
PRESENT:  
- Hon. Cecilia E. Dubain (Presiding Officer) 
- Hon. Edwin F. Malabies 
- Hon. Rufino A. Benerga (Member) 
- Hon. Gertrudes M. Ocampo (Member) 
- Hon. Saturnino F. Enriques, Jr. (Member) 
- Hon. Francisco A. Mato (Member) 
- Hon. Pablo E. Guererro (Member) 
- Hon. Renato J. Maliksi (Member) 
- Hon. Avelino O. Solis (Member-ASC President) 
- Hon. Medwin K. Garcia (Member-SRF President)

ON LEAVE:  
- Hon. Orpha J. Subion (Member)

CALL TO ORDER:

The Honorable Presiding Officer called the session to order at precisely 3:30 p.m., followed by a short prayer and singing of the National Anthem.

ROLL CALL, READING AND APPROVAL OF THE PREVIOUS MINUTES

Upon direction of the Chair, the Secretary called the roll to which nine (9) members of the Sangguniang Bayan responded, whereby the Chair declared the session open, there being a quorum.

The Secretary then read the previous Minutes which was thereafter approved, on motion of Kagawad Saturnino F. Enriques, Jr., duly seconded by Kagawad Renato J. Maliksi.

GENERAL BUSINESS

RESOLUTION NO. 104-8-94

Submitted by Barangay Captain Germaine Espiritu, for consideration and approval by the Honorable Members of the Sangguniang Bayan, is Resolution No. 12, S. of 1994, from Panapamp 1, requesting a budgetary allocation of ₱50,000.00 for the completion of their feeder road project at Espiritu Compound 1 therein.

WHEREAS, finding the request to be for the benefit and welfare of the residents of said community, the Body, on motion of Kagawad Saturnino F. Enriques, Jr., duly seconded by Kagawad Renato J. Maliksi, RESOLVED, AS IT IS HEREBY RESOLVED, to endorse for the favorable consideration of the Municipal Development Council the inclusion of a budgetary allocation of ₱50,000.00 for the completion of the feeder road cementing project at Espiritu Compound 1, Panapamp 1, chargeable against the 20% Development Fund for municipal projects;

RESOLVED, FURTHER, to furnish with copies of this Resolution the Honorable Municipal Mayor, the Municipal Development Council and others concerned, for their information and guidance.

ADOPTED UNANIMOUSLY.

RESOLUTION NO. 105-8-94

Submitted by Barangay Malias 5, for review by the Honorable
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Members of the Sangguniang Bayan pursuant to Sec. 57 of R.A. No. 7160, are the following ordinances, all Series of 1994, to wit:

Ord. No. 2 - An ordinance prohibiting stray dogs at any public place within the geographical limits of the barangay;

Ord. No. 3 - An ordinance prohibiting the disposal of garbage at any public place within the geographical limits of the barangay; and

Ord. No. 4 - An ordinance prescribing service fees for barangay clearances issued for specific purposes.

WHEREFORE, after determining that the above are consistent with law and relevant municipal ordinances, the Sangguniang Bayan, on motion of Kagawad Rufo A. Herrera, duly seconded by Kagawad Renato J. Maliki, RESOLVED, AS IT IS HEREBY RESOLVED, to approve, as it hereby does approve, Ordinances Nos. 2, 3, and 4, all Series of 1994, of Barangay Meline 5;

RESOLVED, FURTHER, to furnish with copies of this Resolution the Honorable Municipal Mayor, Barangay Meline 5 and others concerned, for their information and guidance.

APPROVED UNANIMOUSLY.

RESOLUTION NO. 106-S-94

RESOLUTION AUTHORIZING A NEW RATE OF PER DIEM FOR THE CHAIRMAN, MEMBERS, AND STAFF OF THE PEOPLE'S LAW ENFORCEMENT BOARD, AND FOR OTHER PURPOSES.

WHEREAS, the Honorable Members of the Sangguniang Bayan is in receipt of a request, from the People's Law Enforcement Board, for the increase of their present per session per diem rate to P600.00 for the Chairman, P600.00 for each member, and P500.00 each for the Secretary, Stenographer, and Server of the Board;

WHEREAS, together with other considerations cited, the main reason for the request is the continuing, albeit encouraging, growth of the work load of the Board, thereby rendering obligatory the taking home of files of cases for proper study and other necessary preparations;

WHEREAS, queried on the subject, the Provincial Budget Officer opined that per diem of PLEM members may be paid from municipal funds as may be determined by the Sangguniang Bayan, pursuant to Sec. 43(c) of the Rules and Regulations Implementing the Local Government Code of 1991;

WHEREAS, likewise asked to comment on the request, the Provincial Auditor stated that his office is not inclined to interpose objection for the meantime to the per diem rate which the Municipal Council will fix or determine pursuant to existing law, rules and regulations:

NOW, THEREFORE, finding the request to be meritorious and well-taken, and there being no allowable rate of per diem for the Chairman, members and staff of the PLEM as previously authorized by the Department of Budget and Management, on motion by Kagawad Francisco A. Mateo, duly seconded by all the members present, BE IT, AS IT IS HEREBY
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RESOLVED by the Sangguniang Bayan of Bacoor, Province of Cavite, in regular session assembled, to approve, as it hereby does approve, the new per session per diem rate of P800.00 for the Chairman, P600.00 for each Member, and P500.00 each for the Secretary, Stenographer, and Server of the People's Law Enforcement Board;

RESOLVED, FURTHER, to authorize the Municipal Budget Officer to include in the next supplemental and/or annual budget the corresponding appropriation for the purpose; and

RESOLVED, FINALLY, to furnish with copies of this Resolution the Honorable Municipal Mayor, the Budget Officer and others concerned, for their information and guidance.

APPROVED UNANIMOUSLY.

WAITING SHED AT PANAPAAN 6

Resolution No. 11, Series of 1994, from Barangay Panapaan 6, requesting funding assistance for the construction of a waiting shed at the corner of the barangay entry point and M. Aguinaldo Highway was referred to the Office of the Municipal Engineer for inspection and report on location feasibility and cost estimates.

ILLEGAL TERMINAL AT TALABA 4

Resolution No. 3, Series of 1994, from Barangay Talaba 4, requesting the Sangguniang Bayan to pass an ordinance prohibiting the parking of passenger jeepneys and other vehicles along the roads and street shoulders therein was referred to the Committee on Ordinances and Legal Matters for study and recommendations.

TRICYCLES AND PEDICABS AT ANIBAN 1

Ordinance No. 1, Series of 1994, from Barangay Aniban 1, regulating the operations of motorized tricycles and pedicabs thereat was referred to the Committee on Ordinances and Legal Matters and to Kagawad Francisco A. Mateo, principal author of the tricycle ordinance, for study and recommendations.

FENCING OF THE CEMETERY SITE IN MOLINO

About his letter of August 31, 1994, offering the services of his firm for a negotiated contract on the fencing of the proposed municipal cemetery in Molino, Engr. Ignacio Manlangit was advised to redirect his proposal to the proper offices and bodies that can act on the subject.

ORATORIC CONTEST OF THE CAVITE COUNCILORS' LEAGUE

The Secretary read the radio message by Ms. Evelyn Valido, President of the Cavite Councilors' League, informing the members of the postponement of their oratorical contest from September 3-6, 1994, to September 26-27, 1994, at the Sangguniang Panalawigan Session Hall, Trece Martires City.
WIDENING OF PATHWAY AT TALABA 3

Kagawad Avelina B. Salis, ABC President, reported that he has given up the matter of the problem between Barangay Captain Josefino Banas and former Councilor Nilo Santos concerning the widening of the pathway adjacent to the garage of the latter. He then recommended that the collegial Body intervene and mediate on the subject.

Thus, it was agreed upon to invite Messrs. Banas and Santos to a special meeting of the Council on Wednesday, September 7, 1994, at 6:00 p.m., at the Municipal Session Hall.

323rd FOUNDING ANNIVERSARY OF BACOOR

Kagawad Medwin K. Jarcia, SKF President, informed the Council of the forthcoming celebrations on September 26, 1994 to October 2, 1994, to commemorate the 323rd anniversary of the founding of Bacoor.

Thereafter, the Secretary was asked to read the contents of two (2) sheets of paper handed to him by the Presiding Officer and reportedly being passed around, detailing the program of activities during the week-long celebrations and culminating at a Parade along Bayan from Coastal Road, Barangay Talaba, to Barangay Mahela on October 2, 1994.

The whole Body expressed surprise and indignation at this affront to its honor and self-respect as a co-equal branch of the local government unit which was not even given the courtesy of appraisal and consultation during the planning and preparation of the program of activities for so important an event.

Kagawad Saturnino F. Enriquez, Jr., recalled that Bacoor used to celebrate its founding anniversary every 16th day of December and, it being so, questioned the propriety of moving the date without authoritative information having been received and evaluated.

Kagawad Rufino A. Herrera further opined that said change of date would require a resolution of the Sangguniang Bayan to make it legally binding and operative.

Given these facts and circumstances, the Honorable Body decided not to participate in the reported celebrations on September 26, 1994 to October 2, 1994.

MAYOR'S VETO OF P2 MILLION REALIGNMENT

The Secretary announced that Resolution No. 89 regarding the realignment of the P2 million appropriation for the cementing of roads so that the same may be used for the fencing and other expenditures to be incurred in the development of the cemetery site in Malinong was vetoed by the Honorable Municipal Mayor under his Memorandum of September 1, 1994, the full text of which he was directed to read to the Body.

Thereafter, Kagawad Renato J. Maliksi inquired if the Body would not be violating any law if it overrides the veto. The Presiding Officer assured him and the other members present that the Sangguniang Bayan will not be violating any law should it decide to override the same.

Kagawad Rufino A. Herrera then said that while the Honorable Municipal Mayor may have good reasons for objecting to the Resolution,
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the paramount issue is still the urgency of having the cemetery site fenced so that the development permit therefor may be secured and, ultimately, the clearance for the burial plots intended principally for low-income and poor families who, in every event of need, are finding their grief further compounded by the ordeal almost always attendant to their search of a fitting place whereon to inter their dead.

At this juncture, Kagawad Saturnino F. Enriquez, Jr., cautioned the Body against acting presumptively on the subject considering that an overriding move requires a two-thirds (2/3) vote of all the Council members, the ALL of which he wanted clarified if intended to mean that EVERY MEMBER MUST BE PRESENT during the meeting at which the vote is taken, Kagawad Orpha B. Subion being absent at the moment, or if the said two-thirds (2/3) vote of all the members can be construed to mean that the affirmative vote of seven (7) Council members (2/3 of 10) during any session is sufficient to overcome a vote of the Mayor.

The Honorable Presiding Officer again assured the Body that it has the adequate number of members present that can legally act on the matter should it so desire.

Kagawad Renato J. Maliksi, however, suggested that the overriding proceedings, if any, may be moved during the Council's next regular session, taking into consideration Kagawad Saturnino F. Enriquez, Jr.'s, apprehension about the matter and so that the Body shall have ample time to ask proper legal advice on the subject.

It was then decided to postpone to September 9, 1994, any deliberation on the Mayor's vote, with Kagawad Rufino A. Berrera exhorting the attendance of every member so that the issue might be given the widest range of amplification.

LETTER FROM CAVITE COLISEUM

Pending further clarification, consideration was deferred of the letter of even date of Ms. Rowen B. Mendiesta, requesting the concurrence of Sangguniang Bayan to the licensing of Cavite Coliseum to operate.

SUBURBAN CABLE NETWORK, INC.

Kagawad Edwin E. Malvar took the floor to denounce Suburban Cable Network, Inc., a firm which, after securing a favorable endorsement from the Sangguniang Bayan sometime in 1991, has as of date, or three (3) long years later, not even been heard to have completed the installation of its CATV system or commenced the operation thereof in any area of Bacoor, in gross violation of the provisions of the Council's Resolution. He then suggested that the Body recall its previous endorsement of the company so that other firms with tested and demonstrated capability can freely compete in providing CATV service to the municipality.

Action on this suggestion was deferred, however, in view of the proposition by Kagawad Rufino A. Berrera, and to which the Body acceded, that a responsible representative of the company be invited to be heard at the Council's next regular session before any measure against it is taken.
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BURIAL ASSISTANCE TO WW II VETERANS

In view of the unexpectedly high number of veterans' kin every now and then coming up to claim burial assistance and the effect thereof on the municipality's financial position and capability to pay, Kagawad Rufino A. Herrera suggested to the Council to restudy the provisions of Resolution No. 187, Series of 1993, which authorized the extension of these death benefits so that any necessary modification or amendment of the same may be made.

It was then decided to include this subject in the agenda of the Body's special meeting on September 7, 1994.

ADJOURNMENT

There being no other matters to be discussed, the Honorable Presiding Officer declared the session adjourned at 6:00 p.m., on motion of Kagawad Edwin E. Malvar, duly seconded by Kagawad Renato J. Maliksi.

Cecilia R. Buain
Presiding Officer

EDWIN E. MALVAR
Member

RUFINO A. HERRERA
Member

GERTRUDES M. OCAMPO
Member

SATURNINO F. VAMILQUEZ, JR.
Member

PABLO E. GUERRERO
Member

RENATO J. MALIKSI
Member

FRANCISCO A. MATEO
Member

AVELINO B. SOLIS
Member-ABC Pres.

MEDWIN K. JARCIA
Member-PIP Pres.

ATTERTED:

AUGUSTO O. OCAMPO
Secretary to the Sanggunian