



Republic of the Philippines
Province of Davao del Norte
Municipality of Braulio E. Dujali
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BEFORE THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF FORTY FOURTH (44TH) REGULAR SESSION OF THE 8TH SANGGUNIANG BAYAN OF BRAULIO E. DUJALI, DAVAO DEL NORTE AND HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON NOVEMBER 13, 2017, MONDAY.

PRESENT:

HON. DONNA MAE B. BERNADAS, Ed.D.	- Municipal Vice Mayor & Presiding Officer
HON. GREGORIO S. FACULA, MDMG	- Sangguniang Bayan Member
HON. MELFAR C. AGUILUZ	- Sangguniang Bayan Member
HON. ATTY. YASMIN V. CAMPION, REA, REB	- Sangguniang Bayan Member
HON. ADHEM F. FUNA	- Sangguniang Bayan Member
HON. RICKY T. DELCO	- Sangguniang Bayan Member
HON. NELSON C. BAER, RA	- Sangguniang Bayan Member
HON. ANNA C. CAGULADA	- Sangguniang Bayan Member
HON. EDUARDO M. ZAPATA	- Sangguniang Bayan Member
HON. ANGELITO P. ORILLOSA	- ABC Pres./Ex-Officio Member
HON. FRANCISCO D. BUCADON	- IPMR/Ex-Officio Member

ON OFFICIAL BUSINESS: NONE

ABSENT: NONE

RESOLUTION NO. 2017-198

Sponsor: Hon. Adhem F. Funa

Co-Sponsors: Hon. Atty. Yasmin V. Campion, REA, REB, Hon. Gregorio S. Facula, MDMG, Hon. Ricky T. Delco, Hon. Angelito P. Orillosa, Hon. Nelson C. Baer, RA, Hon. Anna C. Cagulada, Hon. Francisco D. Bucadon, Hon. Eduardo M. Zapata, Hon. Melfar C. Aguiluz

GIVING AUTHORITY TO ATTY. LEAH MARIE MORAL-ROMANO, MUNICIPAL MAYOR ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF BRAULIO E. DUJALI TO ENTER INTO MEMORANDUM OF AGREEMENT BY AND BETWEEN THIS LGU, THE PHILIPPINE NATIONAL POLICE UNIT, REPRESENTED BY PSI JAY B. NOCIDAL, CHIEF OF POLICE OF THIS MUNICIPALITY, DAVAO PENAL COLONY (DAPECOL) REPRESENTED BY MR. GERARDO F. PADILLA, MPA, ACTING SUPERINTENDENT, THE 16TH INFANTRY (MAGLILINGKOD) BATTALION, 2ND INFANTRY (JUNGLE FIGHTER) DIVISION, PHILIPPINE ARMY, REPRESENTED BY LT. COL. DARREN E. COMIA, INF (GSC) PA, SITUATED AT BARANGAY NEW VISAYAS, STO. TOMAS, DAVAO DEL NORTE AND THE 1003RD INFANTRY (RAPTOR) BRIGADE, 10TH INFANTRY (AGILA) DIVISION, HEREIN REPRESENTED BY ITS COMMANDER, COL. ERNESTO C. TORRES, JR. CAV (GSC) PA, IN CONNECTION WITH THE CREATION OF INCIDENT COORDINATING CENTER FOR STO. TOMAS, PANABO CITY, CARMEN AND BRAULIO E. DUJALI (ICC STPanCarDu) LOCATED INSIDE THE DAVAO PENAL COLONY (DAPECOL), TANGLAW, BRAULIO E. DUJALI, DAVAO DEL NORTE

WHEREAS, Lt. Col. Darren E. Comia, representative from 16th Infantry (Maglilingkod) Battalion, 2nd Infantry (Jungle Fighter) Division, Philippine Army appeared before the honorable council during its 43rd Regular Session the Memorandum of Agreement in connection with the establishment of Incident Coordinating Center for Sto. Tomas, Panabo City, Carmen and Braulio E. Dujali with the acronym ICC STPanCarDu for scrutiny and thorough discussion;

WHEREAS, this ICC STPanCarDu was initiated to ensure the safety of the inhabitants against terrorist attacks, enhance and sustain peace and order and development of the Local Government Units of Panabo City, Carmen, Braulio E. Dujali, Sto. Tomas and four respective Police Units;

WHEREAS, the ICC STPanCarDu's office will be strategically located inside the Davao Penal Colony (DAPECOL), Tanglaw, Braulio E. Dujali, Davao del Norte operating on 24/7 basis;

WHEREAS, the ICC STPanCarDu shall be operated and manned by four (4) personnel coming from 16th Infantry Battalion, Philippine Army, two (2) personnel coming from Davao Penal Colony, two (2) personnel coming from the Philippine National Police;

WHEREAS, this initiative is very advantageous for Dujalinians since the ICC STPanCarDu can be utilized during disaster and calamity occurrence and other terms and conditions for the effective implementation of said operation were stated in the MOA of which contents are as follows:

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement is hereby entered into by and between;

The Local Government of the City of Panabo, Municipality of Carmen, Municipality of Braulio E. Dujali, Municipality of Sto. Tomas and their respective Philippine National Police Units, herein represented by;

Mayor James G. Gamao (Panabo City)

PCI Frederick E. Deles (COP, Panabo City);

Mayor Virginia J. Perandos (Carmen)

PCI Eduard B. Jungco (COP, Carmen);

Mayor Leah Marie Moral-Romano (Braulio E. Dujali) PSI Jay B. Nocidal (COP, Braulio E. Dujali);

Mayor Daniel S. Batosalem Jr. (Sto. Tomas) PCI Dominador S. Cruda IV (COP, Sto. Tomas);

the Davao Penal Colony (DAPECOL), located at Tanglaw, Braulio E. Dujali, Davao del Norte, herein represented by its Acting Superintendent Mr. Gerardo F. Padilla, MPA, and hereinafter collectively referred to as the First Parties.

And

The 16th Infantry (Maglilingkod) Battalion, 2nd Infantry (Jungle Fighter) Division, Philippine Army situated at Barangay New Visayas, Sto. Tomas, Davao del Norte, herein represented by its Commanding Officer, LT. COL. DARREN E COMIA INF (GSC) PA; and, the 1003rd Infantry (Raptor) Brigade, 10th Infantry (Agila) Division, Philippine Army situated at Barangay New Visayas, Sto. Tomas, Davao del Norte, herein represented by its Commander, COL ERNESTO C TORRES JR CAV (GSC) PA, and hereinafter referred to as the Second Party;

WITNESSETH;

WHEREAS; on May 23, 2017 an ISIS inspired terrorist Maute group launched an offensive and occupied Marawi City. The said attack resulted to the death of more than 750 terrorist, 150 AFP/PNP personnel and 50 civilians, and that because of this incident no other than the President of the Republic of the Philippines himself declared Martial Law in Mindanao for the total annihilation of the Maute Group. The declaration of Martial law was intended to make sure that this incident will not escalate to other neighboring places;

WHEREAS; President Duterte upon assumption of office immediately created, to fulfill his promise during the campaign period, the Peace Panel to negotiate terms with the CPP/NPA/NDF with the end purpose of the cessation of the armed struggle of the latter;

WHEREAS; in spite of the declaration of the ceasefire by government to give way for the success of the negotiation, the NPA continued to harass the people in the area of STPanCardu (Sto. Tomas, Panabo City, Carmen and Braulio E. Dujali); they even burned establishments for nonpayment of their claimed revolutionary tax;

WHEREAS; on June 23, 2017, an encounter between the terrorist NPA and the PNP happened in Malitbog, Panabo City which resulted to the death of three (3) terrorist NPA's in the vicinity of Barangay Tubod, Carmen, Davao del Norte, due to the fast reaction of the combined AFP/PNP personnel in blocking all possible exits of the enemies;

WHEREAS; per intel report, continuous and persistent threat posed not only by the terrorist NPA to uphold their illegal interest but also by the terrorist Maute to humiliate the President in his backyard, including the local government units herein mentioned due to the proximity of their locations to Davao City;

WHEREAS; in order to ensure the safety of the inhabitants against terrorist attacks, enhancing and sustaining the peace and order and development of the area, the Local Government Units of Panabo City, Carmen, Braulio E. Dujali, Sto. Tomas and their respective Police units and the men from the 16th Infantry Battalion, 2ID, PA and the 1003rd Infantry Brigade, 10ID, PA together with the Acting Superintendent, DAPECOL initiated to create an **Incident Coordinating Center for Sto Tomas, Panabo City, Carmen and Braulio E. Dujali (ICC STPanCardu)** which will be composed of the parties herein mentioned;

NOW THEREFORE, for and in consideration of the foregoing premises, the Parties hereby mutually agree and covenant as follows:

- A. An ICC STPanCarDu will be created and its office will be strategically located inside the Davao Penal Colony (DAPECOL), Tanglaw, Braulio E. Dujali, DDN, operating on a 24/7 basis. That for the interim, DAPECOL shall provide the office as well as billeting space for those who will man the ICC, subsequently thereafter, the stakeholders will take care of the construction and maintenance of the Center.
- B. The ICC STPanCarDu will be operated and be manned as follows;
 1. Four (4) personnel will be coming from 16th Infantry Battalion, PA;
 2. Two (2) personnel will be coming from the Davao Penal Colony; and,
 3. Two (2) personnel will be coming from the PNP.

The COP in coordination with their respective Mayors shall agree among themselves on the manner and procedure in the deployment of their respective personnel in the ICC STPanCarDu.

C. **Provisions and Office Supplies:**

1. The ICC shall use what is available at-hand, however, procurement shall be made later depending on its needs;
 2. The LGU STPanCarDu will contribute for the food provision for those who will man the ICC. Donation from stakeholders will be encouraged.
- D. The proposed organizational structure, proposed operational concept, proposed operational details and proposed local ICC Management Committee of the ICC STPanCarDu are hereby attached as Annex "A", "B", "C", "D" respectively forming an integral part hereof.

E. That in cases of lawlessness, chaos and disorder within the area of STPanCarDu, it is the commitment of all local governments herein mentioned to fully assist in whatever capacity necessary and its Police force as well the 16IB to place a Checkpoints/Blockade in the following areas:

- | | |
|--|---|
| 1. Panabo CPS | - Crossing Gamao and National Highway
- Brgy Southern Davao, Panabo City
- Triplex area |
| 2. Carmen MPS | - National Highway, Carmen
- Carmen-Sto Tomas Road
- Brgy Tuganay - National Highway |
| 3. Braulio E. Dujali MPS | - Brgy Tuganay - National Highway
- Brgy Kinamayan, Sto Tomas
- Brgy La Libertad, Sto Tomas |
| 4. Sto Tomas MPS | - La Libertad, Sto Tomas
- Brgy Kinamayan, Sto Tomas
- Triplex area |
| 5. PPSC in Brgy Malitbog | - Along Panabo-StoTomas Highway
(Crossing Brgy. Tubod, Carmen and Brgy Manay) |
| 6. DAPECOL Personnel | - Triplex Area - CIW Road
- Triplex Area - Magsaysay Road |
| 7. 16 th Infantry Battalion | - San Jose PB (Sto Tomas - Kapalong Road)
- Tulalian PB (Tulalian - Balagunan Road)
- Dalisay PB (Dalisay - Manay Road)
- Sta Cruz PB (Sta Cruz - Tagpore Road)
- Tagpore - Malativas - Consolacion - Kauswagan Road
- Act as ICC Reaction Force |

F. Level of Response:

Level 1 - Incident that can be contained and managed by responding law enforcement agency such as but not limited to theft, petty crimes and others

Level 2 - Incident that needs action and response of other law enforcement agency to block possible exit routes of perpetrators such as but not limited to stealing of motor vehicles and motorcycles, robbery, snatching, shooting incident and others

Level 3 - Incident that needs action and response of all law enforcement agency such as but not limited to attack perpetrated by the local terrorist group and lawless elements, attack by the Communist Terrorist, bank and pawnshop robbery perpetrated by organized crime group and others.

G. It shall be the obligation of the Local ICC to perform the following:

1. To direct, supervise and monitor the conduct of the ICC in the Municipal level;
2. To evaluate and validate informations in the matter of security, disaster or incident that will be received from its constituents;
3. To report immediately matters that needs ICC action;

4. To assess and evaluate the incident and recommend an adjustment to the operational detail of the ICC, if necessary;
5. To perform such other task it may be deemed proper or as requested by the ICC;
6. To designate an office for the Local ICC Management Committee.

H. It shall be the obligation of the ICC STPanCarDu to perform the following:

1. To activate the Local ICC Management Committee and ensure its sustainability;
 2. To make an inventory of all Quick Reaction Team personnel and equipment of the local ICC;
 3. To conduct simulation exercise and table-top exercise from time to time;
 4. To conduct massive information dissemination regarding the operational concept of local ICC in cooperation with the local ICC Management Committee;
 5. To see to it that all local ICC shall have base and handheld portable radios for every Barangay/Purok. Available equipment and assets at-hand will be used, however, procurement shall be made later depending on the ICC needs assessment;
 6. To make funds available for this purpose.
- I. The Management Committee headed by the Chairman of the STPanCarDu shall have a Command Conference every third (3rd) Wednesday of the Month. However, the Chairman STPanCarDu can call for a Special Meeting among all the members anytime as deemed necessary by the Management Committee.

IN WITNESS WHEREOF, the parties hereunto have signed these presents this ____ day of _____, 2017 at Brgy New Visayas, Sto Tomas, Davao del Norte, Philippines.

The First Parties:

HON. JAMES G. GAMAO
City Mayor, Panabo City, Davao del Norte

PCI FREDERICK E. DELES
COP, Panabo CPS

HON. VIRGINIA J. PERANDOS
Municipal Mayor, Carmen, Davao del Norte

PCI EDUARD B. JUNGCO
COP, Camen MPS

HON. LEAH MARIE MORAL-ROMANO
Municipal Mayor, Braulio E. Dujali, Davao del Norte

PSI JAY B. NOCIDAL
COP, Braulio E. Dujali MPS

HON. DANIEL S. BATOSALEM JR
Municipal Mayor, Sto. Tomas, Davao del Norte

PCI DOMINADOR S. CRUDA IV
COP, Sto Tomas MPS

MR. GERARDO F. PADILLA
Acting Superintendent, DAPECOL

The Second Parties:

LTC DARREN E. COMIA INF (GSC) PA
Commanding Officer, 16IB, 2ID, PA

COL ERNESTO C. TORRES JR CAV (GSC) PA
Commander, 1003rd Bde, 10ID, PA

Signed in the presence of:

HON. ANTHONY G. DEL ROSARIO
Governor, Davao del Norte

MGEN RHODERICK M PARAYNO AFP
Commander, 2ID, PA

HON. ALAN R. DUJALI
Vice Governor, Davao del Norte

MGEN NOEL S CLEMENT AFP
Commander, 10ID, PA

PSSUPT MARCIAL MARIANO P MAGISTRADO IV
Provincial Director, Davao del Norte Police Provincial Office

MR. NORMAN JAY A. INGUILLO
Administrative Officer, Congressional Office of Cong. Floirendo

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
CITY OF DAVAO) s.s.
X_____X

BEFORE ME, a Notary Public for and in Panabo City, this _____, 2017
personally appeared the following:

Name

Competent Evidence of Identity

Mayor James G. Gamao
Mayor Virginia J. Perandos
Mayor Leah Marie Moral-Romano
Mayor Daniel S. Batosalem Jr.
Mr. Gerardo F. Padilla, MPA
Lt. Col. Darren E. Comia PA
Col. Ernesto C. Torres Jr PA

PCI Frederick E. Deles
PCI Eduard B. Jungco
PSI Jay B. Nocidal
PCI Dominador S. Cruda IV

all known to me to be the same persons who executed and signed in my presence the foregoing instrument, acknowledging to me that the same is their true, free, acts and deeds, and also that of represented.

This instrument consisting of six (6) pages including this page whereon this acknowledgment is written, signed on all pages by the parties and their witnesses, refers to a Memorandum of Agreement for the creation Incident Coordinating Center for STPanCarDu.

WITNESS MY HAND & SEAL, on the date and place above-written.

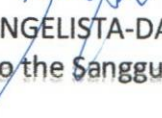
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Book No. _____
Series of 2017

WHEREFORE, on motion of Hon. Adhem F. Funa and duly seconded by all Sangguniang Bayan members, it is hereby;


RESOLVED TO GIVE AUTHORITY AS THIS BODY HEREBY GIVES AUTHORITY TO ATTY. LEAH MARIE MORAL-ROMANO, MUNICIPAL MAYOR ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF BRAULIO E. DUJALI TO ENTER INTO MEMORANDUM OF AGREEMENT BY AND BETWEEN THIS LGU, THE PHILIPPINE NATIONAL POLICE UNIT, REPRESENTED BY PSI JAY B. NOCIDAL, CHIEF OF POLICE OF THIS MUNICIPALITY, DAVAO PENAL COLONY (DAPECOL) REPRESENTED BY MR. GERARDO F. PADILLA, MPA, ACTING SUPERINTENDENT, THE 16TH INFANTRY (MAGLILINGKOD) BATTALION, 2ND INFANTRY (JUNGLE FIGHTER) DIVISION, PHILIPPINE ARMY, REPRESENTED BY LT. COL. DARREN E. COMIA, INF (GSC) PA, SITUATED AT BARANGAY NEW VISAYAS, STO. TOMAS, DAVAO DEL NORTE AND THE 1003RD INFANTRY (RAPTOR) BRIGADE, 10TH INFANTRY (AGILA) DIVISION, HEREIN REPRESENTED BY ITS COMMANDER, COL. ERNESTO C. TORRES, JR. CAV (GSC) PA, IN CONNECTION WITH THE CREATION OF INCIDENT COORDINATING CENTER FOR STO. TOMAS, PANABO CITY, CARMEN AND BRAULIO E. DUJALI (ICC STPanCarDu) LOCATED INSIDE THE DAVAO PENAL COLONY (DAPECOL), TANGLAW, BRAULIO E. DUJALI, DAVAO DEL NORTE

CARRIED.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


JULIET EVANGELISTA-DAANTON
Secretary to the Sanggunian
(MGDH I)

Attested to be duly adopted:


DONNA MAE B. BERNADAS, Ed.D.
Municipal Vice Mayor & Presiding Officer