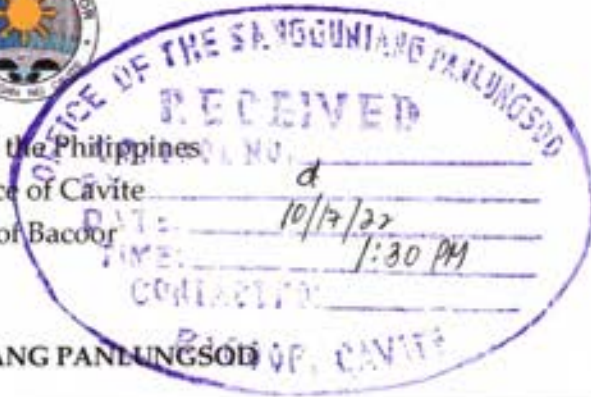




Republic of the Philippines
 Province of Cavite
 City of Bacoor



5th SANGGUNIANG PANLUNGSOD

COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER	
Committee on Labor, Trade Commerce and Industry and Committee on Rules and Privileges, Laws and Ordinances		PCO-2022-031 - AN ORDINANCE CREATING THE MALIKSI CEMETERY, CREMATORIUM, COLUMBARIUM, AND CHAPEL AS LOCAL ECONOMIC ENTERPRISE TO FURTHER IMPROVE THE FISCAL POSITION OF THE CITY GOVERNMENT WHILE PROVIDING QUALITY FUNERAL SERVICES TO THE PEOPLE OF THE CITY OF BACOR, CAVITE.	PCO-2022-031	
V E N U E	Sangguniang Panlungsod (SP) Conference Room, 2 nd Flr. Bacoor Gov't Center, Bacoor City, Cavite		D A T E / T I M E	October 6, 2022/ 2:00 PM

**JOINT COMMITTEE REPORT
 NO. LTCI-003-S-2022**

AN ORDINANCE CREATING THE MALIKSI CEMETERY, CREMATORIUM, COLUMBARIUM, AND CHAPEL AS LOCAL ECONOMIC ENTERPRISE TO FURTHER IMPROVE THE FISCAL POSITION OF THE CITY GOVERNMENT WHILE PROVIDING QUALITY FUNERAL SERVICES TO THE PEOPLE OF THE CITY OF BACOR, CAVITE.

On 19 September 2022, the aforementioned subject matter was referred to the Committee on Labor, Trade Commerce and Industry and to the Committee on Rules and Privileges and Laws and Ordinances.

On 6 October 2022, the Committees held a joint public hearing attended by the following: Atty. Marius Sumira of City Legal Services Office, Mr. Christian Gawaran of the Business Permit and Licensing Office, former Punong Barangay Estafanio Quiocho of the Bacoor Public Cemetery Unit, Mr. Jayson Atienza of the Atienza Funeral Services and current President of the Bacoor Mortuary Association, Ms. Berlyn Flores of St. Mary Magdalene Funeral Home, Ms. Babylyn Cabunot of Tolentino Funeral Homes, Marilou



Republic of the Philippines
Province of Cavite
City of Bacoor

5th SANGGUNIANG PANLUNGSOD

Carpaena of R. Nuñez-Carpaena Funeral Homes, Neriah Joy Poblete, Nelia and Ernesto Isip of Ernest Funeral Homes Bacoor as the resource persons.

Mr. Quicho proposed the amendment of the title of the proposed ordinance to: "AN ORDINANCE CREATING THE MOLINO PUBLIC CEMETERY, CREMATORIUM, COLUMBARIUM, AND CHAPEL AS LOCAL ECONOMIC ENTERPRISE TO FURTHER IMPROVE THE FISCAL POSITION OF THE CITY GOVERNMENT WHILE PROVIDING QUALITY FUNERAL SERVICES TO THE PEOPLE OF THE CITY OF BACOR, CAVITE."

The proposed change in the title of the ordinance is because the St. Michael Cemetery in Molino II, City of Bacoor is equipped with crematorium machines, a chapel, and a columbarium while the public cemeteries in Barangay Maliksi 1 and 2 does not have the same equipment.

The resource persons coming from the various funeral homes that may be affected by the ordinance expressed apprehension that once the local economic enterprise is created, their respective businesses might be adversely affected. Councilor Fabian explained to them that the purpose of the ordinance is just to create the Molino Public Cemetery as a local economic enterprise and not to set the amount of fees to be charged by the said facility. Nevertheless, the Joint Committee suggested to the said persons to submit their position paper with regard the fees and services that the said public cemetery can collect from the public.

The resource persons from the funeral parlor services sector promised to submit their proposal for the packages and list of payments.

The various representatives of the various city government departments invited to attend the hearing have no objection with regard to the approval of the proposed ordinance.

RECOMMENDATION:

In view of the foregoing, the Joint Committee respectfully recommends that the above-mentioned subject matter be **APPROVED**.



Republic of the Philippines
Province of Cavite
City of Bacoor

5th SANGGUNIANG PANLUNGSOD

WE HEREBY CERTIFY that the contents of the foregoing report are true and correct.

Respectfully submitted this 12th day of October 2022 at the City of Bacoor, Cavite.

COMMITTEE ON LABOR, TRADE COMMERCE AND INDUSTRY

COUN. REYNALDO M. FABIAN

Chairman

COUN. VICTORIO GUERRERO JR.

Vice-Chairman

COUN. ROBERTO ADVINCULA

Member

COUN. ALEJANDRO GUTIERREZ

Member

Member, Committee on Rules and Privileges, Laws and Ordinances

COMMITTEE ON RULES AND PRIVILEGES, LAWS AND ORDINANCES

COUN. REYNALDO PALABRICA

Chairman

COUN. LEVY TELA

Vice-Chairman

COUN. ADRIELITO GAWARAN

Member



Republic of the Philippines
Province of Cavite
City of Bacoor



5th SANGGUNIANG PANLUNGSOD

COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER	
Committee on Labor, Trade Commerce and Industry and Committee on Rules and Privileges, Laws and Ordinances		PCO-2022-031 - AN ORDINANCE CREATING THE MALIKSI CEMETERY, CREMATORIUM, COLUMBARIUM, AND CHAPEL AS LOCAL ECONOMIC ENTERPRISE TO FURTHER IMPROVE THE FISCAL POSITION OF THE CITY GOVERNMENT WHILE PROVIDING QUALITY FUNERAL SERVICES TO THE PEOPLE OF THE CITY OF BACOOR, CAVITE.	PCO-2022-031	
V E N U E	Sangguniang Panlungsod (SP) Conference Room, 2 nd Flr. Bacoor Gov't Center, Bacoor City, Cavite		D A T E / T I M E	October 6, 2022/ 2:00 PM

**MINUTES OF JOINT COMMITTEE HEARING
NO. LTCI-007-S-2022**

The committee hearing was conducted on October 6, 2022, at the Sangguniang Panlungsod 2nd Flr., Bacoor Government Center, City of Bacoor, Cavite was presided by Committee on Labor, Trade Commerce and Industry Chairman, Councilor Reynaldo M. Fabian together with Councilor Adrielito Gawaran and Councilor Victorio Guerrero. In attendance were Atty. Marius Sumira of City Legal Services Office, Mr. Christian Gawaran of Business Permit and Licensing Office, Kapitan Estafanio Quicho of Bacoor Public Cemetery Mr. Jayson Atienza of the Atienza Funeral Services and current President of the Bacoor Mortuary Association, Berlyn Flores of St. Mary Magdalene, Babylyn Cabunot of Tolentino Funeral Homes, Marilou Carpena of R. Nuñez-Carpena Funeral Homes, Neriah Joy Poblete, Nelia and Ernesto Isip of Ernest Funeral Bacoor as the resource persons.

Mr. Quicho amended the title of the proposed ordinance from Maliksi Public Cemetery to Bacoor City Public Cemetery. Also, the address should be St. Michael Cemetery in Molino II, City of Bacoor instead of Barangay Maliksi I and II. The St. Michael Cemetery is equipped with crematorium machines, a chapel, and a columbarium whereas the Maliksi Public Cemetery does not have the same equipment.



Republic of the Philippines
Province of Cavite
City of Bacoor

5th SANGGUNIANG PANLUNGSOD

Councilor Fabian stated that this proposed ordinance is intended for the indigents who are unable to afford a funeral service while ensuring the protection of the funeral homes.

The various funeral homes representatives will submit a proposal of the list of fees and packages as per advised of the Joint Committee. They also expressed their fear that, in the future, the City of Bacoor will be among their competitors. Since in the proposed ordinance, crematorium, columbarium, and chapel are being enforced, only the funeral service is missing. Councilor Fabian explained to them that the main goal of this ordinance is to create the Molino Public Cemetery as a local economic enterprise.

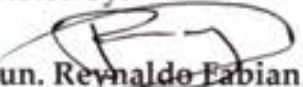
The various representatives have no objection with regard to the above-mentioned subject matter, the Joint Committee recommended for the approval of the proposed ordinance.

The hearing was adjourned at 3: 58 pm.

Prepared by:


Armileen Legaspi-Red
Local Legislative Staff Asst.I

Attested by:


Coun. Reynaldo Fabian
Presiding Officer



Republic of the Philippines
Province of Cavite
City of Bacoor



5th SANGGUNIANG PANLUNGSOD

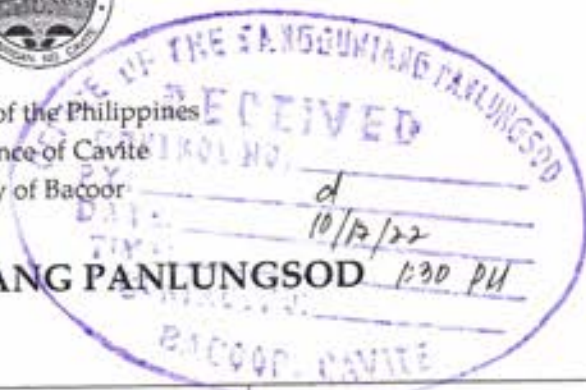
COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER
COMMITTEE ON LABOR, TRADE COMMERCE AND INDUSTRY AND COMMITTEE ON RULES AND PRIVILEGES, LAWS AND ORDINANCES		Subject: PCO-2022-031 - AN ORDINANCE CREATING THE MALIKSI PUBLIC CEMETERY, CREMATORIUM, COLUMBARIUM, AND CHAPEL AS A LOCAL ECONOMIC ENTERPRISE TO FURTHER IMPROVE THE FISCAL POSITION OF THE CITY GOVERNMENT WHILE PROVIDING QUALITY FUNERAL SERVICES TO THE PEOPLE OF THE CITY OF BACOR, CAVITE.	PCO-2022-031
V E N U E	Sangguniang Panlungsod (SP) Session Hall, 2nd Flr., Bacoor Gov't Center, Bacoor City, Cavite		D A T E / T I M E October 6, 2022/ 2:00 PM

**NOTICE OF HEARING (RECEIVING COPY)
NO. LTCI-007-S-2022**

NAME	DATE RECEIVED	CONTACT NUMBER	SIGNATURE
Librada Equipado	10-03-22	415	LEquipado
Anne Duller	10/3/2022	405	
Dina F. Samali	10/05/22	209	Samali
ESTEFANIO D. DINOCHO	10.03.22	loc. 394	
LADY NINA AQUINO	10-04-22	228	
Jessie Tamayo	10-05-22		Tamayo
Amiel Pimentel	10-05-22		
CHRISTY PULLICERAN	10-05-22	302	
LYN AMORAN	10-5-22		
MHAY PASCUAL	10-6-22		



Republic of the Philippines
Province of Cavite
City of Bacoor



5th SANGGUNIANG PANLUNGSOD

COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER	
COMMITTEE ON LABOR, TRADE COMMERCE AND INDUSTRY and COMMITTEE ON RULES AND PRIVILEGES, LAWS AND ORDINANCES		Subject: PCO-2022-031- AN ORDINANCE CREATING THE MALIKSI PUBLIC CEMETERY, CREMATORIUM, COLUMBARIUM, AND CHAPEL AS A LOCAL ECONOMIC ENTERPRISE TO FURTHER IMPROVE THE FISCAL POSITION OF THE CITY GOVERNMENT WHILE PROVIDING QUALITY FUNERAL SERVICES TO THE PEOPLE OF THE CITY OF BACoor, CAVITE.	PCO-2022-031	
V E N U E	Sangguniang Panlungsod (SP) Conference Room, 2 nd Flr., Bacoor Gov't Center, Bacoor City, Cavite		D A T E / T I M E	October 6, 2022 2:00 PM

ATTENDANCE OF HEARING
NO. LTCI-007-S-2022

NAME	CONTACT NUMBER	SIGNATURE
JAYSON ATIENZA	09178495213	
BETALYN FLORES	09176382466	
BADYLYN CHAVANT	09617792781	
MARILYN M. CARPENA	4771905	
Neriah Joy I. Poblete	0932-847-0321	
Nelia Isip		
Ernesto Isip		
Kays J. Quiocho / ESTEFANIO QUINAP	0917-816-1456	
MARIUS D. SUMIRA	0917-6385741	
CHRISTIAN T. LEONARDO	0998-5554627	





PROPOSED CITY ORDINANCE NO.
Series of 2022

AN ORDINANCE CREATING THE MALIKSI PUBLIC CEMETERY, CREMATORIUM, COLUMBARIUM, AND CHAPEL AS A LOCAL ECONOMIC ENTERPRISE TO FURTHER IMPROVE THE FISCAL POSITION OF THE CITY GOVERNMENT WHILE PROVIDING QUALITY FUNERAL SERVICES TO THE PEOPLE OF THE CITY OF BACOR, CAVITE.

Sponsored by

Hon. Reynaldo Fabian

WHEREAS, Section 22 of R.A. No. 7160 (also known as the Local Government Code of 1991) provides that "local government units shall enjoy full autonomy in the exercise of their proprietary functions and in the management of their economic enterprises, subject to the limitations provided in this Code and other applicable laws."

WHEREAS, Section 325 of R.A. No. 7160 provides that: "General Limitations. - The use of the provincial, city, and municipal funds shall be subject to the following limitations:

a) xix. The appropriations for salaries, wages, representation and transportation allowances of officials and employees of the public utilities and economic enterprises owned, operated, and maintained by the local government unit concerned shall not be included in the annual budget or in the computation of the maximum amount for personal services. The appropriations for the personal services of such economic enterprises shall be charged to their respective budgets."

WHEREAS, the creation of Local Economic Enterprises by the Sangguniang Panlungsod shall enable the city government to establish, develop, operate, maintain and manage sustainable city government economic enterprises to generate revenue and enhance the delivery of public services pursuant to the economic and social objectives of the city

WHEREAS in consonance with Section 22 (d) of the Local Government Code, the city government shall enjoy full autonomy in the exercise of its propriety functions and in the management of its economic enterprises, there is a need to pass an ordinance creating various local economic enterprises that will help the city government raise revenues and create jobs while providing quality services to the public.

WHEREAS, the City Mayor, Hon. Strike B. Revilla, requested the Sangguniang Panlungsod to pass an ordinance creating a local economic enterprise involving the cemetery, crematorium, columbarium, and chapel owned and being operated by the city government situated at Barangay Maliksi 1 and 2. The creation of the said local economic enterprise, according to the City Mayor, was carefully considered and studied by his office and will lead not only in the generation of much needed revenues for the City Government but will also help Bacoreños who lost their jobs during the pandemic to have a more secure future.

WHEREAS, a feasibility study and a business plan prepared by the Office of the City Administrator based on the Project Evaluation and Development (PED) Manual of the National Economic and Development Authority (NEDA) was submitted to the Sangguniang Panlungsod which showed the financial viability of creating the said local economic enterprise.

NOW, THEREFORE, on motion of Hon. Reynaldo Fabian **BE IT ORDAINED,** by the 5th Sangguniang Panlungsod, in session assembled that:

ARTICLE 1

Purposes and Objectives of the Local Economic Enterprise

Section 1. Title. This Ordinance shall be known as the "**Maliksi Cemetery Local Economic Enterprise Ordinance**" or as the "**Charter of the Maliksi Cemetery Local Economic Enterprise**".

Section 2. Creation of Local Economic Enterprise. The **Maliksi Public Cemetery, Crematorium, Columbarium, and Chapel** situated in Barangay Maliksi, 1 and 2 in the City of Bacoor, Cavite is hereby created as a local economic enterprise.

Section 3. Declaration of Policy. The city government shall provide excellent public services to its constituents from the time they are conceived to the day when they have to meet their Creator. To achieve this, the city government shall be guided by Section 8 of Republic Act No. 10160 (the "Charter of the City of Bacoor") which empowered the City Mayor to "exercise those powers expressly granted to him by law, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for the efficient and effective governance of the City, and those which are essential to the promotion of the general welfare".

Section 4. Purposes and Objectives. This ordinance has the following purposes and objectives:

- a. Establish the Maliksi Cemetery, Columbarium, Crematorium and Chapel (the "facility" or "the local economic enterprise" for brevity) as a local economic enterprise.
- b. Provide excellent funeral services to the public at competitive prices.
- c. Operate the facility in a professional manner based on the best practices of its competitors in the private sector.
- d. Provide employment to Bacoorenos at the facility based on their character, training, work experience, and qualifications and not on their filial, political, or religious affiliations.
- e. Ensure the fiscal viability and sustainability of the facility as an economic enterprise, and
- f. Partner with the private sector on the delivery of certain services that cannot be provided by the facility alone such as the sale and construction of coffins and urns or the operation of funeral hearses subject to the approval of the Sangguniang Panlungsod and the City Mayor.

ARTICLE 2

Management Structure

Section 5. The City Mayor as Chief Executive Officer/ Powers of the CEO. The City Mayor is hereby appointed as the Chief Executive Officer of the facility. He/she will have the following powers:

- a. Exercise such powers necessary to ensure the achievement of the purposes and objectives of this Ordinance in accordance with law.

- b. Choose the members of the team that will manage the facility (the "management team"); and approve the hiring of any person who shall work there.
- c. Supervise, manage, discipline, dismiss, and control any employee of the facility in a manner consistent with the objectives and purposes of this Ordinance and with applicable laws; and
- d. Propose amendments to this Ordinance to the Sangguniang Panlungsod to ensure the fiscal viability and sustainability of the facility as a local economic enterprise.

Section 6. The Sangguniang Panlungsod as the Board of Directors/Powers of the Board. The Sangguniang Panlungsod hereby constitutes itself as the Board of Directors (the "Board" for brevity) of the facility. The Board shall exercise the following powers:

- a. Formulate and approve policies to be implemented by the CEO and by the management team that will operate the facility.
- b. Review and approve proposals from the private sector in partnership with the facility for the delivery of services related to the main business of the local economic enterprise.
- c. Determine, adjust, and approve the fees to be charged from members of the public who will patronize the facility based on the recommendation of the CEO and management team.
- d. Approve and review the annual budget of the facility to ensure that it meets the requirements of all applicable laws and the purposes/objectives of this Ordinance; and
- e. Exercise the power of oversight to make sure that the legislative intent behind the creation of the facility as an economic enterprise is realized, that the purposes and objectives of this Ordinance are achieved, and that the facility shall be operated in accordance with law.

Section 7. Management Team. The City Mayor, in his capacity as CEO, shall hire a management team that will help him manage and operate the facility. The members of the management team shall be as follows:

- a. General Manager
- b. Finance Officer
- c. Personnel Manager
- d. Maintenance and Security Officer

The members of the management team shall work exclusively for the facility and shall not be assigned or detailed to any department, unit, or office of the city government.

Section 8. Duties and Qualifications of the General Manager. The General Manager (_____) shall be a Filipino, of legal age, with unimpeachable character, has not been convicted of any crime, with at least five (5) year experience in successfully managing a funeral services business, a cemetery or memorial park, or any other business. He/she must have a college degree from a reputable educational institution on business management, economics, or accounting as well as a master's degree on business administration. He/she must possess the requisite civil service eligibility as mandated by law and shall have a salary grade of ____.

The General Manager shall have the following duties:

- a. Manage the day to day operation of the facility.
- b. Supervise the work of all employees of the facility.
- c. Recommend to the CEO any policy that will ensure the profitability and sustainability of the facility.
- d. Determine the key performance indicators of each employee of the facility.
- e. Recommend to the CEO the imposition of any disciplinary action against any person working at the facility who failed to meet his/her key performance indicators or who has violated any of the policies of the CEO.
- f. Report in person to the Board every quarter on the overall performance of the facility.
- g. Submit a quarterly business financial report to the Sanggunian and to the City Mayor on the financial performance of the facility to be signed by him/her, the Finance Officer of the facility, the City Accountant, the City Budget Officer and the City Treasurer, and
- h. Perform such other duties as may be required by the CEO/City Mayor that are consistent with the provisions of this Ordinance.

Section 9. Duties and Qualifications of the Finance Officer. The Finance Officer (_____) shall be a Filipino, of legal age, with unimpeachable character, has not been convicted of any crime, with at least five (5) year experience as a certified public accountant. He/she must have a college degree in accounting or its equivalent from a reputable educational institution and must have worked for at least two (2) years in a private company providing various services to the public. He/she must possess the requisite civil service eligibility as mandated by law and shall have a salary grade of ____.

The Finance Officer shall have the following duties:

- a. Provide accurate financial reports that complies with the requirements of the law, this ordinance, and of various government agencies such as the Bureau of Internal Revenues and the Department of Finance.
- b. Manage and supervise the Finance Department of the facility.
- c. Formulate and develop cash flow statements on the facility.
- d. Develop and upgrade the payroll system of the facility.
- e. Collect, interpret, and review financial information related to the business of the facility.
- f. Make available to the City Mayor, City Accountant, City Treasurer, and City Budget Officer all of the financial records of the facility.
- g. Develop and recommend policies that minimize financial risk.
- h. Report to the City Mayor any matter affecting the profitability of the facility; and
- i. Perform such other duties as may be required by the CEO or by the General Manager.

Section 10. Duties and Qualifications of the Personnel Manager. The Personnel Manager (_____) shall be a Filipino, of legal age, with unimpeachable character, has not been convicted of any crime, with at least two (2) year experience as a human resources management practitioner with a private company. He/she must have a college degree in human resources management, psychology, accounting, or management from a reputable educational institution. He/she must possess the requisite civil service eligibility as mandated by law and shall have a salary grade of ____.

The Personnel Manager shall have the following duties:

- a. Manage and supervise the Personnel Department of the facility.
- b. Prepare the payroll of the facility in accordance with the policies of the CEO, General Manager, and Finance Officer.
- c. Ensure that the benefits of all employees of the facility are paid in full and in accordance with applicable laws and government regulations.
- d. Recruit and train employees of the facility in accordance with the provisions of this Ordinance and the policies of the CEO.
- e. Assist the General Manager in running the day-to-day operations of the facility.
- f. Recommend human resources management policies to the CEO and to the General Manager that will ensure the achievement of the purposes and objectives of this Ordinance.
- g. Supervise the work being performed by employees of the facility to make sure that they will provide excellent customer service.
- h. Recommend the hiring, promotion, suspension, or termination of any employee of the facility to the CEO or general manager; and
- i. Perform such other duties as may be mandated by law, a city ordinance, or by the CEO or General Manager.

Section 11. Duties and Qualifications of the Maintenance and Security Manager.

The Maintenance and Security Manager (_____) shall be a Filipino of legal age, with unimpeachable character, has not been convicted of any crime, with at least two (2) year experience managing a manpower agency or security agency in the private sector. He/she must have a college degree in business management, psychology, accounting, or commerce from a reputable educational institution. He/she must possess the requisite civil service eligibility as mandated by law and shall have a salary grade of _____.

The Maintenance and Security Manager shall have the following duties:

- a. Manage and supervise the Maintenance and Security department of the facility.
- b. Ensure that every inch of the facility including its immediate environs are clean, uncluttered, and sanitary.
- c. Supervise and direct security and maintenance personnel and manage the manner by which they will perform their jobs including their work schedules.
- d. Secure the facility so that no informal settlers or vendors shall reside or do business on any part thereof.
- e. Supervise the ingress and egress of persons to the facility during funerals and the celebration of public holidays.
- f. Enforce city ordinances on sanitation, public health, and public safety within the facility and its immediate environs.
- g. Safeguard the facility from burglaries, vandalism, or destruction of public property.
- h. Prepare a security plan and a maintenance plan for the possibility subject to the review and approval of the CEO and the General Manager.
- i. Recommend changes to the approved security plan and maintenance plan to the CEO and General Manager to ensure that the purposes of this ordinance are achieved; and
- j. Perform such other duties as may be mandated by the CEO, General Manager, by law, city ordinance, or government regulations.

Section 11. Hiring of Personnel. The CEO, upon the recommendation of the management team, shall hire additional personnel for the facility. No person related to the CEO by consanguinity or affinity up to the third civil degree shall be allowed to work at the facility. No person previously convicted of any crime or who have been found guilty in an administrative case, who tested positive for any illegal drug, who refused to

undergo drug testing, who refused to comply with the provision of any city ordinance, or who refused to comply with the policies and directives of the management team shall be permitted to work at the facility.

Section 12. Prohibition Against Competing Interest. No member of the management team and no employee of the facility shall be allowed to work for a private company or local government unit that has a business, enterprise, or facility in direct competition with the services being provided by the local economic enterprise.

Section 13. Full Disclosure of Financial and Business Interest. Every member of the management team of the facility shall, on an application of office, make full and true disclosure of their financial and business interests. Such disclosures shall be made in writing and shall be submitted to the Human Resources Management and Development Department (HRMDM) of the City of Pasig. Any member of the management team who does not adequately and lawfully disclose either financial and business interests shall be considered in arrears by the City.

ARTICLE 3

Operations of the Local Economic Enterprise

Section 14. Operating Hours and Working Days. The classes of the facility shall operate on a 24/7 basis. All other activities within the facility shall only operate from 6:00 am to 6:00 pm. The management team shall assign sufficient number of people at the facility every day in 24-hour rotation. Only activities performed and the assigned to work at the facility at night.

Section 15. Attainment of Financial Self-Sufficiency. The local economic enterprise shall be given five (5) years within which to attain self-sufficiency with the proviso understood to mean at the capability to generate 100% net revenues. The said period shall commence on the date the facility started operating.

Section 16. Collection of fees. The City legislator shall endorse payment of the facility's revenues to be taken from members of the public for the services rendered by the local economic enterprise. All fees to be collected from the public shall be in accordance with the Revised Budget Revenue Code and other City Ordinances. The management team shall not collect any other fee that was not previously approved by the board.

Section 17. Remittance of Net Income to the City Treasury. After deducting all expenses with the exception of the facility's net income to the Tax Executive Office of the City Treasurer's Office in a manner to be determined by the City Treasurer and the City Auditor not inconsistent with the provisions of the Revised Budget Revenue Code and applicable national government regulations.

Section 18. Rendition of Social Services. The facility shall provide social services to the public in accordance with the policies of the city government in coordination with the City Social Welfare and Development Office (CSWDO). In rendering these social services, the management team shall treat every person that comes to the facility, regardless of economic status, with utmost courtesy and dignity.

Section 19. Operation of Other Profitable Businesses. Aside from the proper operation, maintenance, and charitable activities at the facility, the management team is hereby authorized to operate other businesses that will further enhance the profitability of the facility, such as the temporary vending facilities, during no-frames to various business operators, the sale of insurance or financial services and all other as provided on commission basis, the sale of contract, mass cards, and flowers, and the like. **Provided that:**

The Board shall have the authority to appoint, suspend, and terminate any person who is employed by the local economic enterprise. The Board shall have the authority to appoint, suspend, and terminate any person who is employed by the local economic enterprise. The Board shall have the authority to appoint, suspend, and terminate any person who is employed by the local economic enterprise.

Section 20. Subsidies to the Local Economic Enterprise. The city government may provide subsidies to the local economic enterprise for two years after all the management team members have been appointed by the CEO. The said funds shall come from the general fund of the city government and shall be treated as advances subject to reimbursement by the local economic enterprise. The reimbursement of said advances shall be done in accordance with the pertinent guidelines of the Commission on Audit.

Section 21. Prohibition Against Borrowing. The facility and its management team are prohibited from borrowing money or contracting loans from any third party.

ARTICLE 4 Budget Provisions

Section 22. Pre-Budget Preparation of Local Economic Enterprise. The operation of the local economic enterprise shall be part of development planning and investment programming of the city government. The budget of the local economic enterprise shall be linked to the Annual Investment Plan (AIP) and the Local Development and Investment Program (LDIP) of the city government.

Section 23. Budget Preparation. The local economic enterprise shall be maintained as a special account in the general fund budget of the city government. However, the provisions of Section 324 (d) of Republic Act No. 7160 as amended by Republic Act No. 10121 shall not apply to the budget of the local economic enterprise considering that the income of the facility shall be used specifically and exclusively for its operation and maintenance.

Section 24. Maintenance of Books of Accounts of the Local Economic Enterprise. The books of account of the local economic enterprise shall be maintained by the City Budget Officer and the City Accountant with the assistance of the Finance Officer of the facility.

ARTICLE 5 Performance Monitoring and Review

Section 25. Semi-Annual Financial Self-Sufficiency Review (SAFSSR). The SAFSSR is a semi-annual review and general examination of the costs incurred and the accomplishments attained by the local economic enterprise based on the purposes and objectives of this Ordinance and performance standards set by the City Mayor by way of an executive order issued for the said purpose after the date of execution of this Ordinance. The SAFSSR shall be undertaken to establish whether or not the local economic enterprise is capable of achieving 100% cost recovery or be financially self-sufficient within the 5-year period set in Section 15 hereof. The SAFSSR shall be conducted every six months after the start of operations of the facility as certified by the City Mayor in writing.

Section 26. Conduct of Financial Self-Sufficiency Evaluation (FSSE). The city government shall conduct a Financial Self-Sufficiency Evaluation of the local economic enterprise at the end of every five (5) year period following the start of operations of the

facility. The City Budget Officer, the City Accountant, and the City Treasurer shall conduct the FSSE based on existing policies of the Department of Budget Management, the Department of Finance, and the IJEDA.

Section 27. Duty to Submit FSSE Report Based on Accurate Data. The City Budget Officer, the City Accountant, and the City Treasurer are duty bound to submit a written report to the Sangguniang Panglungsod and to the City Mayor within fifteen (15) working days after conducting the FSSE. The said report shall be based on accurate data and information related to the operation of the facility and shall determine whether the following conditions for the continued operation of the local economic enterprise are present:

(a) the services/products of the local economic enterprise and the facility's patronage can be improved;

(b) the facility users are willing and able to pay higher user fees that would cover the true cost of running the local economic enterprise; and

(c) and any increase in rates to recover the true cost of operating the local economic enterprise is socially and politically acceptable.

Section 28. Actions Based on FSSE Report. If the three conditions mentioned in Section 27 are met, the local economic enterprise shall be allowed to continue. However, if not all of the said conditions were met, the City Budget Officer, the City Accountant, and the City Treasurer may recommend exit strategies that the city government may undertake. The City Mayor is hereby authorized to temporarily suspend the operation of the facility as a local economic enterprise while the recommended exit strategy is being evaluated by the Sangguniang Panglungsod.

Section 29. Duty of the Internal Auditor. It shall be the duty of the internal auditor under the Office of the City Mayor to conduct an independent management audit of the local economic enterprise based on the SAFSSR findings of the City Budget Officer, the City Accountant, and the City Treasurer.

ARTICLE 6. Miscellaneous Provisions

Section 30. Separability. All provisions of this Ordinance not declared void or unconstitutional by a court of law shall remain valid.

Section 31. Effectivity. This Ordinance shall take effect immediately after it has been published at least once in a newspaper of general circulation in the City of Bacoor, Cavite.

APPROVED this ___ day of _____, 2022 at the City of Bacoor, Cavite.

We hereby certify that we voted in FAVOR of the foregoing Ordinance without any reservation on the date above written.

SANGGUNIANG PANLUNGSOD MEMBERS

DISTRICT I (DACCOR WEST)

HON. CATHERINE E. SARINO

HON. MICHAEL E. SOLIS

HON. ADRIELITO G. GAWARAN

HON. VICTORIO L. GUERRERO

HON. ALEJANDRO F. GUTIERREZ

HON. LEVY M. TELA

DISTRICT II (DACCOR EAST)

HON. ROBERTO L. ADVINCULA

HON. REYNALDO D. PALABRICA

HON. REYNALDO M. FABIAN

HON. ROGELIO M. NOLASCO

HON. ALDE JOSELITO F. PAGULAYAN

HON. SIMPLICIO G. DOMINGUEZ

HON. RAMON N. BAUTISTA
Liga ng mga Barangay President

HON. MAC RAVEN ESPIRITU
SK Federation President

I hereby certify that the contents of the foregoing Ordinance are true and correct and that it was duly passed in accordance with law.

Certified by:

HON. ROWENA B. MENDIOLA
City Vice Mayor/Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Approved by

HON. STRIKE B. REVILLA
City Mayor

Date of Approval