, 2017 hearing thereby causing a delay in the prosecution of the case and with a warning that failure to submit the said explanation within the prescribed period will warrant a dismissal of the case;

WHEREAS, during the preliminary conference held on February 16, 2017, the Complainant once again failed to appear and the record showed that he has not submitted any explanation for his absence on January 12, 2017 despite his receipt of the Order on January 25, 2017 as evidenced by the Registry Return Card;

WHEREAS, respondent Alfredo Panchacala was present during the January 12, 2017 and February 16, 2017 hearings;

WHEREAS, Rule VII of the Ordinance titled "Rules of Procedure in the Conduct of Administrative Investigation by the Sangguniang Panlungsod of Ormoc City" provides that:

*"SECTION 25. Presence of the parties and counsel - The parties and their respective counsels, if represented, are required to attend the preliminary conference.*

*In case of the absence of the complainant and his/ her counsel, if represented, without any justifiable reason, the case shall be dismissed."*

WHEREAS, upon motion of SP Member Mariano Y. Corro, duly seconded by SP Members Rodriguez, Serafica, Aparis, Yrastorza, Pongos and Penserga, the Committee of the Whole finds the failure of the Complainant to submit an explanation for his absence on January 12, 2017 hearing and his failure to attend the February 16, 2017 hearing unjustifiable and thereby dismissed the case filed against Alfredo Panchacala;

WHEREFORE, on motion of SP Member Nolito M. Quilang, Chairman, Committee on Good Government, severally seconded by SP Members Vincent L. Rana, Tomas R. Serafica, Gregorio G. Yrastorza III, John Eulalio Nepomuceno O. Aparis II and Mariano Y. Corro; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION APPROVING THE DISMISSAL OF THE ADMINISTRATIVE CASE NO. 2016-02 FILED BEFORE THE 14<sup>TH</sup> SANGGUNIANG PANLUNGSOD OF ORMOC CITY ENTITLED: GARY D. JOSOL AS COMPLAINANT -VERSUS- HON. ALFREDO A. PANCHACALA AS RESPONDENT FOR SIMPLE MISCONDUCT;

ADOPTED, February 20, 2017.

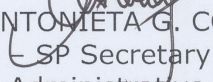
RESOLVED, FINALLY, that copies of this resolution be furnished each to the Honorable City Mayor Richard I. Gomez; the Acting City Legal Officer, Atty. Marcelo C. Oñate; the OIC-City Director, DILG, Engr. Jeremy Bagares; the Office of the Ombudsman-Visayas; the Office of the Liga ng mga Barangay ng Ormoc; the Complainants, Gary D. Josol; the Respondent, Alfredo A. Panchacala; and other offices concerned;

CARRIED UNANIMOUSLY.




Res. No. 2017-034

I HEREBY CERTIFY to the correctness of the foregoing resolution.

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

ATTESTED:

  
ROLANDO M. VILLASENCIO  
(OIC-City Vice Mayor & Temporary Presiding Officer)  
SP Member, Majority Floor Leader

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