

REPUBLIC OF THE PHILIPPINES  
**OFFICE OF THE CITY MAYOR**  
CITY OF DAVAO

**EXECUTIVE ORDER NO. 36**  
Series of 2024

**AN ORDER RECONSTITUTING THE INVESTIGATING COMMITTEE AND ITS  
SECRETARIAT, IDENTIFYING THE SPECIAL ADMINISTRATIVE  
PROSECUTORS, AND DEFINING THE RESPECTIVE POWERS, FUNCTIONS, AND  
DUTIES THEREOF**

**WHEREAS**, Section 6, Article IX-A of the 1987 Philippine Constitution in relation to Executive Order No. 292 or the Administrative Code of 1987 empowers the Civil Service Commission (CSC) to prescribe, amend, and enforce rules and regulations to effectively carry into effect the provisions of the Civil Service Law and other pertinent laws which include the procedures in administrative cases in the Civil Service;

**WHEREAS**, pursuant to the above mandate, the CSC promulgated the 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS) last July 03, 2017;

**WHEREAS**, Section 83 to Section 88 of Republic Act No. 7160 or the Local Government Code of 1991 (LGC) provide that the administrative discipline and investigation of local government employees rests upon the local chief executive and shall be in accordance with the Civil Service Law, Civil Service rules and other pertinent laws;

**WHEREAS**, in its desire to put into place an effective and impartial system to conduct proper administrative proceedings, to ensure proper observance of due process, and to avoid delays in the disposition or resolution of complaints against employees of the City Government of Davao, the City Government, through the City Mayor, created an Investigating Committee by virtue of Executive Order No. 37 series of 2013, subsequently reconstituted through Executive Order No. 06 series of 2019, Executive Order No. 68 series of 2020, and Executive Order No. 62 series of 2022;

**WHEREAS**, there is a need to reconstitute the Investigating Committee to reflect the changes in its membership, specifically in the Special Administrative Prosecutors and the members of the Secretariat.

**NOW, THEREFORE, I, SEBASTIAN Z. DUTERTE**, Mayor of the City of Davao, by virtue of the powers vested in me by law, do hereby order the following:

**SECTION 1. RECONSTITUTION OF THE INVESTIGATING COMMITTEE.**

The Investigating Committee is hereby reconstituted and shall be composed of the following, to wit:

Chairperson: Atty. Osmundo P. Villanueva, Jr.  
Acting City Legal Officer, City Legal Office

Members:

- Ms. Melody C. Herrera  
Officer-In-Charge, Human Resource Management Office
- Ms. Vingelin A. Bajan  
City Accountant, City Accountant's Office

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**SECTION 2. POWERS, FUNCTIONS, AND DUTIES.** The Investigating Committee shall have the following powers and functions:

1. Conduct a Preliminary Investigation, through the Special Administrative Prosecutor, to determine the existence of *prima facie* to warrant the filing of a formal charge pursuant to Sections 18, 19, and 20 of the 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS);
2. Conduct conferences to expound on clarificatory and relevant questions, summon all parties concerned and/or issue notices, subpoena *duces tecum*, subpoena *ad testificandum*, show-cause, memoranda, and other lawful processes to appropriate individuals relative to a complaint filed against an employee of the City Government;
3. Submit to the City Mayor, through the Special Administrative Prosecutor, upon termination of the Preliminary Investigation, an Investigation Report with recommendation/s and the complete records of the case;
4. Conduct a Formal Investigation pursuant to Section 34 of the 2017 RACCS and Section 86 of the LGC and thereafter submit the findings and recommendations to the City Mayor upon the conclusion of the same; and
5. Perform such other functions as may be necessary to the foregoing and as the undersigned may assign from time to time relative to investigations or complaints made against employees of the City Government.

**SECTION 3. QUORUM AND VOTING SESSIONS.** A majority or a minimum of two (2) present members shall be necessary to constitute a quorum for the Investigating Committee to validly conduct any proceeding or conduct its affairs and the same number shall be necessary for it to act and vote on a matter brought before it.

**SECTION 4. SPECIAL ADMINISTRATIVE PROSECUTOR.** All administrative actions shall be prosecuted under the direction and control of a Special Prosecutor. A private prosecutor may be authorized to prosecute during the administrative proceedings subject to an affirmative vote of the Investigating Committee.

The following employees of the City Legal Office shall act as the Special Prosecutors during the conduct of the investigations brought before the Investigating Committee, to wit:

- |                                    |   |
|------------------------------------|---|
| 1. Atty. Enrique Junior A. Bonocan | - Attorney IV, Special Prosecutor, Lead       |
| 2. Atty. Aurelio R. Cortado III    | - Attorney IV, Special Prosecutor, Alternate  |
| 3. Atty. Normalah S. Madki         | - Attorney IV, Special Prosecutor, Alternate  |
| 4. Atty. Luchie G. Sasing-Elias    | - Attorney IV, Special Prosecutor, Alternate  |
| 5. Atty. Editha Roxas              | - Attorney III, Special Prosecutor, Alternate |

Additional administrative prosecutors may be designated by the City Mayor, as the need arises.

**SECTION 5. SECRETARIAT.** The Secretariat shall perform all clerical functions including, but not limited to encoding and service of appropriate communications, recording all the proceedings and other tasks necessary for the effective performance of the Investigating Committee.



The following office/persons shall form the Secretariat, to wit:

- |   |   |  |
|---|---|--|
| 1. Atty. Karmela A. Tongo                                       | - | City Legal Office<br>Head Secretariat                      |
| 2. Marie Antoinette B. Sindao                                   | - | City Planning & Development Office<br>Stenographer/Encoder |
| 3. Precious Mamelie A. Belviz                                   | - | City Legal Office<br>Office Support Staff                  |
| 4. Dee E. Macapundag  | - | City Legal Office<br>Office Support Staff                  |
| 5. Such other employees as may be designated by the City Mayor. |   |  |

**SECTION 6. HONORARIA OF MEMBERS, PROSECUTORS, AND SECRETARIAT.** The members of the Committee, its Secretariat, and Prosecutors, are entitled to receive honoraria, subject to appropriate government auditing rules and regulations.

**SECTION 7. FUNDING/OPERATING COSTS.** All costs pertaining to the operation of the Investigating Committee, including the payment of honoraria, if there be any, shall be taken from the available funds of the Office of the City Mayor.

**SECTION 8. SEPARABILITY CLAUSE.** If any part or provision of this Executive Order shall be declared invalid, the other portions or provisions hereof which are not affected thereby shall continue in full force and effect.

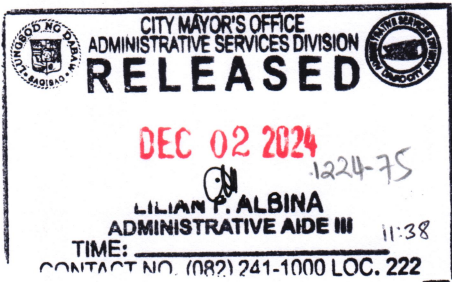
**SECTION 9. REPEALING CLAUSE.** All other Orders or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

**SECTION 10. EFFECTIVITY.** This Executive Order shall take effect immediately and shall remain effective unless sooner revoked or modified.

Done this NOV 27 2024 in the City of Davao, Philippines.

  
**SEBASTIAN Z. DUTERTE**  
City Mayor

Attested by:  
  
**ATTY. FRANCIS MARK H. LAYOG**  
City Administrator



Ref. No. ASD120224-2