Excerpts from the minutes of the 13th Special Session of the Sangguniang Panlungsod of the City of Bacoor, Province of Cavite held on 22 August 2012 at the Sangguniang Panlungsod Session Hall.

PRESENT:

HON. ROSETTE M. FERNANDO ............................. Presiding Officer
HON. EDWIN G. GAWARAN .............................. Councilor
HON. AVELINO B. SOLIS ............................... Councilor
HON. REYNALDO M. FABIAN .......................... Councilor
HON. VENUS D. DE CASTRO ............................ Councilor
HON. REYNALDO D. PALABRICA ...................... Councilor
HON. JAIME SAPANGHILA ............................. Councilor
HON. BAYANI M. DE LEON ............................. Councilor
HON. CATHERINE S. EVARISTO ......................... Councilor (ABC-Pres.)

ABSENT:

HON. JANAIRO SAN MIGUEL .......................... Councilor
HON. MA. ELIZA H. BAUTISTA ......................... Councilor (SKF-Pres.)

CITY ORDINANCE NO. 20
Series of 2012

AN ORDINANCE CREATING THE SPECIAL MANAGEMENT COMMITTEE OF THE BACOOR PUBLIC MARKET.

Introduced by Hon. Rosette M. Fernando (City Vice Mayor/Presiding Officer)


WHEREAS, on 9 November 2009, Municipal Resolution No. 151-S-2009 “authorizing the Municipal Mayor, Hon. Strike B. Revilla, to sign a ‘Lease Agreement with Management, Operation, and Maintenance Provisions’ (the ‘Lease Agreement’ for brevity) with N.C. Tavu and Associates Corporation involving the Bacoor Public Market for and on behalf of the Municipality of Bacoor, Cavite” was approved unanimously by the Sangguniang Bayan of Bacoor, Cavite.


WHEREAS, on 18 December 2009, the Lease Agreement was signed by Hon. Revilla on behalf of the Municipal Government and by Mr. Neil C. Tavu on behalf of N.C. Tavu and Associates Corporation.

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CITY OF BACOOR
Office of the Sangguniang Panlungsod

WHEREAS, the Sangguniang Bayan of Bacoor, Cavite received numerous complaints from market vendors doing business within the Bacoor Public Market regarding alleged violations by N.C. Tavu and Associates Corporation of its obligations under the above-mentioned contract. Starting on 25 November 2010, a series of public hearings attended by the complainants and by representatives of N.C. Tavu and Associates Corporation was conducted by the Sangguniang Bayan.

WHEREAS, after protracted deliberations on the said complaints and after thoroughly weighing the testimony and evidence provided by the complainants and by N.C. Tavu and Associates Corporation, the Sangguniang Bayan unanimously approved Municipal Resolution No. 57-S-2012 on 27 February 2012 giving the said corporation fifteen (15) calendar days within which to amicably resolve its disputes with the market vendors/stallholders and other interested parties involved in the operation of the Bacoor Public Market, otherwise, the Sangguniang Bayan will pass a resolution authorizing the Municipal Mayor to take the necessary legal action to cause the termination of the Lease Agreement. The said corporation was given until 13 March 2012 within which to implement the said resolution.

WHEREAS, on 23 June 2012, the municipality of Bacoor was converted into a component city of Cavite pursuant to Republic Act No. 10160.

WHEREAS, on 17 July 2012, a formal notice of termination of the Lease Agreement from the City Government of Bacoor was received by N.C. Tavu and Associates Corporation giving the latter thirty (30) days within which to vacate the Bacoor Public Market and turn over possession of the said facility to the City Government. The said thirty-day period expired on 17 August 2012.

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WHEREAS, on 17 August 2012, another letter from the City Government was formally received by N.C. Tavu and Associates Corporation giving the latter an additional five-day period or until 21 August 2012 within which to turn over the Bacoor Public Market to the City Government.

(SAPAGKAT, noong ika-17 ng Agosto 2012, isa na namang liham mula sa Pambahalaang Lungsdan ang natatanging dagdag na balita na nagbibigay ng kahinungaan ng isang oras o hanggang ika-21 ng Agosto 2012 upang ibalik ang Bacoor Public Market sa Pambahalaang Lungsdan.)

WHEREAS, on 17 August 2012, the Sangguniang Panlungsod received a formal request from the City Mayor for the conduct of a special session on 22 August 2012 and requesting for the approval of a “resolution/ordinance authorizing the City Mayor to create a management team to oversee the operation of the Zapote (sic) Public Market”.

(SAPAGKAT, noong ika-17 ng Agosto 2012, nakatanggap ang Sangguniang Panlungsod ng isang panrak na kahilingan mula sa Punong Lungsdan para sa pagkakaroon ng isang natatanging pagpupulong sa ika-22 ng Agosto 2012 at humihiling pag-aaprubahin ng “Isang Kapayuhan/Ordinansa na nagpapahintulot sa Punong Lungsdan na magtaloag ng isang “management team” na mabigyan ng isang “Sangguniang Panlungsod”.)

NOW THEREFORE:

By unanimous vote of the members present in special session assembled acting with a quorum throughout, the following City Ordinance was enacted:

(KUNG KAYA’T DAHIL DITO:
Sa pamamagitan ng nakakaisang boto ng mga kasanayan sa jukol ng isang natatanging pagpupulong na ginanap ng may korum sa kabanay, ang sumusunod na Ordinansang Panlungsod ay isinahayat:

Section 1. A Special Management Committee (the “Committee” for brevity) on the Bacoor Public Market is hereby created in preparation for the possible take-over of the said facility by the City Government. (Isang “Special Management Committee” ukol sa Bacoor Public Market ang naging Committee ay isinahayat na sanhi ng maaring pag-aambag ng mga kasanayan sa jukol ng isang natatanging pagpupulong sa Panglunsod ng Bacoor.)

Section 2. The Committee shall have the following functions: (Ang Committee ay isinahayat na maayos ang following functions)

2.1. Make a detailed analysis of the operations and finances of the Bacoor Public Market; (Gumagawa at nag isang detalyadong pagpupunong ng oras at pananalipan ng Bacoor Public Market)

2.2. Identify possible ways of increasing the income of the Bacoor Public Market and improving its services to the public; (Paghahatid ng pang-unlad sa mga higit sa oras at pananalipan ng Bacoor Public Market at pag-ambag ng mga kasanayan sa pag-aambag ng Bacoor Public Market)

2.3. Supervise and take control of the management of the Bacoor Public Market, but not limited to, all matters related to its finances, operation, maintenance, and sanitation; (Pangunahin at kontrol at ang pananalipan sa Bacoor Public Market kasama na, sa subalit hindi naaari na, lahat ng mga higit sa oras at pananalipan ng Bacoor Public Market, oras at pananalipan at sanhi ng pagpapalit ng mga higit sa oras)

2.4. Propose plans of actions regarding the operation and management of the Bacoor Public Market to the City Mayor and the Sangguniang Panlungsod; and (Magpatuloy ng mga planong paghihiwalay sa oras at pananalipan ng Bacoor Public Market sa Panglunsod ng Bacoor Public Market)

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2.5. Perform such other functions as may be assigned to it by the City Mayor.[Gawin ang iba pang tungkulin na maaring ilagay dito ng Punong lungsod.]

Section 3. All actions and decisions of the Committee shall be subject to the approval of the City Mayor.[Ang labas ng paglalaga at desisyon ng Committee ay saklaw ng pag-aayon ng Punong lungsod.]

Section 4. The decisions and actions of the Committee may be reviewed by the Sangguniang Panlungsod pursuant to its oversight functions.[Ang mga desisyon at paglalaga ng Committee ay maaring surin ng Sangguniang Panlungsod na kapakanyaran rin ang marami]

Section 5. The Committee shall be composed of the following city officials:[Ang Committee ay bayan ng mga sumusunod na opisyal ng lungsod:]

Atty. Dolores L. Yumol (OIC-City Administrator) - Chairperson
Mrs. Elvina Guerrero (City Budget Officer) - Member
Mr. Francisco J. Ocampo (Licensing Officer IV, BPLO) - Member
Atty. Edith C. Napalang (City Treasurer) - Member
Atty. Elmer Rabuya (City Legal Officer) - Member

The members of the Committee shall not be entitled to any additional compensation or benefits other than the salaries, benefits and remunerations that they are currently receiving as employees of the City Government.[Ang mga kasapi ng Committee ay hindi makakagagap ng karagdagang kompensasyon o benepisyo bukod sa mga with, benepisyo at guntimpala na naitatagap ng ilang kawani ng Pamahalaang Lungsod.]

Section 6. The composition of the Committee may be changed by the City Mayor by way of a memorandum subject to the exigencies of public service. The existence of the Committee shall only be for a period of ninety (90) days. Provided, that the said period may be extended by the Sangguniang Panlungsod by way of an ordinance depending on the exigencies of public service.[Ang komposisyon ng Committee ay maaring baga ng Punong Lungsod sa pamamagitan ng isang memorandum batay sa pangangalagaan ng serbisyo publico. Ang pananatili ng committee ay di kalagat sa iyamangpinang (90) araw. Sa kunganyan na ang nawagpas ng kompaduhan ng maaring palagayin ng Sangguniang Panlungsod sa pamamagitan ng isang ordinansa depende sa pangangalagaan ng serbisyo publico.]

Section 7. No action shall be undertaken by the Committee unless it has been approved by a majority vote of all its members and has been approved by the City Mayor.[Walang anumang akson ang maaring gawin ng Committee maliban na lamang kung ito ay sinang-ayunan ng nakararami sa mga kasapi nito at kung ito ay sinang-ayunan din ng Punong Lungsod.]

Section 8. All existing ordinances, resolutions, and executive orders that are affected thereby shall remain valid and in effect.[Ang labas ng mga ordinansa, kapayahan, at etekutubong kautusan na saang tala at talaan ng isang ordinansa o sa kohit na ang probisyon nito ay pinalawalan biya at binahagi o alamin dito.]

Section 9. Should any provision of this ordinance be declared void, the remaining provisions of the above-mentioned ordinance not affected thereby shall remain valid and in effect.[Kung ang anumang probisyon ng ordinansa ito ay madakila na walang biya, ang mga natitirang probisyon nito na hindi opakado ng nabanggit ng declarasyon ay mananatiling biya at epektibo.]

Section 10. In view of the importance of the Bacoor Public Market to the public welfare, this ordinance shall take effect immediately after its posting in at least three (3) conspicuous places within the City of Bacoor. [Tatapos na ang tuklasan sa Panlungsod ng Bacoor ay maaring gamitin ng aiming pulikidad na dalan at dalan na kung piliin ng mga wala na ang ipinala sa pagtuklasan ng isang probisyon na mayanak na alaman o mananatiling biya at epektibo.]
Bacoor which shall include the bulletin board located at the Bacoor Public Market. [Dahil sa kahalagahan ng Bacoor Public Market sa kapakahahan ng publiko, ang ordianisang ito ay opisyal na maghaharap ng mga matapos na ito ay maipalikha sa tawag [3] kapuna punong lugar sa lok sa lungsod ng Bacoor kasama na ang bulletin board sa Bacoor Public Market.]

Section 11. Let copies of this ordinance be sent to the Office of the City Mayor and to all government departments, agencies, and offices concerned. [Hayaan na ang mga sipi ng Ordinansang ito ay maipadala sa Tanging sa punong sa Tanging at sa lahat ng mga kainokulang departamento, ahensya, at tanggapan ng pamahalaan.]

ENacted this 22nd day of August 2012 during the 13th special session of the Sangguniang Panlungsod of the City of Bacoor, Cavite. [ISINABATAS ngayong ika-22 ng Agosto 2012 sa ika-13 na natatanging paggugulo ng Sangguniang Panlungsod ng lungsod ng Bacoor, Cavite.]

I hereby certify that the foregoing City Ordinance are true and correct and that the same were duly approved in accordance with law. [PinsIBUTAY ko na ang nasabang Ordinansang Panlungsod ay totoo at tama at naaayon sa batas.]

Certified by:

HON. ROSETTE M. FERNANDO
City Vice Mayor/Presiding Officer

Attended by:

ATTY. KHALID A. ATEGA JR.
Secretary to the Sangguniang Panlungsod

Approved by:

HON. STRIKE B. REVILLA, PhD
City Mayor

BAGONG BACOOR!
Tapat sa Serbisyo, Nagkakaisa sa Pagbabago...

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