

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON DECEMBER 7, 2021 VIA ZOOM APPLICATION**

PRESENT:

Hon. Emilio Francisco A. Berberabe Jr.,	Presiding Officer
Hon. Alyssa Renee A. Cruz,	Councilor
Hon. Aileen Grace A. Montalbo,	“
Hon. Nestor E. Dimacuha,	“
Hon. Karlos Emmanjuel A. Buted,	“
Hon. Gerardo A. Dela Roca,	“
Hon. Oliver Z. Macatangay,	“
Hon. Nelson J. Chavez,	“
Hon. Julian B. Villena,	“
Hon. Michael Thomas T. Pastor,	“
Hon. Isidra “Ched” M. Atienza,	“
Hon. Maria Aleth A. Lazarte,	“
Hon. Lorenzo A. Gamboa, Jr.,	“
Hon. Angelito “Dondon” A. Dimacuha,	ABC-Rep.
Hon. Marjorie A. Manalo,	SK-Fed. Pres.

“On motion of Councilor Cruz seconded by Councilor Villena, the following Resolution was Adopted:

RESOLUTION NO. 342 S. 2021

**REFERRING TO THE COMMITTEE ON ETHICS AND GOOD GOVERNMENT THE
LETTER OF THE CITY MAYOR ON THE DECISION OF THE SANGGUNIANG
PANLUNGSOD ON ADMINISTRATIVE CASE NO. 001-2021**

RESOLVED, to refer to the Committee on Ethics and Good Government the letter of the City Mayor Beverley Rose A. Dimacuha regarding the Decision of the Sangguniang Panlungsod on Administrative Case No. 001-2021 be held in abeyance until such time that the appeal of Respondent Barangay Captain is resolved by the Sangguniang Panlalawigan.

UNANIMOUSLY APPROVED.”

Continuation of Resolution No. 342 S. 2021

**REFERRING TO THE COMMITTEE ON ETHICS AND GOOD GOVERNMENT THE
LETTER OF THE CITY MAYOR ON THE DECISION OF THE SANGGUNIANG
PANLUNGSOD ON ADMINISTRATIVE CASE NO. 001-2021**

I hereby certify that the foregoing Resolution No. 342 S. 2021 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on December 7, 2021.


ROSEMARIE T. HERNANDEZ
Board Secretary IV

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

ODT/RTH/ystingchuy...



Republic of the Philippines
Batangas City

Office of the City Legal Officer

November 26, 2021

The Honorable
The City Mayor
Batangas City

Madam:

This refers to the Sanggunian Resolution No. 318 S. 2021 dated November 16, 2021 "Adopting the report and Decision of the Committee on Ethics and Good Government As the Decision of the Sangguniang Panglunsod on Administrative Case No. 001-2021 (Barangay Kagawad Marvin A. Cascalla, Teodora D. Antonio, Jestoni D. Beredo, Joel E. Melo and Serafin M. Alea, Jr., Complaints, vs. Barangay captain Archie C. Tumambing Respondent)".

In the said decision, the Respondent Barangay Captain was ordered suspended for 60 days. Your good office wishes that the decision to be enforced.

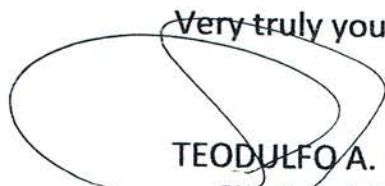
Please be advised that under Sec. 67 of the Local Government Code of 1991 the Respondent Barangay Captain has the right to appeal the decision to the Sangguniang Panlalawigan of Batangas within 30 days from receipt of the decision of the Sangguniang Panglungsod.

On November 23, 2021 this office received a copy of a Notice on Appeal from Atty. John Rafael T. De La Cruz, JD, Counsel for the respondent Barangay Captain wherein he informed the Sangguniang Panglunsod that he is appealing the decision before the Sangguniang Panlalawigan.

While it may be true that the decision of the Sangguniang Panglungsod may be executed pending appeal, there is a possibility that the respondent Barangay Captain may be exonerated and the decision of the Sangguniang Panglungsod reversed. In such a case, the respondent Barangay Captain will have to be paid the salaries and emoluments he did not receive during the period of his suspension.

To avoid this situation, it is recommended that the enforcement of the decision of the Sangguniang Panglungsod be held in abeyance until such time that the appeal of Respondent Barangay Captain is resolved by the Sangguniang Panlalawigan.

Very truly yours,


TEODULFO A. DEGUITO
City Legal Officer



Republic of the Philippines
Batangas City

Office of the City Legal Officer

November 26, 2021

The Honorable
The City Mayor
Batangas City

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TEODULFO A. DEGUITO
City Legal Officer