



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen
www.pangasinan.gov.ph

OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on August 5, 2024 at the Session Hall, Capitol Building, Lingayen, Pangasinan, the following provincial resolution was approved:

Authored by SP Member Haidee S. Pacheco

PROVINCIAL RESOLUTION NO. 756-2024

ADOPTING AND APPROVING THE RECOMMENDATION OF THE COMMITTEE ON GOOD GOVERNMENT AND ACCOUNTABILITY OF PUBLIC OFFICERS, JUSTICE AND HUMAN RIGHTS AS ITS RESOLUTION IN THE IMPOSITION OF PREVENTIVE SUSPENSION OF THE RESPONDENT IN ADMINISTRATIVE CASE NO. 02-2024 AND ENDORSING THE SAME TO GOVERNOR RAMON V. GUICO III FOR IMPLEMENTATION

WHEREAS, the Sangguniang Panlalawigan was in receipt of the formal endorsement from the Anti-Red Tape Authority (ARTA) for the further investigation and filing of appropriate charges in relation to the Complaint filed by Bryan S. Gomez and Rowel S. Gonzales against Mayor Julio F. Parayno III and Ronald San Juan (Head of Business Processing & Licensing Officer) of Urdaneta City, Pangasinan, for violation of Section 21 (b) and (e) of Republic Act No. 11032 and Section 60 (c) of Republic Act No. 7160;

WHEREAS, the said case was referred to the Committee on Good Government and Accountability of Public Officers, Justice and Human Rights and was docketed as SP. Administrative Case No. 02-2024;

WHEREAS, the respondent Mayor Julio Parayno III has filed his Answer with Affirmative and Special Defenses, while complainant Rowel S. Gonzales has filed his Comment/Reply to the aforementioned Answer filed by the respondent Mayor;

WHEREAS, the Comment/Reply of complainant Rowel S. Gonzales included a Prayer for the imposition of a preventive suspension upon the respondent Mayor;

WHEREAS, after careful study and review of the merits of the case as well as the pleadings filed the parties herein, as well as the prayer for the imposition of preventive suspension upon the respondent Mayor, the Committee on Good Government and Accountability of Public Officers, Justice and Human Rights has submitted its Recommendation which was adopted as Committee Report No. 35-2024 by the Sangguniang Panlalawigan on its August 5, 2024 Regular Session;

WHEREAS, the Sangguniang Panlalawigan, in its plenary deliberations, finds the said Recommendation to be in order;



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NOW THEREFORE, on motion of SP Member Haidee S. Pacheco, duly seconded, it was –

RESOLVED, by the Sangguniang Panlalawigan in session assembled, to adopt and approve, as it is hereby adopted and approved, the Recommendation of the Committee on Good Government and Accountability of Public Officers as its Resolution in the imposition of preventive suspension of the respondent Mayor in SP. Administrative Case No. 02-2024, as follows:

RECOMMENDATION

The respondent Mayor filed his verified Answer with Affirmative and Special Defenses, while complainant Rowel S. Gonzales has filed his Comment/Reply to the aforementioned Answer filed by the respondent Mayor. The respondent filed his Comment/Rejoinder with Motion to dismiss to the Reply. Thereby joining the issue(s) in the instant case.

As for complainant REVM TIPOSU Poultry Farm, Inc., a Letter of Withdrawal was filed by the latter thru its lawyer, Atty. Mer Lyka A. Timan. In resolving the aforementioned withdrawal, this Committee noted that the desistance of witnesses does not automatically result in the dismissal of an administrative case, and jurisprudence is replete with cases holding that an affidavit of desistance is immaterial in administrative proceedings. This Committee also found that there exists prima facie evidence for the instant administrative complaint to proceed despite the withdrawal filed by complainant REVM Tiposu Poultry Farms, Inc.

Whereas, considering that the issue(s) have already been joined, this Committee is guided by the provisions of Section 63 (b) of Republic Act No. 7160, as well as Rule 6, Section 3 of Administrative Order No. 23, dated December 17, 1992, which warrant the imposition of preventive suspension in administrative disciplinary cases when the evidence of guilt is strong and, given the gravity of the offense, there is a great probability that the continuance in office of the respondent could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence.

Here, after a careful consideration of the records of the instant case and a serious discussion on the legality and validity of the imposition of preventive suspension upon the respondent mayor, there was unanimous agreement that the evidence of guilt is strong and given the gravity of the offense, there is great probability that the continuance in office of the respondent mayor could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence in this case. In relation to the foregoing, this Committee also takes note that the Comment/Reply of complainant Rowel S. Gonzales prays for the imposition of a preventive suspension upon the respondent mayor.

The Committee is also mindful of the fact that jurisprudential rulings abound, providing that preventive suspension is not a penalty and may be imposed without hearing.



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Lastly, Section 63 (b) of Republic Act No. 7160 provides that in the event that several administrative cases are filed against an elective official, he may be preventively suspended for not more than ninety (90) days.

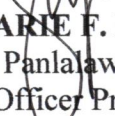
In view of the foregoing, it is therefore recommended that the respondent, Mayor Julio Parayno III of Urdaneta City, Pangasinan, be imposed a **ninety (90) day preventive suspension**.

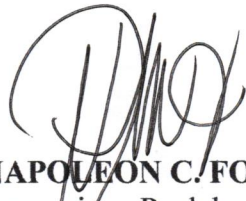
Let this Recommendation which is in the form of a Committee Report be forwarded to the Plenary for adoption on the next regular session of the Sangguniang Panlalawigan.

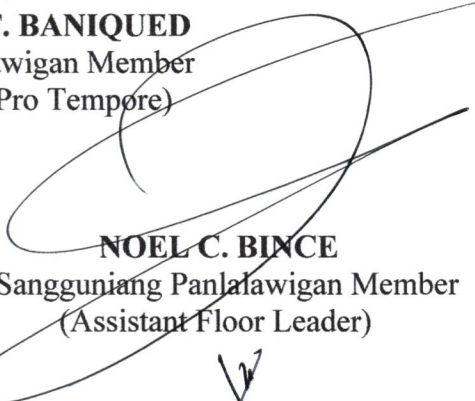
Lingayen, Pangasinan. August 5, 2024.

RESOLVED FURTHER, that this Resolution be endorsed to Governor Ramon V. Guico III for implementation;

RESOLVED FINALLY, that copies of this Resolution be furnished to the Department of Interior and Local Government, Governor Ramon V. Guico III, Mayor Julio Parayno III, and Mr. Rowel S. Gonzales, for their information and guidance.


SHIELA MARIE F. BANIQUED
Sangguniang Panlalawigan Member
(Presiding Officer Pro Tempore)


NAPOLEON C. FONTELERA
Sangguniang Panlalawigan Member
(Floor Leader)


NOEL C. BINCE
Sangguniang Panlalawigan Member
(Assistant Floor Leader)


APOLONIA D.G. BACAY
Sangguniang Panlalawigan Member


PHILIP THEODORE E. CRUZ
Sangguniang Panlalawigan Member


HAIDEE S. PACHECO
Sangguniang Panlalawigan Member



VICI M. VENTANILLA
Sangguniang Panlalawigan Member



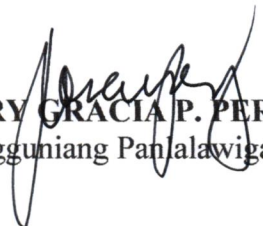
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MARINOR B. DE GUZMAN
Sangguniang Panlalawigan Member

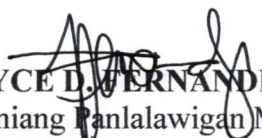

JERRY AGERICO B. ROSARIO
Sangguniang Panlalawigan Member



ROSARY GRACIA P. PEREZ-TABABA
Sangguniang Panlalawigan Member


NICHOLI JAN LOUIE Q. SISON
Sangguniang Panlalawigan Member


(On Leave)
SALVADOR S. PEREZ, JR.
Sangguniang Panlalawigan Member


CAROLYN D. SISON
Sangguniang Panlalawigan Member
(PCL Representative)

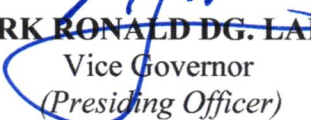

JOYCE D. FERNANDEZ
Sangguniang Panlalawigan Member
(Sangguniang Kabataan Representative)


RAUL R. SABANGAN
Sangguniang Panlalawigan Member
(Liga ng mga Barangay Representative)

CERTIFIED BY:


VERNA T. NAVA-PEREZ
Secretary to the Sanggunian

ATTESTED:


MARK RONALD DG. LAMBINO
Vice Governor
(Presiding Officer)