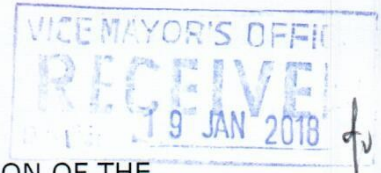


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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 JANUARY 18, 2018

PRESENT:

Leo Carmelo L. Locsin, Jr.,	Vice Mayor & Presiding Officer
Rolando M. Villasencio,	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
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader
Mariano Y. Corro,	Ex-Officio SP Member
	Chapter President, Liga ng mga Barangay ng Ormoc

RESOLUTION NO. 2018-014

**A RESOLUTION DISMISSING THE ADMINISTRATIVE CASE
NO. 2017-03 FILED BEFORE THE 14TH SANGGUNIANG
PANLUNGSOD OF ORMOC CITY ENTITLED: CAROL
BAUTISTA AS COMPLAINANT -VERSUS - FERNANDO
QUITALIG AS RESPONDENT.**

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. 2017-03, filed by Carol Bautista against Respondent Fernando Quitaig of Barangay Nueva Vista, Ormoc City, and constituted the body as a Committee of the Whole to hear the charges;

WHEREAS, upon perusal of the complaint, the same was bereft of any verification and filed not in accordance with Section 61 of Republic Act 7160, otherwise known as the Local Government Code (LGC), which governs the form of filing of administrative complaints against erring elective officials with the concerned Sanggunian and which requires that a complaint shall be verified;

WHEREAS, an Order was sent to the Complainant on December 14, 2017 directing the same to comply with the legal requirements under Section 61 of R.A. 7160 and the City Ordinance No. 001 s 2016 to submit a verified complaint within ten (10) days from receipt of the said Order;

WHEREAS, the Order was duly received by the Complainant herself on December 18, 2017;

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

"SECTION 8. Form of Complaint – No complaint against any elective barangay official shall be given due course unless the same is in writing and verified under oath. X x x

Non-compliance with the foregoing requirements shall cause the dismissal of the complaint, at the discretion of the Sanggunian."

WHEREAS, the complainant filed an Ex parte motion for Extension of Time for ten (10) days within which to submit a verified complaint explaining that she needs more time to confer with a lawyer in the preparation of the verified complaint and this motion was approved by the Committee of the Whole on December 14, 2017 and the order of approval was received by the Complainant on December 18, 2017;

WHEREAS, the complainant was unable to comply with the order and has not filed the necessary complaint in compliance with the legal requirements set under Section 61 of R.A. 7160 and Rule III Section 8 of the Rules of Procedure in the Conduct of Administrative Investigation by the Sangguniang Panlungsod of Ormoc City;

WHEREAS, upon motion of SP Member Benjamin Pongos, duly seconded by SP Members Mariano Corro, the Committee of the Whole finds the failure of the Complainant to submit a verified complaint and the non-compliance with the requirements set under RA 7160 and the Rules of Procedure in the Conduct of Administrative Investigation by the Sangguniang Panlungsod of Ormoc City thereby merit the dismissal the case filed against Fernando Quitaig;

WHEREFORE, on motion of SP Member Nolito M. Quilang, Chairman, Committee on Good Government, severally seconded by SP Members Vincent L. Rama, Mariano Y. Corro, Benjamin S. Pongos, Jr. and Eusebio Gerardo S. Penserga; be it

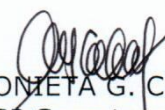
RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION DISMISSING THE ADMINISTRATIVE CASE NO. 2017-03 FILED BEFORE THE 14TH SANGGUNIANG PANLUNGSOD OF ORMOC CITY ENTITLED: CAROL BAUTISTA AS COMPLAINANT -VERSUS- HON. FERNANDO QUITALIG AS RESPONDENT;

ADOPTED, January 18, 2018.

RESOLVED, FINALLY, that copies of this resolution be furnished each to the City Mayor Richard I. Gomez; Engr. Jeremy Bagares; the Office of the Liga ng mga Barangay ng Ormoc; the Complainant; the Respondent, and other offices concerned.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


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

ATTESTED:


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

"SECTION 8. Form of Complaint – No complaint against any elective barangay official shall be given due course unless the same is in writing and verified under oath. X x x

Non-compliance with the foregoing requirements shall cause the dismissal of the complaint, at the discretion of the Sanggunian."

WHEREAS, the complainant filed an Ex parte motion for Extension of Time for ten (10) days within which to submit a verified complaint explaining that she needs more time to confer with a lawyer in the preparation of the verified complaint and this motion was approved by the Committee of the Whole on December 14, 2017 and the order of approval was received by the Complainant on December 18, 2017;

WHEREAS, the complainant was unable to comply with the order and has not filed the necessary complaint in compliance with the legal requirements set under Section 61 of R.A. 7160 and Rule III Section 8 of the Rules of Procedure in the Conduct of Administrative Investigation by the Sangguniang Panlungsod of Ormoc City;

WHEREAS, upon motion of SP Member Benjamin Pongos, duly seconded by SP Members Mariano Corro, the Committee of the Whole finds the failure of the Complainant to submit a verified complaint and the non-compliance with the requirements set under RA 7160 and the Rules of Procedure in the Conduct of Administrative Investigation by the Sangguniang Panlungsod of Ormoc City thereby merit the dismissal the case filed against Fernando Quitaig;

WHEREFORE, on motion of SP Member Nolito M. Quilang, Chairman, Committee on Good Government, severally seconded by SP Members Vincent L. Rama, Mariano Y. Corro, Benjamin S. Pongos, Jr. and Eusebio Gerardo S. Penserga; be it

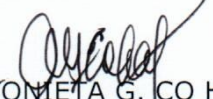
RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION DISMISSING THE ADMINISTRATIVE CASE NO. 2017-03 FILED BEFORE THE 14TH SANGGUNIANG PANLUNGSOD OF ORMOC CITY ENTITLED: CAROL BAUTISTA AS COMPLAINANT –VERSUS– HON. FERNANDO QUITALIG AS RESPONDENT;

ADOPTED, January 18, 2018.

RESOLVED, FINALLY, that copies of this resolution be furnished each to the City Mayor Richard I. Gomez; Engr. Jeremy Bagares; the Office of the Liga ng mga Barangay ng Ormoc; the Complainant; the Respondent, and other offices concerned.

CARRIED UNANIMOUSLY.

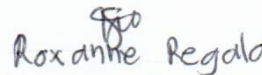
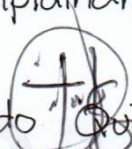
I HEREBY CERTIFY to the correctness of the foregoing resolution.


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

ATTESTED:


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

2

 01-23-18
Roxanne Regala
Carol Bautista
Complainant
 01/23/18
Fernando Quitaig
Respondent