

Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
21st City Council

PO21CC-043

12th Regular Session

ORDINANCE NO. SP 2872 S-2019

AN ORDINANCE CREATING THE CITY REAL ESTATE MANAGEMENT AND CONTROL OFFICE (CREMCO) UNDER THE OFFICE OF THE CITY MAYOR AND CREATING FIFTEEN (15) REGULAR PLANTILLA POSITIONS THEREOF.

Introduced by Councilor **BERNARD R. HERRERA**.

Co-introduced by Councilors **Lena Marie P. Juico**,
Donatya A. Delarmente, M.D., **Tany Joe "TJ" L. Calalay**, **Nicole Ella V. Crisologo**, **Victor V. Ferrer, Jr.**,
Winston "Winnie" T. Castelo, Atty. **Bong Liban**,
Ramon P. Medalla, **Mikey F. Belmonte**, **Estrella C. Vernaena**, **Frans S. Pamaren**, **Kate Galang-Coseteng**,
Manolo John T. Defensor, **Wencler Benedict C. Laminbagan**, **Jorge L. Canul, Sr.**, **Peachy V. De Leon**,
Ime A. Rillo, **Murra C. Suntay**, **Irene R. Belmonte**,
Rey B. Malangen, **Ivy L. Lagman**, **Hero M. Bautista**,
Jose A. Visaya, **Karl Castelo**, **Patrick Michael Vargas**,
Ram A. Medalla, **Allan Burch T. Francisco**, **Marivic Co Pilon**,
Melencio "Bobby" T. Castelo, Jr., **Rogelio "Roger" P. Juan**,
Dorella Maria G. Sotto-Antonio, **Donato "Donny" C. Matias**,
Eric Z. Medina and **Fredrick S. Roxas**.

WHEREAS, there must be a City Government Office that will operate as the executive organizational component responsible in the evaluation, valuation, processing and inventory of all real properties (land, improvements and buildings) owned, against that of to be owned, utilized, and that of to be disposed by the City Government;

WHEREAS, the office shall be in charge with valuation and evaluation in the requisition, utilization, disposal and inventory of City's real properties and be accountable of these properties;

WHEREAS, the Commission on Audit (COA) has issued a ruling that no public funds shall be appropriated for any infrastructure project unless there is a proof of ownership on land in favor of the government, which was based on the provision of Section 335 of Republic Act No. 7160 (Local Government Code of 1991) which states that no public money or property shall be appropriated or applied for religious or private purposes.

WHEREAS, the abovementioned Audit Ruling and provision of the Local Government Code of 1991 will be tantamount for identification and validation of proof of ownership of the City for real properties where infrastructure projects will be established and therefor inventory and acquisition of real properties must be conducted prior to the implementation of said projects;

WHEREAS, utilization of real properties requires careful and sensitive evaluation in assigning these properties and adopting the applicable rules, both for patrimonial and public domain properties;

WHEREAS, surmountable number of properties forfeited in favor of the City Government from auction sales of delinquent properties conducted by the City Treasurer's Office requires processing of transfer of ownership in favor of the City whereby these properties may be utilized by the City for infrastructures or disposed by the City for housing projects or sold by the City at public auction to generate additional funds for the City;

WHEREAS, out of one hundred forty-two (142) barangays of Quezon City, thirty eight (38) barangays have no registered property in favor of the City and some are established in private properties and some have unknown ownership, and this scenario will require tedious research and processing for acquisition of properties;

WHEREAS Report from the City Auditor Observation Memorandum No. 2018 023 dated April 13, 2018 disclosed that the Land Account incurred discrepancies due to lack of documentation and appraisal of each real property owned by the City and recommended the hiring of real estate appraiser for effective tracking, fiscal and control activities;

WHEREAS in City Ordinance No. SP-2771, S-2018 (Quezon City Comprehensive Socialized Housing Code) under Item No. 1-3-5 Section 1, Article II, and Section 2 Article IV had created a Real Estate Management Division under Housing, Community Development and Resettlement Department (HCDRD) tasked for research, inventory and acquisitions for lands suitable for socialized housing projects, however, the aforesaid functions are exclusively for socialized housing projects only,

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WHEREAS, in City Ordinance No. SP-2832, S-2019 (Reorganization of City General Services Department) under Item No. 1.1 of Section 1 Items No. 2.1, 2.2 and 2.3 of Section 2 relative to creation of thirty (30) plantilla positions of Fixed Assets Management Division, and Item No. 2.5.1 of Section 2 relative to functions of Fixed Assets Management Division, wherein Fixed Assets Management Division under the City General Services Department was created for inventory of land and improvements, and formulate policies in disposition of real properties owned by the City, however, the mandate of CGSD is for custodianship of properties already owned by the LGU as prescribed in the Local Government Code of 1991 which consists of security and maintenance of the property and the inventory mentioned in the Ordinance involves physical count and description of the property, it does not involved evaluation of the property which is needed in reconciliation of Accounts from the Books of accounts of Accounting Department;

WHEREAS, due to voluminous number of Court petitions that must be filed involving judicial reconstitution, issuances of new Transfer Certificate of Titles and recoveries of possessions, and the formulation and facilitation of instruments of acquisitions, utilizations and dispositions, there is a need that some functions be lifted from City Legal Department, such as preparation and collation of the documents, notwithstanding, the functions of the City Legal Department pursuant to R.A. No. 7160 (Local Government Code of 1991);

WHEREAS pursuant to Section 455 (b)(3)(viii) of the said Code, the City Mayor shall provide efficient and effective property and supply management in the city; and protect the funds, credits, rights and other properties of the City;

WHEREAS, pursuant to Section 454 (c) of R.A. No. 7160 (Local Government Code) states

(c) The Sangguniang Panlungsod may:

- (1) x x x
- (2) Create such other offices as may be necessary to carry out the purposes of the city government; or
- (3) Consolidate the functions of any office with those of another in the interest of efficiency and economy.

WHEREAS, in City Ordinance No. SP 2832, S-2019 (Reorganization of City General Services Department) under Item No. 1.1 of Section 1, Items No. 2 1, 2.2 and 2.3 of Section 2 relative to creation of thirty (30) plantilla positions of Fixed Assets Management Division, and Item No. 2 5.1 of Section 2 relative to functions of Fixed Assets Management Division, wherein Fixed Assets Management Division under the City General Services Department was created for inventory of land and improvements, and formulate policies in disposition of real properties owned by the City, however, the mandate of CGSD is for custodianship of properties already owned by the LGU as prescribed in the Local Government Code of 1991 which consists of security and maintenance of the property and the inventory mentioned in the Ordinance involves physical count and description of the property, it does not involved evaluation of the property which is needed in reconciliation of Accounts from the Books of accounts of Accounting Department:

WHEREAS, due to voluminous number of Court petitions that must be filed involving judicial reconstitution, issuances of new Transfer Certificate of Titles and recoveries of possessions, and the formulation and facilitation of instruments of acquisitions, utilizations and dispositions, there is a need that some functions be lifted from City Legal Department, such as preparation and collation of the documents, notwithstanding, the functions of the City Legal Department pursuant to R.A. No. 7160 (Local Government Code of 1991);

WHEREAS pursuant to Section 455 (b)(3)(viii) of the said Code, the City Mayor shall provide efficient and effective property and supply management in the city; and protect the funds, credits, rights and other properties of the City;

WHEREAS, pursuant to Section 454 (c) of R.A. No. 7160 (Local Government Code) states

(c) The Sangguniang Panlungsod may:

- (1) $x \setminus x$
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- (3) Consolidate the functions of any office with those of another in the interest of efficiency and economy.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN
REGULAR SESSION ASSEMBLED:

SECTION 1 CREATION OF OFFICE. - It is hereby created an
office named as "City Real Estate Management and Control Office"
(CREMCO for brevity) under the Office of City Mayor of Quezon City.

SECTION 2 FUNCTIONS. - The City Real Estate Management
and Control Office (CREMCO) under the Office of the City Mayor shall
perform the following functions with integrity, competency, effectivity,
efficiency and productivity:

2.1. In coordination with the City General Services
Department, initiate the conduct of a comprehensive inventory of
all real properties of the City Government, record systematically
the values of lands, buildings and improvements owned by the
City inclusive of its physical conditions; reconcile the same with
the records of the Accounting Department; and submit Annual
Report with the Commission on Audit and Office of the City
Mayor; inclusive of real properties owned by the party subject of
relative agreement.

2.2 Facilitate and process the acquisitions and recoveries
of real properties by way of purchases, donations, forfeitures,
expropriations, exchanges, assignments and other forms of
conveyances in favor of the City Government.

2.3. File petitions in Court, upon instruction of the City
Legal Department, for all real estate cases inclusive of judicial
reconstitutions, recovery of possessions, cancellations of titles
for properties forfeited by the City, issuance of new owner's
duplicate of title, etc.

2.4 Prepare and facilitate the approval of plans and
technical descriptions needed for partitions, subdivisions
resurveys, or consolidations of real properties as documentary
support issuance of titles necessary for acquisitions and
disposal of properties for roads, infrastructures and housing
projects of the City Government

2.5 Secure and consolidate all supporting documents
necessary for judicial and administrative processing of
ownership in favor of the City Government for all modes of
acquisitions and dispositions of real properties of the City.

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2.6 Formulate legal instruments and agreements for acquisitions, utilizations or dispositions of City's real properties and those properties owned by the other party subject of agreement to be indorsed to the City Council for the City Mayor's authority to sign the aforesaid instruments or agreements; or approval of pertinent ordinances.

2.7. Take the responsibility and accountability of all City real properties such as agreements, instruments and other pertinent records related to city's real properties.

2.8. Evaluate, render opinion and professional advice or objection as the case maybe, and proper recommendations with the City Council and Executive Officers for legislative and executive measures affecting real properties owned or will be owned by the City Government.

2.9. Provide legal and technical assistance with HCDRD and CPDO in identifying lands suitable for infrastructures and housing projects.

2.10. Provide information with the executive departments of offices and barangays relative to inventory of properties which are needed in planning, development, utilizations and insurance of facilities.

2.11. Prepare and formulate proposed policies, procedures or programs to be submitted to the City Mayor or the City Council in case maybe affecting properties of the City;

2.12. Exercise such other powers and perform such other duties and functions as maybe prescribed by law or ordinance.

SECTION 3. BUDGET. – Annually, CREMCO shall propose to the Office of the City Mayor its administrative and operational requirements and thereafter, that will cover the salaries, wages, benefits and other expenses necessary for the performance of its functions under this Ordinance.

For the first year, the amount of Six Million Five Hundred Thousand Pesos (Php6,500,000), or so much as may be necessary for the purpose, is hereby allocated for its Personnel Services while its other operational expenses shall be initially taken from the Office of the City Mayor.

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SECTION 4. CREATION OF SECTIONS. – The created City Real Estate Management and Control Office shall have two (2) Sections to wit:

1. Management Section
2. Operations Section

SECTION 5 CREATION OF REGULAR PLANTILLA POSITIONS. – The following fifteen (15) regular plantilla positions are hereby created under the City Real Estate Management and Control Office, as follows:

Item No.	Position	Salary Grade
	Special Operations Officer V	24

A. MANAGEMENT SECTION

Item No.	Position	Salary Grade
Item 2	Attorney IV	23
Item 3	Administrative Officer V (Administrative Officer III)	18
Item 4	Administrative Assistant II (Administrative Assistant)	9
Item 5	Administrative Aide IV (Driver II)	4
Item 6	Administrative Aide III (Utility Worker II A)	3

B. OPERATIONS SECTION

Item No.	Position	Salary Grade
Item 7	Attorney III	21
Item 8	Special Operations Officer III	18
Item 9	Special Operations Officer III	18
Item 10	Engineer II	16
Item 11	Special Operations Officer II	14

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SECTION 10 EFFECTIVITY CLAUSE. *This Ordinance shall take effect upon its approval.*

ENACTED. September 30, 2019.




GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

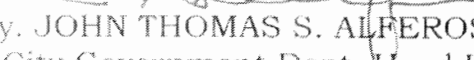
APPROVED: 09 OCT 2019



MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on September 30, 2019 and was PASSED on Third/Final Reading under Suspended Rules on the same date.



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

