

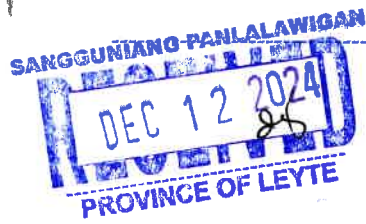
Item No.: 04
Date: 16 2024 DEC



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

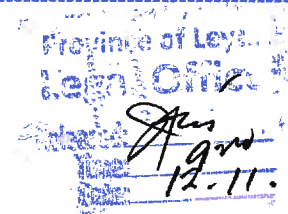
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PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT

~~October 21~~, 2024
December 16, 2024



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2024-05 of the Sangguniang Bayan of Albuera, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 2024-05 entitled: **“An Ordinance reclassifying a 1-hectare portion of an 8-hectare real property designated as Lot no. 7456. etc .”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is within the corporate powers of the local government unit particularly covered under Section 447(a)(2)(viii)¹ of the Local Government Code.

It must be noted however, that the power of the LGUs to reclassify agricultural lands is without prejudice to the authority of the DAR to approve conversion of agricultural lands covered by Republic Act No. 6657 to non-agricultural uses and has been validly recognized by Section 20 of Republic Act No. 7160 by explicitly providing therein that, *“nothing in this section shall be construed as repealing or modifying in any manner the provisions of Republic Act No. 6657.”*

Furthermore, pursuant to DILG opinion No.22, S. 2020 dated January 31, 2020 and citing the Supreme Court Decision in the case of “Chamber of Real Estate and Builders Associations, Inc. (CREBA), vs The Secretary of Agrarian Reform (G.R . No.183409)”, reclassification alone will not suffice to use the agricultural lands for other purposes. Conversion is needed to change the current use of the reclassified lands.

¹ (viii) Reclassify land within the jurisdiction of the municipality, subject to the pertinent provisions of this Code;

Considering the foregoing, further review of said Ordinance is recommended.

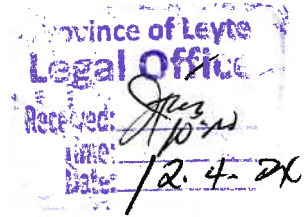
We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

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

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
03 November 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2024-05** of the **Municipality of Albuera, Leyte**, entitled: **An Ordinance reclassifying a 1-hectare portion of an 8-hectare real property designated as Lot No. 7456 covered by Tax Declaration No. 03-0001-00049-R13 located at Brgy. Poblacion, Albuera, Leyte owned by Mr. Victor Darwin S. Catingub and Mr. Doroteo S. Catingub from production agricultural sub-zone to industrial zone 1-2.**


FLORINDA JILL S. UYVICO
Secretary to the Sangguniang



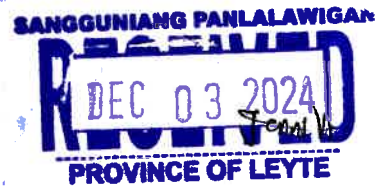
Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN SECRETARIAT

TRANSMITTAL

November 28, 2024

Hon. Leonardo Javier, Jr.
Vice-Governor
Province of Leyte
Palo, Leyte



Thru: Florinda Jill S. Uyvico
Secretary to the Sanggunian
Province of Leyte

Dear Vice Governor Javier:

Respectfully transmitting herein the following documents, to wit:

1. **Ordinance No. 2024-05**, "An Ordinance reclassifying a 1-hectare portion of an 8-hectare Real Property Designated as Lot No. 7456 covered by Tax Declaration No. 03-0001-00049 -R13 located at Brgy. Poblacion, Albuera, Leyte owned by Mr. Victor Darwin S. Catingub and Mr. Doroteo S. Catingub from Production Agricultural Sub-Zone to Industrial Zone I-2."
2. In Compliance to the conduct of Public Hearing:
 - 2.1 Certificate of Public Hearing
 - 2.2 Minutes of the Public Hearing
 - 2.3 Attendance Sheet
3. Certification from the Municipal Agriculture Office that the land ceased to be feasible and sound for agricultural purposes
4. Certification within the 10% limit for 3rd class municipalities
5. Certificate of Posting

Please acknowledge receipt hereof.

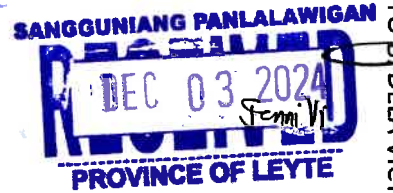
Very truly yours,


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN



EXCERPT FROM THE MINUTES OF THE 120TH REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE SB SESSION HALL OF ALBUERA, LEYTE ON NOVEMBER 25, 2024

ORDINANCE NO. 2024-05

AN ORDINANCE RECLASSIFYING A 1-HECTARE PORTION OF AN 8-HECTARE REAL PROPERTY DESIGNATED AS LOT NO. 7456 COVERED BY TAX DECLARATION NO. 03-0001-00049-R13 LOCATED AT BRGY. POBLACION, ALBUERA, LEYTE OWNED BY MR. VICTOR DARWIN S. CATINGUB AND MR. DOROTEO S. CATINGUB FROM PRODUCTION AGRICULTURAL SUB-ZONE TO INDUSTRIAL ZONE I-2

INTRODUCED BY: HON. MARJUN P. MAGNO
SPONSORED BY: COMMITTEE ON GOOD GOVERNANCE, PUBLIC ETHICS & ACCOUNTABILITY
(Hon. Ana Liza E. Dela Victoria)
(Hon. Roxanne R. Zaldivar)

PREFATORY STATEMENT

Republic Act No. 7160, otherwise known as the Local Government Code of 1991 (LGC), provides that Cities or Municipalities may reclassify agricultural lands to non-agricultural uses within their territorial jurisdiction, subject to the limitations and other conditions prescribed under Section 20 of the LGC.

Memorandum Circular No. 54, Series of 1993 provides for the procedure and guidelines in the reclassification of agricultural lands to non-agricultural uses by the Local Government Unit.

Article 447 Paragraph (a)(2)(viii) of the LGC confers upon the Sangguniang Bayan the power to reclassify land within the jurisdiction of the municipality, subject to the pertinent provisions of the LGC.

On May 15, 2024, Mr. Victor Darwin S. Catingub and Mr. Doroteo S. Catingub have sent to the Office of the Municipal Mayor their letter of application for land reclassification of a 1-hectare portion of their 8-hectare Production Agricultural Sub-Zone real property designated as Lot No. 7456 covered by Tax Declaration No. 03-0001-00049-R13 located at Brgy. Poblacion, Albuera, Leyte to Industrial Zone I-2.

On September 27, 2024, the Office of the Municipal Mayor of Albuera, Leyte, in a letter addressed to the Sangguniang Bayan, thru Hon. Imelda A. Fadul, Municipal Vice Mayor, respectfully forwarded the documents relative to the request for Land Reclassification by Mr. Victor Darwin S. Catingub and Mr. Doroteo S. Catingub, which was referred to Hon. Marjun P. Magno, SB Member, Chairperson, Committee on Good Governance, Public Ethics and Accountability, for information and appropriate legislative action.

Mr. Victor Darwin S. Catingub and Mr. Doroteo S. Catingub have complied with all of the requirements for the reclassification of their aforesaid real property.

Pursuant to the provision of Section 20 of RA 7160, otherwise known as the Local Government Code of 1991, the proposed reclassification is still within the percentage limit, which is *ten percent (10%)*, of the total agricultural land area of Albuera, Leyte at the time of the passage of this ordinance.

MANUEL E. BANTASAN

ANTHONY BARTTE

LENY S. BILBAO

ANA LIZA E. DELA VICTORIA

ALBERTO C. SUMALJAG

BERNARD JOEN D. MESTULA

PAMELA M. BOHOLST

SIXTO B. DELA VICTORIA

IMELDA A. FADUL

ROXANNE R. ZALDIVAR

MARY JANE B. CAGULA

MARJUN P. MAGNO

PROFACIO RIZALTO M. CENIZA

The Municipal Agriculture Office upon inspection of Lot No. 7456 bearing Cadastral No. 655 with an area of 10,000 square meters issued a certification for the same dated September 20, 2024 based on its findings stating that *“the aforementioned lot as described in the above findings has greater economic importance perhaps, if converted to other uses.”*

The Municipal Agriculture Office issued another certification dated August 19, 2024 ... that *“as per approved Comprehensive Land Use Plan (CLUP) covering the Year 2022 – 2031 the total agricultural area of the municipality is 7,471.4192 hectares,”* and certified further *“that the total area reclassified into other uses, including the applied area for reclassification which is 1.000 hectare, does not exceed 10% of the total agricultural area of the municipality.”*

BE IT ORDAINED, by the Sangguniang Bayan of Albuera, Leyte in Regular Session that:

SECTION 1. AUTHORITY TO RECLASSIFY. Section 20 of RA 7160 (LGC) provides that “a city or municipality may, through an ordinance passed by the Sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases: (1) when the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the Sanggunian concerned.”

SECTION 2. RECLASSIFICATION. The parcel of land designated as Lot No. 7456 (portion) bearing Cadastral No. 655 with an area of 87,551 located at Barangay Poblacion, Albuera, Leyte is hereby reclassified from Production Agricultural Sub-Zone to Industrial Zone I-2.

Existing and Proposed Land Use Area (CLUP 2022-2031)

Land Use Category	Sub-Categories	Increased Area Reclassified (in Has.) as per approved CLUP 2022-2031	Proposed Area for Reclassification (in Has.) (Special Reclassification)	Remarks/Comments
Urban Use Area	Residential	213.6818	2.4466	4PH (Brgy. Balugo) (May 17, 2024 -date Certification OMA)
	Commercial	50.8037		
	Institutional	8.8347		
	Parks & Recreation	2.0741		
	Socialized Housing	6.1403		
	Total Urban Area	314.6418	2.4466	
Other Categories	Agri-Industrial Area	2.7698		Industrial I-2- Catingub (Malitbog, Poblacion) (August 19,2024 – date Certification OMA)
	Industrial	90.5739	1.0000	
	Tourism (Eco-Tourism)	7.8420		
	Cemetery/Memorial Park	2.6970		
	Total Other Categories Uses	103.8827	1.000	
	Total Proposed Reclassification	418.5245	3.4466	421.9711

SECTION 3. MANNER OF UTILIZATION. The subject land shall be strictly utilized in accordance with the Municipal Zoning Ordinance of Albuera, Leyte and other applicable laws, rules and regulations.

MANUEL E. BANTASAN
ANTHONY V. BARTHELEME
LENY S. BILBAO
ANA LIZA E. DELA VICTORIA
ALBERTO C. SUMALJAG
BERNARD JOE D. MESTULA
PAMELA M. BOHOLST

SIXTO B. DELA VICTORIA
IMELDA A. FADUL
ROXANNE R. ZALDIVAR
MARY JANE B. CAGULA
MARJUN P. MAGNO
PROFESOR RIZALITO M. CENIZA

SECTION 4. CONVERSION. This ordinance shall not be construed as a conversion order.

SECTION 5. EFFECTIVITY. This ordinance shall take effect upon approval.

APPROVED.

ENACTED BY THE SANGGUNIANG BAYAN OF ALBUERA, LEYTE TERM 2022 – 2025 DURING ITS 120th REGULAR SESSION HELD ON NOVEMBER 25, 2024 AT THE SB SESSION HALL, ALBUERA, LEYTE.

ATTESTED AND CERTIFIED TO BE DULY ADOPTED:



ROXANNE R. ZALDIVAR
SB Member I


ANTHONY V. BARTE
SB Member I

Absent
MARY JANE B. CAGULA
SB Member I

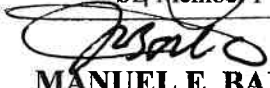

LENY S. BILBAO
SB Member I


MARJUN P. MAGNO
SB Member I


ANA LIZA E. DELA VICTORIA
SB Member I



PROTACIO RIZALITO M. CENIZA
SB Member I

ALBERTO C. SUMALJAG
LnB President/Ex-Officio Member


MANUEL E. BANTASAN
SB Member I


BERNARD JOEY D. MESTULA
PPSK President/Ex-Officio Member

I HEREBY CERTIFY that this is a true and accurate copy of the Ordinance duly enacted by the Sangguniang Bayan of Albueria, Leyte Term 2022 – 2025 on its 120th Regular Session on November 25, 2024 at the SB Session Hall, Albueria, Leyte.


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I


IMELDA A. FADUL
Municipal Vice-Mayor/Presiding Officer

APPROVED:


SIXTO B. DELA VICTORIA

Municipal Mayor

Date: NOV 27, 2024



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION OF PUBLIC HEARING

TO THE CONCERNED:

THIS IS TO CERTIFY that A Public Hearing on **ORDINANCE 2024-05**, "AN ORDINANCE RECLASSIFYING A 1-HECTARE PORTION OF AN 8-HECTARE REAL PROPERTY DESIGNATED AS LOT NO. 7456 COVERED BY TAX DECLARATION NO. 03-0001-00049-R13 LOCATED AT BRGY. POBLACION, ALBUERA, LEYTE OWNED BY MR. VICTOR DARWIN S. CATINGUB AND MR. DOROTEO S. CATINGUB FROM PRODUCTION AGRICULTURAL SUB-ZONE TO INDUSTRIAL ZONE I-2," has been conducted on November 21, 2024 at sitio Bagtan Chapel, Poblacion, Albuera, Leyte.

THIS IS TO CERTIFY FURTHER that the residents of Sitio Bagtan, Poblacion, Albuera, Leyte are in favor of the enactment of such measure.

THIS IS TO CERTIFY FINALLY that the proposed measure was duly approved by the Sangguniang Bayan of Albuera, Leyte on 2nd Reading and was finally approved/enacted on 3rd & Final Reading during its 120th Regular Session on November 25, 2024.

ISSUED this 27th day of November 2024 at Albuera, Leyte, Philippines.

PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I



Republic of the Philippines
Province of Leyte
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN

MINUTES OF THE PUBLIC HEARING ON DRAFT ORDINANCE NO. 2024-08, "AN ORDINANCE RECLASSIFYING A 1-HECTARE PORTION OF AN 8-HECTARE REAL PROPERTY DESIGNATED AS LOT NO. 7456 COVERED BY TAX DECLARATION NO. 03-0001-00049-R13 LOCATED AT BRGY. POBLACION, ALBUERA, LEYTE OWNED BY MR. VICTOR DARWIN S. CATINGUB AND MR. DOROTEO S. CATINGUB FROM PRODUCTION AGRICULTURAL SUB-ZONE TO INDUSTRIAL ZONE" HELD BY THE SANGGUNIANG BAYAN AT THE SAN ISIDRO LABRADOR CHAPEL LOCATED AT SITIO BAGTAN, BARANGAY POBLACION, ALBUERA, LEYTE ON NOVEMBER 21, 2024

MINUTES NO. __

For the list of attendees, see attached attendance sheet.

CALL TO ORDER

1 The Hon. Leny S. Bilbao, SB Member, acknowledged the Municipal Mayor, the Municipal Vice-Mayor, and the
2 fellow members of the Sangguniang Bayan, the Municipal Administrator, the MPDC, the Municipal Engineer, the
3 Municipal Agriculturist, the Barangay Officials of Poblacion, the SB Secretariat, the Catingub brothers and residents of
4 the area applied for land conversion, and everyone present. Thereafter, she called the Public Hearing to order at
5 exactly 1:55 in the afternoon.

INVOCATION, SINGING OF THE PHILIPPINE NATIONAL ANTHEM & THE ALBUERA HYMN

6 Acting as the Emcee, Hon. Bilbao, requested everyone to stand for the invocation. A short audiovisual
7 prayer was then played, followed by the singing of the Philippine National Anthem and the Albuera Hymn.

WELCOME ADDRESS

8 The Hon. Protacio Rizalito M. Ceniza, acknowledged the presence of his fellow members of the Sangguniang
9 Bayan, the Municipal Administrator, the MPDC, the Municipal Engineer, the Municipal Agriculturist, the Barangay
10 Officials of Poblacion, the SB Secretariat, the Catingub brothers and residents of the area applied for land
11 reclassification, and everyone present, and gave his message of warm welcome to all.

12 In behalf of Honorable Mayor Sixto B. dela Victoria, Mr. Mario I. Cubi, gave a short message wherein he
13 emphasized the necessity and timeliness of the passage/enactment of an ordinance such as the one subject of the
14 Public Hearing.

15 Thereafter, in behalf of Honorable Vice-Mayor Imelda A. Fadul, the Hon. Manuel E. Bantasan, also gave a
16 message wherein he stressed that economic impact of the passage of the ordinance subject of the Public Hearing and
17 the positive effect it could bring to the residents of the area which would benefit directly from possible employment
18 opportunities which await them once the planned industry is set in place.

PUBLIC HEARING/CONSULTATION PROPER

19 Thereafter, Hon. Bilbao gave the floor to Hon. Roxanne R. Zaldivar who began the presentation and reading
20 of the prefatory note, the sections and the salient provisions of **Draft Ordinance No. 2024-08**, "AN ORDINANCE
21 RECLASSIFYING A 1-HECTARE PORTION OF AN 8-HECTARE REAL PROPERTY DESIGNATED AS LOT NO.
22 7456 COVERED BY TAX DECLARATION NO. 03-0001-00049-R13 LOCATED AT BRGY. POBLACION, ALBUERA,
23 LEYTE OWNED BY MR. VICTOR DARWIN S. CATINGUB AND MR. DOROTEO S. CATINGUB FROM PRODUCTION
24 AGRICULTURAL SUB-ZONE TO INDUSTRIAL ZONE".

25 **"DRAFT MUNICIPAL ORDINANCE NO. 2024-08**

26 ***AN ORDINANCE RECLASSIFYING A 1-HECTARE PORTION OF AN 8-HECTARE REAL PROPERTY***
27 ***DESIGNATED AS LOT NO. 7456 COVERED BY TAX DECLARATION NO. 03-0001-00049-R13 LOCATED***
28 ***AT BRGY. POBLACION, ALBUERA, LEYTE OWNED BY MR. VICTOR DARWIN S. CATINGUB AND MR.***
29 ***DOROTEO S. CATINGUB FROM PRODUCTION AGRICULTURAL SUB-ZONE TO INDUSTRIAL ZONE***

30 **INTRODUCED BY: HON. MARJUN P. MAGNO**

31 **PREFATORY STATEMENT**

32 Republic Act No. 7160, otherwise known as the Local Government Code of 1991 (LGC), provides that Cities
33 or Municipalities may reclassify agricultural lands to non-agricultural uses within their territorial jurisdiction,
34 subject to the limitations and other conditions prescribed under Section 20 of the LGC.

35 Memorandum Circular No. 544, Series of 1993 provides for the procedure and guidelines in the
36 reclassification of agricultural lands to non-agricultural uses by the Local Government Unit.

37 Article 447 Paragraph (a)(2)(viii) of the LGC confers upon the Sangguniang Bayan the power to reclassify land
38 within the jurisdiction of the municipality, subject to the pertinent provisions of the LGC.

39 On May 15, 2024, Mr. Victor Darwin S. Catingub and Mr. Doroteo S. Catingub have sent to the Office of the
40 Municipal Mayor their letter of application for land reclassification of a 1-hectare portion of their 8-hectare
41 Production Agricultural Sub-Zone real property designated as Lot No. 7456 covered by Tax Declaration No.
42 03-0001-00049-R13 located at Sitio Bagtan, Brgy. Poblacion, Albuera, Leyte to Industrial Zone.

43 On September 27, 2024, the Office of the Municipal Mayor of Albuera, Leyte, in a letter addressed to the
44 Sangguniang Bayan, thru Hon. Imelda A. Fadul, Municipal Vice Mayor, respectfully forwarded the documents
45 relative to the request for Land Reclassification by Mr. Victor Darwin S. Catingub and Mr. Doroteo S.
46 Catingub, which was referred to Hon. Marjun P. Magno, SB Member, Chairperson, Committee on Good
47 Governance, for information and appropriate legislative action.

48 Mr. Victor Darwin S. Catingub and Mr. Doroteo S. Catingub has complied with all of the requirements
49 for the reclassification of his aforesaid real property.

50 Pursuant to the provision of Section 20 of RA 7160, otherwise known as the Local Government Code of 1991,
51 the proposed reclassification is still within the percentage limit, which is ten percent (10%), of the total
52 agricultural land area of Albuera, Leyte at the time of the passage of this ordinance.

53 The Municipal Agriculture Office upon inspection of Lot No. 7456 bearing Cadastral No. 655 with an area of
54 10,000 square meters issued a certification for the same dated September 20, 2024 based on its findings
55 stating that ***"the aforementioned lot as described in the above findings has greater economic***
56 ***importance perhaps, if converted to other uses."***

57 The Municipal Agriculture Office issued another certification that "as per approved Comprehensive Land Use
58 Plan (CLUP) covering the Year 2022 – 2031 the total agricultural area of the municipality is 7,471.4192
59 hectares, ***"and certified further "that the total area reclassified into other uses, including the applied***
60 ***area for reclassification which is 6.0138 hectares, does not exceed 10% of the total agricultural area of***
61 ***the municipality."***

62 **BE IT ORDAINED**, by the Sangguniang Bayan of Albuera, Leyte in Regular Session that:

63 **SECTION 1. AUTHORITY TO RECLASSIFY.** Section 20 of RA 7160 (LGC) provides that "a city or
64 municipality may, through an ordinance passed by the Sanggunian after conducting public hearings for the
65 purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or
66 disposition in the following cases: (1) when the land ceases to be economically feasible and sound for
67 agricultural purposes as determined by the Department of Agriculture or (2) where the land shall have
68 substantially greater economic value for residential, commercial, or industrial purposes, as determined by the
69 Sanggunian concerned."

70 **SECTION 2. RECLASSIFICATION.** The parcel of land designated as Lot No. 1509 bearing Cadastral No. 655
71 with an area of 581 square meters, and Lot No. 1445 bearing Cadastral No. 655 with an area of 581 square
72 meters located at Barangay Sherwood, Albuera, Leyte is hereby reclassified from Production Agricultural Sub-
73 Zone to Industrial Zone.

74 **EXISTING AND PROPOSED LAND USE AREA (CLUP 2022-2031)**

Land Use Category	Sub-Categories	Increased Area Reclassified (in Has.) as per approved CLUP 2022-2031	Proposed Area for Reclassification (in Has.) (Special Reclassification)	Remarks/Comments
Urban Use Area	Residential	213.6818	2.4466	4PH (Brgy. Balugo) (May 17, 2024 -date Certification OMA)
	Commercial	50.8037		
	Institutional	8.8347		
	Parks & Recreation	2.0741		
	Socialized Housing	6.1403		
	Total Urban Area	314.6418	2.4466	
Other Categories	Agri-Industrial Area	2.7698		Industrial - Catingub (Malitbog, Poblacion) (August 19,2024 – date Certification OMA) Industrial – Morales (Sherwood, Albuera) Industrial – Morales (Sherwood, Albuera) Industrial – Morales (Sherwood, Albuera) (Sept. 16, 2024 – date Certification OMA)
	Industrial	90.5739	1.0000	
			0.0581	
			4.4856	
			1.4701	
	Tourism (Eco-Tourism)	7.8420		
	Cemetery/Memorial Park	2.6970		
	Total Other Categories Uses	103.8827	7.0138	
	Total Proposed Reclassification	418.5245	9.4604	427.9849

75 **SECTION 3. MANNER OF UTILIZATION.** The subject land shall be strictly utilized in accordance with the
76 Municipal Zoning Ordinance of Albuera. Leyte and other applicable laws, rules and regulations.

77 **SECTION 4. CONVERSION.** This ordinance shall not be construed as a conversion order.

78 **SECTION 5. EFFECTIVITY.** This ordinance shall take effect upon approval

79 **APPROVED.**

80 After her thorough and detailed presentation, Hon. Zaldivar gave the microphone to the Emcee, Hon. Bilbao,
81 who thereafter encouraged everyone from the audience to raise their questions relevant to the Ordinance subject of
82 the public hearing.

OPEN FORUM

83 After a while, applicant/proponent, Mr. Victor Catingub, raised and asked if he could have the floor. The
84 Emcee, Hon. Bilbao, gave him the floor and allowed him to address the residents present. After some formal
85 pleasantries, he proceeded to present their plan/proposal saying that once the Ordinance is approved, they will
86 proceed to comply with other requirements by the DAR so that eventually they will be issued a Conversion Order,
87 whereupon they can put-up and operate a crushing plant on the site. He further said that once this is done, additional
88 income for the LGU will be generated and employment opportunities will be open for the residents. Thereafter, he
89 assured the residents of the area not to worry because they will be provided with a resettlement area consisting of
90 2,700 square meters with facilities such as Chapel and a standard sized basketball court.

91 Thereafter, for and in behalf of the residents, Hon. Bilbao suggested to the proponent Mr. Catingub to show
92 them the plan or perspective as to the resettlement site for affected residents.

93 Mr. Catingub said that the site is located across the Diversion Road where there is a 2,700 square meter lot
94 there owned by the proponents wherein, they are planning to be the Resettlement Area of affected residents consisting
95 around 35 households more or less. Each of these households will be given a parcel of land with the same dimension
96 or measurement but the manner of which to determine which area belongs to which household will be drawn by lot. He
97 also reiterated that amenities/facilities such as a Chapel and a standard sized basketball court will also be provided
98 there.

99 Thereafter, Hon. Julius Meneses, Barangay Kagawad of Poblacion, raised a point of clarification and said that
100 as a basketball player, he is aware of the exact dimensions of a standard basketball court which is 28 meters in length
101 by 15 meters in width measured from the inner edge of the boundary line. Add to that the Chapel, then the lots for 35
102 households more or less, "I doubt if the planned Resettlement Site of 2,700 square meter would suffice".

103 After conferring with his brother regarding the exact area of the planned Resettlement Site, Mr. Catingub
104 apologized because he was mistaken as to the total area he mentioned earlier as it turned out that the exact area of
105 the Resettlement Site is **3,700 square meters** instead of 2,700 square meters. With that being made clear, he assured
106 everyone especially those residents who will be affected that there is enough space to accommodate a standard-sized
107 basketball court and a Chapel there.

108 As there were no other concerns, a vote by raising of hands was taken as to who are in favor and who are
109 against the application/proposal for reclassification. A unanimous vote was cast by affected residents present in favor
110 of the application/proposal for reclassification.

CLOSING REMARKS

111 As there were no more questions or concerns, the Hon. Manuel E. Bantasan, in his closing message
112 thanked everyone for attending said Public Hearing.

ADJOURNMENT

113 The Public Hearing adjourned at exactly 2:45 p.m.

I HEREBY CERTIFY to the correctness of the foregoing minutes of the Public Hearing on **Draft Ordinance No. 2024-08**, "AN ORDINANCE RECLASSIFYING A 1-HECTARE PORTION OF AN 8-HECTARE REAL PROPERTY DESIGNATED AS LOT NO. 7456 COVERED BY TAX DECLARATION NO. 03-0001-00049-R13 LOCATED AT BRGY. POBLACION, ALBUERA, LEYTE OWNED BY MR. VICTOR DARWIN S. CATINGUB AND MR. DOROTEO S. CATINGUB FROM PRODUCTION AGRICULTURAL SUB-ZONE TO INDUSTRIAL ZONE" held last November 21, 2024 by the Sangguniang Bayan at the SAN ISIDRO LABRADOR CHAPEL LOCATED AT SITIO BAGTAN, BARANGAY POBLACION, ALBUERA, LEYTE.


MICHAEL C. ANDRADE, MPA, JD
Local Legislative Staff Officer II



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN
ATTENDANCE SHEET

120th REGULAR SESSION
of the Sangguniang Bayan

SB Session Hall
Venue

November 25, 2024

No.	Name & Designation	Signature
1	Hon. IMELDA A. FADUL Mun. Vice Mayor / Presiding Officer	
2	Hon. ROXANNE R. ZALDIVAR SB Member	
3	Hon. MARY JANE B. CAGULA SB Member	- On leave
4	Hon. MARJUN P. MAGNO SB Member	
5	Hon. PROTACIO RIZALITO M. GENIZA SB Member	
6	Hon. MANUEL E. BANTASAN SB Member	
7	Hon. ANTHONY V. BARTE SB Member	
8	Hon. LENY S. BILBAO SB Member	
9	Hon. ANA LIZA E. DELA VICTORIA SB Member	
10	Hon. ALBERTO C. SUMALJAG ABC President, Ex-Officio	BB - Cebu City
11	Hon. BERNARD JOEY D. MESTULA SK Federation President, Ex-Officio	

CERTIFICATION

I hereby certify that those who have affixed their signatures above, have actually attended the 120th Regular Session of the Sangguniang Bayan of Albuera, Leyte, held at the SB Session Hall on November 25, 2024

PAMELA M. BOHOLST
Secretary to the Sanggunian Bayan



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF ALBUERA

OFFICE OF THE SANGGUNIANG BAYAN

ATTENDANCE SHEET

Public Hearing

Draft Ordinance No. 2024-08

DATE: **November 21, 2024 @ 1:30pm**

VENUE: Poblacion, Albuera, Leyte

NO.	NAME	OFFICE	DESIGNATION	SIGNATURE
1	Hon. SIXTO B. DELA VICTORIA	LGU - Albuera	Municipal Mayor	
2	Hon. IMELDA A. FADUL	LGU - Albuera	Municipal Vice-Mayor	
3	Hon. ROXANNE R. ZALDIVAR	LGU - Albuera	SB Member	<i>[Signature]</i>
4	Hon. MARY JANE B. CAGULA	LGU - Albuera	SB Member	
5	Hon. MARJUN P. MAGNO	LGU - Albuera	SB Member	<i>[Signature]</i>
6	Hon. PROTACIO RIZALITO M. CENIZA	LGU - Albuera	SB Member	<i>[Signature]</i>
7	Hon. MANUEL E. BANTASAN	LGU - Albuera	SB Member	<i>[Signature]</i>
8	Hon. ANTHONY V. BARTE	LGU - Albuera	SB Member	
9	Hon. LENY S. BILBAO	LGU - Albuera	SB Member	<i>[Signature]</i>
10	Hon. ANA LIZA E. DELA VICTORIA	LGU - Albuera	SB Member	
11	Hon. ALBERTO C. SUMALJAG	LGU - Albuera	ABC Federation Pres.	
12	Hon. BERNARD JOEY D. MESTULA	LGU - Albuera	SK Federation Pres.	
13	Pamela M. Boholst	LGU - Albuera	SB Secretary I	<i>[Signature]</i>
14	Michael C. Andrade	LGU - Albuera	STAFF	<i>[Signature]</i>
15	Alicia Gamosa	LGU - Albuera	STAFF	<i>[Signature]</i>
16	Zaldy Ubales	LGU - Albuera	STAFF	<i>[Signature]</i>
17	Joy D. Narciso	LGU - Albuera	STAFF	<i>[Signature]</i>
18	Vera Mae Vacalares	LGU - Albuera	STAFF	<i>[Signature]</i>
19	Rodineth P. Sucaire	LGU - Albuera	STAFF	<i>[Signature]</i>
20	Rolando D. Daniel	LGU - Albuera	STAFF	
21	Susan Gilhang	LGU - Albuera	STAFF	
22	Mr. Mario I. Cubi	LGU - Albuera	Municipal Administrator	-

Certified correct by the facilitator :

[Signature]
JOY D. NARCISO



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF ALBUERA

OFFICE OF THE SANGGUNIANG BAYAN
ATTENDANCE SHEET
Public Hearing

Draft Ordinance No. 2024-08

DATE: **November 21, 2024 @ 1:30PM**

VENUE: Poblacion, Albuera, Leyte

NO.	NAME		POSITION	SIGNATURE
23	Pina Paton-og			P. Patonog
24	Merly D Arino			Merly D. Arino
25	Delia Avila			DA
26	CHING IDEA CRUZ			Ching
27	Mariane Villarin			Mariane
28	Elong Rebojo			ER
29	Zurita Paliquit			Z.P.
30	Melba M Reyes			Melba
31	Rosalie Lumapas			Rosalie Lumapas
32	Enna Troyo			Enna Troyo
33	Esaias Labadia			Esaias Labadia
34	Virginia A. Carion			Virginia
35	Marcelino Gocela Jr			Marcelino
36	KIEX PATON-OG			KIEX
37	Monalisa Labadia			Monalisa
38	Helma Gocela			Helma
39	NEVITA CAUSTE			N.C.
40	Katherine P. Borasca			Katherine
41	Jovelyn Labadia			Jovelyn
42	Fidelita Reyes			Fidelita
43	Primitivo Maglasang			Primitivo
44	Renato E. Cariteo			Renato

Certified correct by the facilitator :

JOY D. MARCISO



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF ALBUERA
OFFICE OF THE SANGGUNIANG BAYAN
ATTENDANCE SHEET
Public Hearing

Draft Ordinance No. 2024-08

DATE: **November 21, 2024 @ 1:30PM**

VENUE: **Poblacion, Albuera, Leyte**

NO.	NAME			SIGNATURE
45	Nei Jenelyn L. Cañete			jc
46	Carlos Pepito da			ep
47	Mario Cabuloy			MC
48	Charite Gutierrez			CG
49	EDMON ARNOCO			EA
50	PROCESA R. ARNOCO			PA
51	Daniella Marie C. Pepito			DM
52	Lolita Layas			LL
53	Noel Babaran			NB
54	Quito Biocampo			QB
55	Lino Mias			LM
56	Adrian Babara			AB
57	JOEN PAVE			JP
58	ARDELIO PONTIANO			AP
59	Calvin Babarana			CB
60	Maito Poliquit			MP
61	Manel Muller			Manel M.
62	Pepito			Pepito
63	Norman P. Yepito			NY
64	CHRISTO D. ABING			CA
65	Edgardo Meneses			EM
66	Ronald Rapit			RR
67	Marciano Pepito			MP

Certified correct by the facilitator:

JOY D. NARCISO




Republic of the Philippines
Province of Leyte
MUNICIPALITY OF ALBUERA
OFFICE OF THE SANGGUNIANG BAYAN
ATTENDANCE SHEET

Public Hearing
Draft Ordinance No. 2024-08

DATE: **November 21, 2024 @ 1:30PM** VENUE: **Poblacion, Albuera, Leyte**

NO.	NAME			SIGNATURE
68	JUSTIN MICHAEL F. MEZIM			
69	Hipolito H. Cayangillo			
70	MC FLORENCE B. BATICAN			
71	RENZO B. ARUÑO			
72	MARY ANN L. CATINGUB			
73	VICTOR DANN S. CATINGUB			
74	Grace A. Catingub			
75	Donato S. Catingub			
76	Glicilda C. Guyada			
77	GEMMA PORCADILLA			
78	Elena C. Codon			
79	NIKANOR-GLENN R. LORETO			
80	Emmanuel Rojas			
81	LITO LAORANTE			
82	Salvatore Jeting Magallana			
83	JOSEPH IVAN L. FARRATA			
84	JOSEPH IVAN L. FARRATA			
85	EDGAR A. BOSTUENAN			
86	Gemma Sumaling			
87	JULIUS C. MORALES			
88				
89				
90				

Certified correct by the facilitator :


JOY D. NARCISO



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF ALBUERA

OFFICE OF THE MUNICIPAL AGRICULTURE

Telephone No.: 562-9340 | fitcenter_albueraleyte@yahoo.com

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that **portion** of Agricultural land as per the special sketch plan submitted to this office, bearing the Cadastral No. 655, lot 7456 with a land area of 10,000 square meters, represented by Victor Darwin S. Catingub and Doroteo S. Catingub, located at Barangay Poblacion, Albuera, Leyte as shown in Annex A has been inspected by the OMA personnel, dated September 19, 2024, at around 8:30 a.m. of the mentioned date with the following findings to wit;

"The lot mentioned above has one residential house located near the corner of boundary marker no. 1, in the eastern portion stretching from boundary markers 1 to 10 is the trace of vacant rainfed ricefields since CY 2021 (as per office records), also from the south-west side of the property around 30 hills of mixed-age coconuts together with significant figures of banana mats (Saba variety). (please see attached pictures in Annex B)

THIS IS TO CERTIFY FURTHER, that the aforesaid lot as described in the above findings has greater economic importance, perhaps, if converted to other uses.

This certification is given on the 20th day of September 2024 at the Office of Municipal Agriculture, Albuera, Leyte.

ENGR. JEROME P. JUNCO
Municipal Agriculturist



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF ALBUERA

OFFICE OF THE MUNICIPAL AGRICULTURE

Tel. No. 562-9340 | ffitcenter_albuera@yahoo.com

C E R T I F I C A T I O N

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that per the approved Comprehensive Land Use Plan (CLUP) covering the year 2022-2031 the total agricultural area of the municipality is 7,471.4192 hectares.

Certifying further, that the total area reclassified into other uses, including the applied area for reclassification which is 1.0000 hectare, does not exceed 10% of the total agricultural area of the municipality. (Please see attached files for reference)

This certification is given this 19th day of August 2024 at Municipal Hall, Poblacion, Albuera, Leyte

ENGR. JEROME P. JUNCO
Municipal Agriculturist

Karla A. Gencianos
ENGR. KARLA A. GENCIANOS, EnP
MPDC
Zoning Officer

Annex 1. Information on the areas proposed for agricultural land reclassification

Land Use Category	Sub-Categories	Existing Land Area (in has.)	% to total Land Area	Proposed Land Area (in has.)	% to total Land Area	Increase/ Decrease (in hectare)
Agriculture	Total Protection Agriculture	876.6594	4.84	876.6594	4.84	0.0000
	Total Production Agriculture	6,594.7598	36.39	6,176.2352	34.09	-418.5246
	Total Agriculture Use Area	7,471.4192	41.23	7,052.8946	38.92	-418.5246

Summary:

Land Use Category	Type	Area (Has)
Protection Agriculture	Major Crops	
	Rice (Irrigated and Irrigable Lands)	703.3750
	Corn	80.0000
	Banana (Cardava/Sab-a)	52.5000
	Vegatables	3.1500
	Fruit Trees (Jackfruit, Cacao, Citrus, Mango, etc.)	37.6344
	Sub-Total	876.6594
Production Agriculture	Coconut	4,295.0900
	Sugarcane	189.9800
	Livestock	688.4500
	Poultry (Backyard)	697.2600
	Open Grassland, idle lands or Areas with undefined crops	723.9798
	Sub-Total	6,594.7598
Total Agricultural Area		7,471.4192

Land Use Category	Sub-Categories	Increased Area Reclassified (Has)
Urban Use Area	Residential	213.6818
	Commercial	50.8037
	Institutional	8.8347
	Parks and Recreation	2.0741
	Socialized Housing	6.1403
	Infrastructure/Utilities, Transportation & Services	33.1072
	Total Urban Use Area	314.6418
Other Categories	Agri-Industrial Area	2.7698
	Industrial	90.5739
	Tourism (Eco-Tourism)	7.8420
	Cemetery/Memorial Park	2.6970
	Total Other Categories Uses	103.8827
Total		418.5246

Source: Municipal Agriculturist Office, 2022

Source: MPDO computations, 2022

Note: Total area reclassified into other use is **5.60%** of the total agricultural area.

Areas reclassified into other uses are from the identified production agriculture areas near or adjacent the national, provincial or barangay roads.

New Computation (as of Aug. 19, 2024)

Land Use Category	Sub-Categories	Increased Area Reclassified (in Has.) as per approved CLUP 2022-2031	Proposed Area for Reclassification (in Has.) (Special Reclassification)	Remarks/Comments
Urban Use Area	Residential	213.6818	2.4466	4PH (Brgy. Balugo) (May 17, 2024 -date Certification OMA)
	Commercial	50.8037		
	Institutional	8.8347		
	Parks & Recreation	2.0741		
	Socialized Housing	6.1403		
	Total Urban Area	314.6418	2.4466	
Other Categories	Agri-Industrial Area	2.7698		
	Industrial	90.5739	1.00000	Industrial - Catingub (Malitog, Poblacion) (August 19,2024 – date Certification OMA)
	Tourism (Eco-Tourism)	7.8420		
	Cemetery/Memorial Park	2.6970		
	Total Other Categories Uses	103.8827	1.0000	
	Total Proposed Reclassification	418.5245	3.4466	421.9711

Total Agricultural Area per the approved CLUP 2022-2031 – **7,471.4192 has.**

Total proposed Area for Reclassification CLUP + Special Reclassification (as June 3, 2024) – **421.9711 has.**

which is **5.65%** of the Total Agricultural Area



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO THE CONCERNED:

THIS IS TO CERTIFY that **Ordinance No. 2024-05**, "An Ordinance reclassifying a 1-hectare portion of an 8-hectare Real Property Designated as Lot No. 7456 covered by Tax Declaration No. 03-0001-00049 -R13 located at Brgy. Poblacion, Albuera, Leyte owned by Mr. Victor Darwin S. Catingub and Mr. Doroteo S. Catingub from Production Agricultural Sub-Zone to Industrial Zone I-2," has been posted in the bulletin board of the Sangguniang Bayan of Albuera, Leyte on November 27, 2024 and shall remain posted until a period of two (2) consecutive weeks thereof.

ISSUED this 29th day of November 2024 at Albuera, Leyte, Philippines.

PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I