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Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

Item No.: 08
Date: 04 2024 JUN

PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
May 30, 2024



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 01 series of 2024 of the Sangguniang Panlungsod of Baybay City, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Article XV Section 3ⁱ of the Constitution in relation to Section 17(2)(iii)ⁱⁱ of the Local Government Code.

Furthermore, the opinions rendered herein are without prejudice to opinions rendered by higher authorities.


ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

ⁱ Section 3. The State shall defend:

(2) The right of children to assistance, including proper care and nutrition

ⁱⁱ (iii) Subject to the provisions of Title Five, Book I of this Code, health services which include the implementation of programs and projects on primary health care,



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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
17 May 2024

Province of Leyte
Legal Office
Received: *[Signature]*
Date: *5.17.24*

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **CITY ORDINANCE NO. 01, S. 2024** of the **CITY OF BAYBAY, LEYTE**, entitled: **AN ORDINANCE INSTITUTIONALIZING THE NUTRITION PROGRAM OF BAYBAY CITY, LEYTE AND FOR OTHER PURPOSES.**

[Signature]
FLORINDA JIL SUYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
City of Baybay

-000000-

Office of the Sangguniang Panlungsod



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May 15, 2024

The Sangguniang Panlalawigan
Province of Leyte
Tacloban City

Sir/Madam



I am pleased to transmit herewith the Soft and Hard copies of City Ordinance No. 01 S. 2024 of the Sangguniang Panlungsod of Baybay City:

It is hoped that said Ordinance is in order and therefore, merits your kind consideration.

Thank you very much.


ATTY. VIMAN E. VIDALLON
SP Secretary

Incl.: as stated

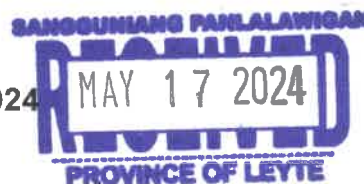


OFFICE OF THE SANGGUNIANG PANLUNGSOD

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6th SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. 01, SERIES. 2024
5th Regular Session



ATTY. JOSE ROMMEL A. PEÑARANDA
SP Member

AN ORDINANCE INSTITUTIONALIZING THE NUTRITION PROGRAM OF BAYBAY CITY, LEYTE AND FOR OTHER PURPOSES

Sponsored by: SP Members Fulton Ike C. Arradaza, Carmen L. Cari, Jose L. Bacusmo, Ramon Ronald J. Veloso, Kyla Shanen Y. Vidal, Dominic Junie F. Murillo, Romulo B. Alcala and Jules Lucas C. Cari

Explanatory Note

WHEREAS, the 1987 Philippine Constitution mandates the State to defend the right of children to assistance, including proper care and nutrition (Article XV, Section 3), and to make available an integrated and comprehensive approach to health development and other social services (Article XIII, Section 11);

WHEREAS, the Local Government Code of 1991 (Republic Act 7160) mandates local government units to exercise their powers and discharge their functions as are necessary and appropriate for the effective provision of basic services including child welfare and nutrition services;

WHEREAS, the second Sustainable Development Goals (SDG2) aims to “end hunger, achieve food security and improved nutrition, and promote sustainable agriculture”;

WHEREAS, adequate nutrition during pregnancy to early childhood is essential to ensure the growth, health, and development of children;

WHEREAS, Baybay City, Leyte, recognizes that meeting children’s nutrient needs in early life can be challenging, and many parents face barriers to securing enough nutritious, safe, affordable and age-appropriate food for their age;

WHEREAS, Baybay City, Leyte, in partnership with VSU-BIDANI, adopted in the early 90s the BIDANI Strategy comprising three innovative components: Barangay Integrated Development Approach (BIDA), Barangay Management Information System (BMIS), and Participative Nutrition Enhancement Approach (PNEA) in implementing its Barangay Development Programs including nutrition program;

WHEREAS, Baybay City formally adopted the BIDANI strategy through SP Resolution No. 132 dated July 06, 2009, entitled 'Resolution Adopting the BIDANI Strategy';

WHEREAS, Obesity is a growing concern of the Filipinos as overall rates of overweight and obesity will continue to rise, with more than 30% of Filipino adolescents projected to

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be overweight and obese by 2030 as per study conducted by the Department of Health, National Nutrition Council, Nutrition Center of the Philippines and UNICEF in 2021;

WHEREAS, Republic Act 1148 or the Kalusugan at Nutrisyon ng Mag-Nanay Act. The law ensures that every child in the country receives the proper care and nutrition during their 'first 1,000 days' of life. It includes providing nutrition programs and support before, during, and after a mother gives birth; providing nutrition programs and support for the baby; training for barangay health workers; and supporting and training mothers on how to ensure her and her child's health and nutrition;

WHEREAS, recognizing that nutrition is fundamental to achieving optimum health and well-being as well as in the overall development of all its constituents, there is a need to institutionalize the effective comprehensive nutrition program of the City of Baybay, Leyte;

WHEREAS, Executive Order No. 29 dated November 18, 2019 reconstituted the City Nutrition Committee or CNC of the City in order for the LGU to be viable, functional and effective in the integration and implementation of nutritional programs and activities into the local development plan of the City Government;

NOW THEREFORE, on a motion of SP Member Ike Fulton C. Arradaza and seconded unanimously;

Be it resolved by the Sangguniang Panglunsod of Baybay City, to pass and enact an Ordinance in this chamber on February 1, 2024 at the City of Baybay, Leyte known as:

SECTION 1. TITLE: "AN ORDINANCE INSTITUTIONALIZING THE NUTRITION PROGRAM OF BAYBAY CITY, LEYTE AND FOR OTHER PURPOSES"

SECTION 2. DEFINITION OF TERMS - As used in this Ordinance, the terms and acronyms below shall mean the following:

- a) Undernourished children - children with inadequate intake of food and nutrients over long periods of time. Some of the indicators of deficient child health pertain to growth standards, which include wasting, stunting, and being underweight.
- b) In-patient "severe and acute malnutrition" (SAM) clients refers to children who are 6-69 months of age with a medical complication, severe edema (+++), or a failed appetite test.
- c) Out-patient "severe and acute malnutrition" (SAM) clients – refers to children who are 6-59 months old who pass the appetite test and clinically well alert should be treated outpatients.
- d) Low birth weights - weight at birth of < 2500 grams (5.5 pounds).
- e) Operation Timbang Plus (OPT+) – annual weighing and height measurements of preschoolers or below five years old in a community to identify and locate malnourished children, used for local nutrition action planning, particularly in quantifying the number of malnourished, identifying who will be given priority interventions in the community and providing information on the effectiveness of the local nutrition program. Operation Timbang Plus in this ordinance also include the annual weighing and height measurements of all above five years old - residents of the barangays to monitor and evaluate the prevalence of obesity in the City;
- f) Obesity - is a chronic condition characterized by excess fat cells in the body. It's traditionally defined as having a body mass index (BMI) of 30 or above.
- g) SAM - Severe Acute Malnutrition (SAM) is identified by severe wasting (low weight for height)

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- h) MELLPI Pro - Monitoring Evaluation of Local Level Plan of Implementation Protocol is a tool from National Nutrition Council that will serve as an upgraded system to determine nutrition action at the local level and its progress in achieving reduction of wasting, stunting and overweight among children.
- i) VSU-BIDANI - Visayas State University – Barangay Integrated Development Approach for Nutrition. Improvement BIDANI – an extension project of VSU that promotes comprehensive nutrition-in-development strategy emphasizing the need to mainstream improving the nutrition of Filipinos towards achieving sustainable development.

SECTION 3. OBJECTIVE – This Ordinance is aimed towards sustaining the effective inclusive and comprehensive nutrition program of the City.

SECTION 4. THE BAYBAY CITY NUTRITION PROGRAM (BCNP) - the city shall institutionalize and strengthen BCNP by:

- a. Adopting the program framework provided in the Philippine Plan of Action for Nutrition of 2017-2022 (PPAN 2017-2022) consisting of nutrition-specific programs, nutrition-sensitive programs and enabling programs, namely:
- i) Nutrition- specific Programs
 - Philippine Integrated Management of Acute Malnutrition (PIMAM)
 - First 1000 Days Program (RA1148)
 - Breast Feeding Promotion (RA 10028)
 - Overweight and Obesity Management Program
 - Barangay Nutrition Scholar Program (PD 1569 (1979)
 - ii) Nutrition-sensitive Programs
 - iii) Enabling Program for Nutrition
 - iv) Other Component Nutrition Programs, Projects and Activities funded by the National Government Agency
- b. In cooperation with VSU-BIDANI, private sector and other partners, continue to develop and implement effective plan for nutrition program of Baybay City, Leyte.
- c. Encourage its barangays to actively implement and financially support the nutrition improvement program in their barangays
- d. Require each barangay to submit yearly the Barangay Nutrition Action Plan (BNAP), together with the Barangay Expenditure Program.

SECTION 5. THE CITY NUTRITION ACTION PLAN (CNAP) -The City Health Office shall prepare and develop the CNAP which provides for the comprehensive plan on the programs and activities related to nutrition for the ensuing year. In formulating the CNAP, the CHO shall include and consider the BNAP of every Barangay. The CNAP that will be developed shall be submitted to the Local Chief Executive (LCE) for approval and inclusion in the Annual Investment Plan (AIP) of the city for the ensuing year.

SECTION 6. The Barangay Nutrition Action Program (BNAP) - The BNAP shall be developed and implemented at the barangay level and is an integral component of the City Nutrition Action Plan. The BNC shall ensure that the BNAP is consistent with the provisions of this Ordinance and Joint Memorandum Circulars of DILG, DOH and NNC 2019-0001. Nutrition actions must be culturally-engaging and elicit maximum participation of the community members across different demographic groups. BNAP shall be funded principally by the barangay budgetary resources, funds augmentation from the city/municipality and from other sources including the budgets from the Barangay Council for the Protection of Children (BCPC), Gender and Development (GAD), Barangay Disaster Risk Reduction and Management (BDRRM),

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Agriculture, Sangguniang Kabataan (SK), and those that may be identified by the Barangay Development Committee.

SECTION 7. IMPLEMENTATION AND COORDINATION MECHANISMS

A. The Baybay City Nutrition Committee (CNC)

The CNC constituted under Executive Order No. 29 dated November 18, 2019 is hereby institutionalized. The CNC shall continue to serve as the mechanism for planning, coordination, monitoring and evaluation of the CNAP. Members of the CNC shall be increased to include the following agencies/units or offices:

Chairperson: City Mayor
Vice Chairperson: Chief City Health Officer
Secretariat: City Nutrition Unit of the City Health Office

Members:

Sangguniang Panglunsod Chairperson on Health and Nutrition
City Agriculture Officer
City Social Welfare and Development Officer
City Disaster Risk Reduction and Management Officer
DepEd City Division School Superintendent
Liga ng mga Barangay President
SK Federation President
Representative of VSU-BIDANI
Barangay Nutrition Scholars (BNS) Federation President
Barangay Health Workers Federation President
Representative of NGO(s) with Health and Nutrition Advocacy
President of the Federation of Civil Society Organizations (CSOs)
Women's Association Federation President
Director Immaculate Conception Hospital
President, Franciscan College of Immaculate Conception (FCIC)
Coordinator, FCIC Bonzel
President, Baybay City Chamber of Commerce and Industry

B. In addition to the functions provided under Executive Order No. 29 dated November 18, 2019, the CNC shall further have the following functions:

- i. Review, enhance and provide directional and technical inputs to the formulation of the CNAP which shall be complementary and integrated to the development plan of the LGU and higher-level plans
- ii. Serve as advocates and champions to help mobilize support and resources to finance the plan
- iii. Keep track of the progress and status of the implementation of the plan and participate in the periodic program implementation and other monitoring and evaluation efforts
- iv. Review proposed local ordinances and recommend policies and interventions for scaled up implementation of programs
- v. Review reports on enforcement of nutrition laws and policies and recommend measures to support and strengthen assigned offices
- vi. Incorporate nutrition measures/actions into their own agency / organization plans

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- vii. Participate in training/orientation on technical updates on nutrition program management and endeavor to develop capability of their own organization's personnel on nutrition
- viii. Serve as the City Nutrition Cluster to manage nutrition services during disaster and emergency situations

C. The Barangay Nutrition Committee (BNC)

Every barangays/zones of the City, shall organize BNC, which shall serve as the mechanism for planning, coordination, reporting, implementation, and monitoring and evaluation of the BNAP. The BNC shall be composed of:

Chairperson: Punong Barangay
 Vice Chairperson: Barangay Kagawad, Committee on Health and Nutrition
 Secretariat: Barangay Secretary
 Members:

- Barangay Kagawad, Committee on Agriculture
- Barangay Kagawad, Committee on Education
- Barangay Kagawad, Committee on Social Services
- Barangay Treasurer
- Barangay Health Worker
- Barangay Nutrition Scholar
- Sangguniang Kabataan (SK) Chairperson
- Day Care Worker
- DepEd representative (for barangay with schools)
- Rural Health Midwife Assigned
- Rural Improvement Club (RIC) President
- Other Stakeholder

D. The BNC shall have the following functions:

- i. Undertake the formulation of its Barangay Nutrition Action Plan (BNAP)
- ii. Coordinate the activities of the BNAP
- iii. Organize multi-sectoral groups to support the implementation of the BNAP
- iv. Assess the progress of component activities of the BNAP
- v. Hold quarterly meetings to monitor program performance
- vi. Endorse appropriate policies to the Sangguniang Barangay to support program implementation
- vii. Lead advocacy efforts and resource mobilization activities to ensure participation and funding for the activities of the BNAP

SECTION 8. THE CITY NUTRITION UNIT (CNU) - The CNU under the direct management of the Chief of the City Health Office shall be created and staffed with an adequate number of technical and administrative personnel to backstop the implementation of the CNAP.

SECTION 9. BUDGETARY APPROPRIATIONS -The budgetary requirements necessary to carry out the cost of the annual CNAP shall be included in the Annual Implementation Plan of the City, and shall be drawn from, but not limited to, the following:

- a. 1% Local Council for the Protection of Children (LCPC) Fund
- b. 5% Gender and Development (GAD) Fund
- c. 5% Local Disaster Risk Reduction and Management (LDRRM) Fund
- d. Local Investment Plan for Health (LIPH)
- e. Counterpart funding of barangays to the CNAP thru the BNAP
- f. Sangguniang Kabataan (SK) Federation
- g. PhilHealth package for the management of in-patient SAM clients, small babies, low birth weights (Z-Package)

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SECTION 10. MONITORING, REVIEW, AND ASSESSMENT OF THE COMPREHENSIVE NUTRITION PROGRAM

a. Setting Up the Monitoring and Evaluation Mechanism

The local government, through the CNC, shall regularly monitor, review and assess the implementation of the city comprehensive nutrition program using the Monitoring and Evaluation of Local Level Plan Implementation Pro (MELLPI PRO). The CNC shall ensure that a monitoring and evaluation mechanism in place to determine the impact and effectiveness of the CNAP as well as in assessing the extent to which the nutrition goals and targets particularly in wasting and stunting set by the local government are being achieved. The Quarterly management meetings and reporting by the CNC will be used as the platform for regular monitoring and reporting of agency program accomplishments and resolution of issues arising from the implementation of the program.


b. Annual Program Implementation Review (PIR)

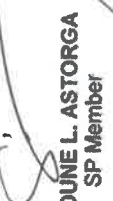
The CNC shall lead the conduct of the annual PIR during the last quarter of every year as a means to undertake a rigorous and reflective analysis of program implementation in the current year. The annual PIR exercise will enable the CNC to effect remedial measures and innovations in the following year. The substantial review during the PIR shall focus on the reduction of the prevalence of wasting and stunting in the city/municipality based on the results of the annual Operation Timbang Plus (OPT+). The OPT+ will be conducted in accordance to the standards and guidelines set by the National Nutrition Council (NNC) of the Department of Health.


c. Reportorial Requirements


The CNU shall closely coordinate with all concerned offices of the city in order to streamline collection, consolidation, and processing of data for reports required by this Ordinance. Existing information systems shall be updated and harmonized to ensure availability of electronic and real-time generation of reports.


- i. Quarterly Reports – Reports on CNAP implementation by agencies shall be consolidated by the CNU every quarter and shall be reported during the quarterly meetings of the CNC
- ii. Semi Annual Report - The Philippine Plan Action for Nutrition (PPAN) semi-annual report prepared by CNU shall be submitted to Department of Local Government (DILG). The semi-annual report contains all the accomplishments of the member agencies of CNC.
- iii. Annual Nutrition Progress Report – Before end of fiscal year, an Annual Nutrition Progress Report prepared by the CNU shall be submitted to Local Chief Executive, the Sangguniang, members of the CNC and other relevant offices and stakeholders. The annual report shall contain the report of the member agencies of the CNC, BNC and other relevant stakeholders as well as an analysis of budgets allocated and expended for the implementation of this Ordinance.
- iv. It shall also provide the comprehensive assessment of the program as a result of the annual program implementation review conducted. Furthermore, gains



ROMULO B. ALCALA
SP Member

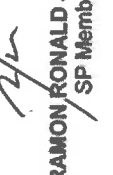

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and lessons on the implementation of the program may be included in the Annual State of City Address/Report of the Local Chief Executive.

- v. Evaluation Report – A three-year evaluation report shall be prepared by the CNU coinciding with the term of the Local Chief Executive. The report shall consolidate the gains made and lessons learned from the implementation of the CNAP and shall serve as reference in the updating of the CNAP.

SECTION 11. INCENTIVE AND AWARDS SYSTEM - The CNC in coordination with key offices of the local government and other stakeholders shall develop an incentive and awards system to recognize performing barangays, program implementers, personnel and private groups or individuals for compliance to set standards in these Rules, achievement of targets and innovative practices. The MELLPI Pro may be considered as a tool to implement the incentive and awards system.

SECTION 12. INTERNAL RULES AND REGULATIONS - The CNU within 30 days of the effectivity of this ordinance, shall promulgate the rules and regulations for the effective implementation of this ordinance;

SECTION 13. SEPARABILITY CLAUSE - If by any reason(s), any provision in this ordinance is declared unconstitutional and or illegal, the remaining portion of this ordinance shall not be affected, and therefore, remain in full force and effect;

SECTION 14. REPEALING CLAUSE - local ordinances, orders, rules and regulations, that are inconsistent with this ordinance, are hereby repealed, modified or amended accordingly;

SECTION 15. EFFECTIVITY CLAUSE - this ordinance shall take effect after due compliance with all the requirements as provided for under R.A. 7160, otherwise known as the Local Government Code of 1991.

Enacted: February 1, 2024
Baybay City, Leyte

CARRIED BY ALL OF THE MEMBERS PRESENT:


ROMULO B. ALCALA
SP Member


SIMOUNE L. ASTORGA
SP Member


DR. FULTON IKE C. ARRADAZA
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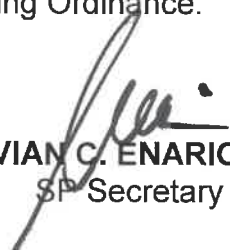

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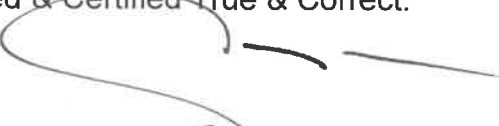

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RESOLVED FURTHER, that certified copies of this ORDINANCE be furnished to the City Mayor Honorable Jose Carlos L. Cari, City Administrator Florante Cayunda Jr.; City Legal Officer, Atty. Avito C. Cahig, Jr.; City Budget Officer, Raul Mabini; City Accountant Jay Ryan Austero; City Treasurer Alberta A. Manatad, CLGOO Juvy C. Pedrera, and to all other offices/agencies/entities concerned for their information, guidance and appropriate action.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.


ATTY. VIVIAN C. ENARIO-VIDALLON
SP Secretary

Attested & Certified True & Correct:


ATTY. ERNESTO M. BUTAWAN
City Vice Mayor, Presiding Officer

Approved by His Honor:


ENGR. JOSE CARLOS L. CARI
City Mayor

Date Approved: 5/15/24



Republic of the Philippines
PROVINCE OF LEYTE
City of Baybay
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Office of the Sangguniang Panlungsod

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CERTIFICATION

TO WHOM THIS MAY CONCERN:

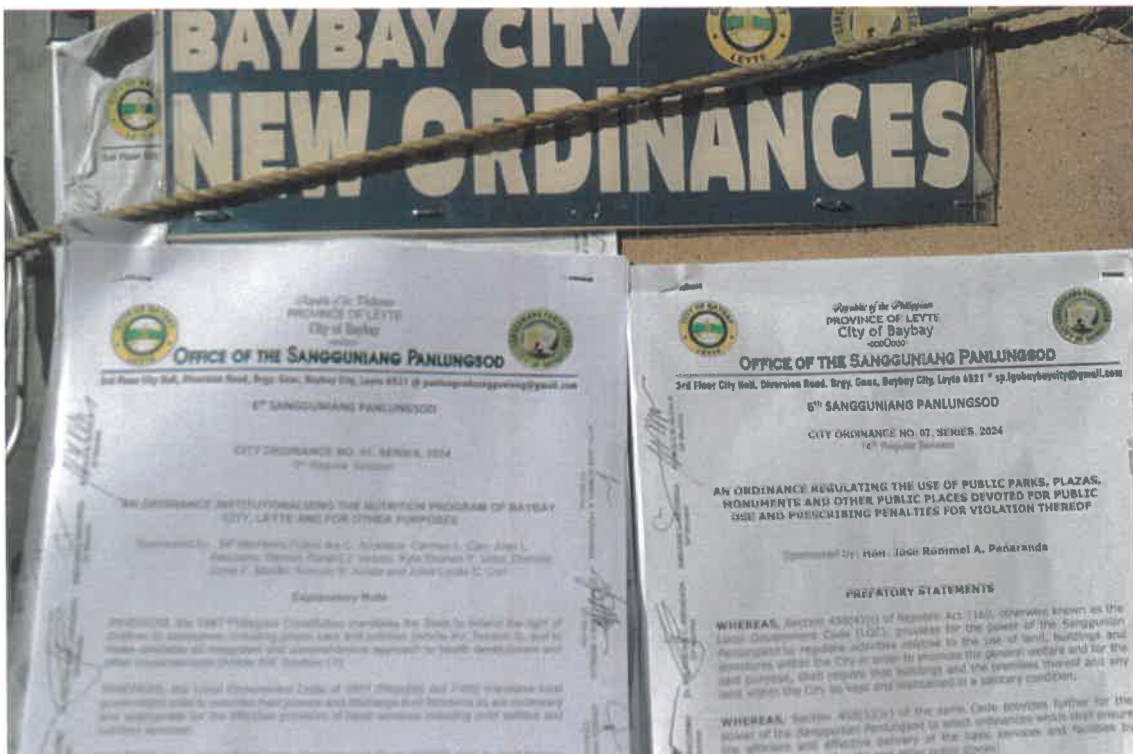
THIS IS TO CERTIFY that the **City Ordinance No. 01 s. 2024 " AN ORDINANCE INSTITUTIONALIZING THE NUTRITION PROGRAM OF BAYBAY CITY, LEYTE AND FOR OTHER PURPOSES"** was posted in the bulletin board at Legislative Department, New City Hall, Diversion Road, the public market and Baybay City Bus and Terminal immediately upon approval thereof.

Issued this 15th day of May 2024, at Baybay City, Leyte.

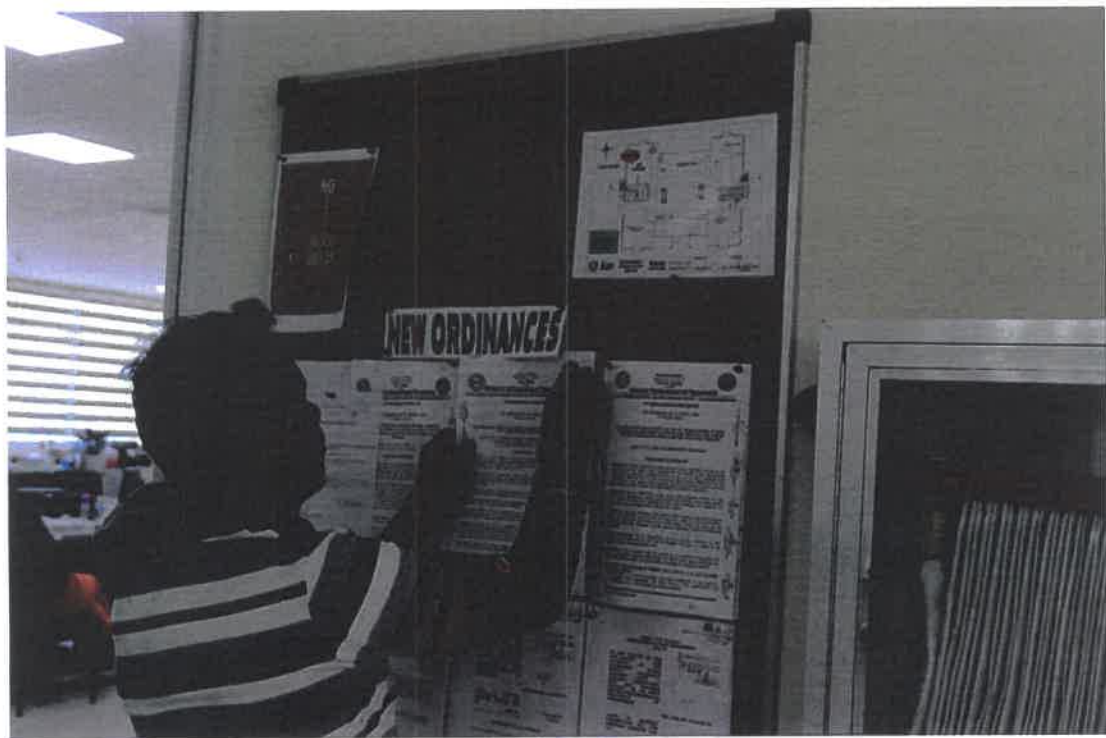
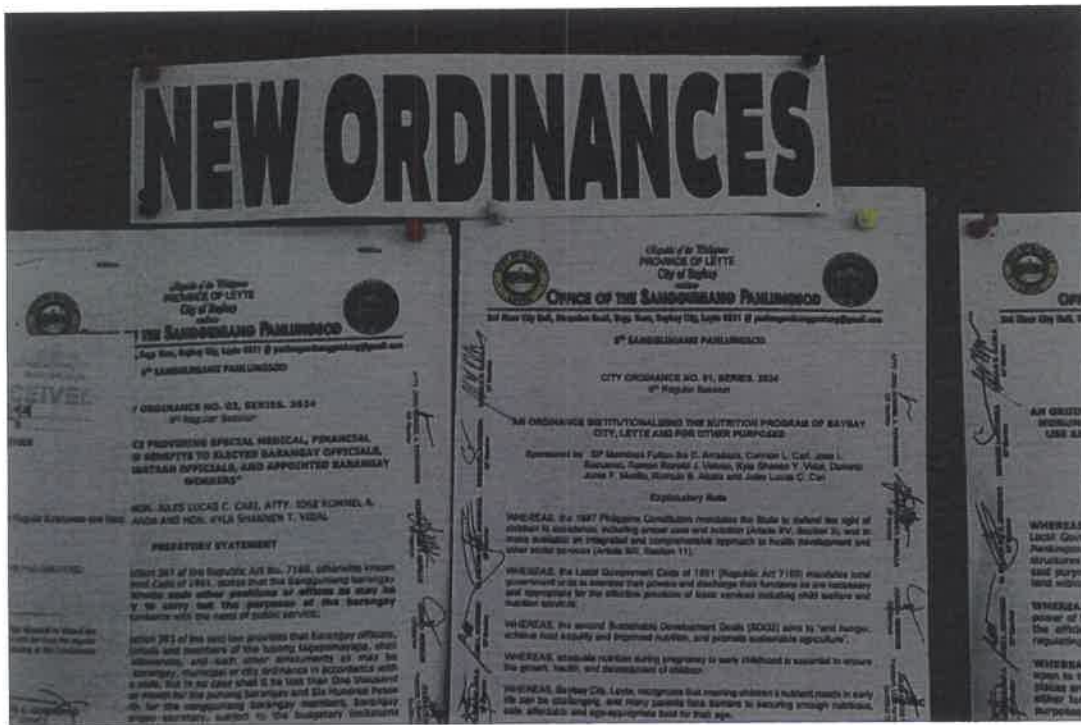
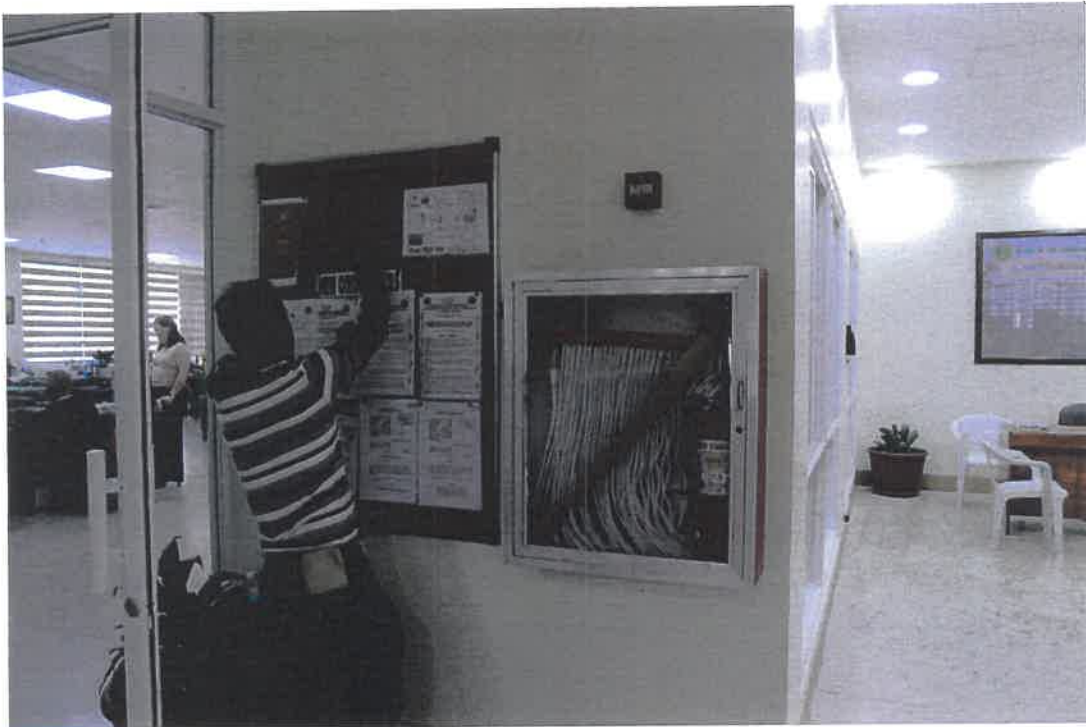

ATTY. VIVIAN E. VIDALLON
SP Secretary



BAYBAY CITY BUS TERMINAL



BAYBAY CITY TRICYCLE TERMINAL



SANGGUNIANG PANLUNGSOD BULLETIN BOARD