



DISTRICT I

HON. MIGUEL D. BAUTISTA
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ROWENA BAUTISTA-MENDIOLA
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

DISTRICT II

HON. ROBERTO L. ADVINCULA
City Councilor

HON. HERNANDO C. GUTIERREZ
City Councilor

HON. GAUDENCIO P. NOLASCO
City Councilor

HON. LEANDRO A. DE LEON
City Councilor

HON. ALDE JOSELITO F. PAGULAYAN
City Councilor

HON. ROBERTO R. JAVIER
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor - Liga ng Brgy. President

HON. MAC RAVEN ESPIRITU
City Councilor - SK FEDERATION PRESIDENT

Attested by:

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

Certified by:

HON. CATHERINE SARINO-EVARISTO
City Vice Mayor / Presiding Officer

Noted by:

HON. LAM MERCADO - REVILLA
City Mayor

CITY RESOLUTION NO. CR NO. 2021-333
Series of 2021

A RESOLUTION DISMISSING THE COMPLAINT FILED BY MR. BLASITO SULLEGUE, JR. AND MS. CHERIEMI ACOYONG AGAINST PUNONG BARANGAY ADELAIDA J. CATANGHAL OF BARANGAY ZAPOTE III, CITY OF BACOR, CAVITE DUE TO LACK OF EVIDENCE.

Sponsored by:

Hon. Reynaldo D. Palabrica

Co-Sponsored by:

Hon. Roberto L. Advincula, Hon. Miguel N. Bautista, Hon. Rowena Bautista-Mendiola, Hon. Leandro A. De Leon, Hon. Mac Raven Espiritu, Hon. Adrielito G. Gawaran, Hon. Victorio L. Guerrero, Jr., Hon. Alejandro F. Gutierrez, Hon. Hernando C. Gutierrez, Hon. Gaudencio P. Nolasco, Hon. Alde Joselito F. Pagulayan, and Hon. Michael E. Solis.

WHEREAS, on 10 February 2021, Mr. Blasito Sullegue Jr. and Ms. Cheriemi Acoyong (the "complainants") filed a complaint for "gross violation of ministerial duty" against Punong Barangay Adelaida J. Catanghal of Barangay Zapote III, City of Bacoor, Cavite (the "respondent").

WHEREAS, the said complaint emanated from a dispute between the complainants and a neighbor of theirs which was brought before the attention of the Lupon Tagapamayapa of Barangay Zapote III for conciliation proceedings as mandated by law. The complainants alleged that they video recorded the proceedings of the said hearing with the alleged permission of the respondent and that, during the said proceedings, their neighbor admitted committing a crime against the complainant's child. When the conciliation proceedings failed, the complainants filed a criminal complaint against their neighbor before the City Prosecutor's Office. The said video recording was used as evidence in the said complaint. Upon learning this, the complainants' neighbor requested for a certification from the respondent that the said video recording was taken without the permission of the Lupon. The respondent issued the said certification to the chagrin of the complainants. The complainants then requested PB



DISTRICT I

HON. MIGUEL M. BAUTISTA
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ROWENA BAUTISTA-MENDIOLA
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

DISTRICT II

HON. ROBERTO L. ADVINCULA
City Councilor

HON. HERNANDO C. GUTIERREZ
City Councilor

HON. GAUDENCIO P. NOLASCO
City Councilor

HON. LEANDRO A. DE LEON
City Councilor

HON. ALDE JOSELITO F. PAGULAYAN
City Councilor

ABSENT

HON. ROBERTO R. JAYIER
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor - Liga ng Brgy. President

HON. MAC RAVEN ESPIRITU
City Councilor - SK FEDERATION PRESIDENT

Attested by:

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

Certified by:

HON. CATHERINE SARINO-EVARISTO
City Vice Mayor / Presiding Officer

Noted by:

HON. LAM MERCADO - REVILLA
City Mayor

Catanghal to revoke the said certification but the respondent denied the request. As a consequence thereof, the complainants filed the complaint against the respondent and argued that PB Catanghal's refusal to revoke the certification she issued is tantamount to a gross violation of the respondent's ministerial duties.

WHEREAS, the Committee on Barangay Affairs and the Committee on Ethics and Good Governance conducted a series of hearings on the said complaint and decided to recommend the dismissal of the said complaint to the Sanggunian.

WHEREAS, the decision of the Committees to recommend the dismissal of the said complaint was based on the following reasons:

- 1) The complainants seem to forget that the Punong Barangay is not a judge, the Lupon Tagapamayapa is not a court of law, and that the purpose of conciliation proceedings as mandated under the Revised Katarungang Pambarangay Law and the various circulars issued over the years by the Department of Interior and Local Government on this matter is not to find who is at fault between neighbors who are at odds but to find a way for them to amicably settle their differences without going to court. As such, lawyers are not allowed to attend the hearings of the Lupon and the conciliation proceedings are considered confidential, personal, and deliberate. Thus, even if the complainants really requested the respondent's permission to video record the said conciliation proceedings, the respondent cannot allow it because doing so will destroy the very purpose of the proceedings which is to help the contenting parties patch up their differences. Moreover, if the respondent allowed the video recording of the proceedings and the latter is used as evidence against the complainant's neighbor in court - the impartiality of the respondent as Punong Barangay shall be compromised rendering her ineffective as a conciliator in future disputes involving other residents of her barangay. The



DISTRICT I

HON. MIGUEL B. BAUTISTA
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ROWENA BAUTISTA-MENDIOLA
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

DISTRICT II

HON. ROBERTO L. ADVINCULA
City Councilor

HON. HERNANDO C. GUTIERREZ
City Councilor

HON. GAUDENCIO P. NOLASCO
City Councilor

HON. LEANDRO A. DE LEON
City Councilor

HON. ALDE JOSELITO F. PAGULAYAN
City Councilor

HON. ROBERTO R. JAVIER
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor - Liga ng Brgy. President

HON. MAC RAVEN ESPIRITU
City Councilor - SK FEDERATION PRESIDENT

Attested by:

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

Certified by:

HON. CATHERINE SARINO-EVARISTO
City Vice Mayor / Presiding Officer

Noted by:

HON. LANI MERCADO - REVILLA
City Mayor

- Committee noted that the respondent expressed during the hearings that she is fully aware of the nature of barangay conciliation proceedings and clearly stated why she refused to revoke the certification she issued in favor of the complainants' neighbor which is to preserve the confidential nature of the said proceedings;
- 2) Aside from their bare allegations, the complainants failed to adduce any evidence which would show that the respondent was biased in favor of their neighbor or that the respondent was motivated by malice in issuing the aforementioned certification. The affidavit dated 01 March 2021 submitted by Jeanette P. Daquipil, the paralegal of a lawyer who seem to be assisting the complainants, alleging that he/she witnessed the conciliation hearing in question could not be given probative value by the Committee considering that it is in conflict with the complainants' answer during questioning by members of the Committee that there were no other person with them during the said hearing. In view thereof, the presumption that the respondent regularly performed her official duties was not successfully rebutted by the complainants;
 - 3) Lastly, the revocation of the certification issued by the respondent is not a mere ministerial duty as doing so requires discretion and a thoughtful weighing of the legal consequences of such action. Thus, the allegation of the complainants that the respondent's refusal to revoke the certification she earlier issued is a gross violation of her ministerial duties as a punong barangay has no legal basis.

WHEREAS, in view of the abject dearth of evidence presented by the complainants against the respondent, the Sangguniang Panlungsod unanimously approved the recommendation of the Committee.

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED by the Sangguniang Panlungsod in regular online session duly assembled to **DISMISS** the complaint against Punong Barangay Adelaida J. Catanghal of Barangay Zapote III of this City due to lack of evidence.



DISTRICT I

HON. MIGUEL N. BAUTISTA
 City Councilor

HON. MICHAEL E. SOLIS
 City Councilor

HON. ROWENA BAUTISTA-MENDIOLA
 City Councilor

HON. ADRIELITO G. GAWARAN
 City Councilor

HON. VICTORIO L. GUERRERO, JR.
 City Councilor

HON. ALEJANDRO F. GUTIERREZ
 City Councilor

DISTRICT II

HON. ROBERTO L. ADVINCULA
 City Councilor

HON. HERNANDO C. GUTIERREZ
 City Councilor

HON. GAUDENCIO P. NOLASCO
 City Councilor

HON. LEANDRO A. DE LEON
 City Councilor

HON. ALDE JOSELITO F. PAGULAYAN
 City Councilor

ABSENT

HON. ROBERTO R. JAVIER
 City Councilor

HON. REYNALDO D. PALABRICA
 City Councilor - Liga ng Brgy. President

HON. MAC RAVEN ESPIRITU
 City Councilor - SK FEDERATION PRESIDENT

Attested by:

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

Certified by:

HON. CATHERINE SARINO-EVARISTO
 City Vice Mayor / Presiding Officer

Noted by:

HON. LANI MERCADO - REVILLA
 City Mayor

RESOLVED LASTLY, to furnish the complainants, the respondent, the DILG, and other government offices concerned with copies of this Resolution.

APPROVED by the Sangguniang Panlungsod of the City of Bacoor, Province of Cavite this 19th day of April 2021.

I hereby certify the truth and correctness of the above-quoted Resolution.

Certified by:

HON. CATHERINE SARINO-EVARISTO
 City Vice Mayor/ Presiding Officer

Attested by:

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

Noted by:

HON. LANI MERCADO-REVILLA
 City Mayor