

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
-oOo-

CITY ORDINANCE NO. 978
December 09, 2021

CENRO LEVEL UP ORDINANCE.

WHEREAS, President Rodrigo R. Duterte had issued Executive Order No. 138 on June 1, 2021, mandating the full devolution of certain functions of the Executive Branch to Local Governments as a measure to mitigate the fiscal impact of the Mandanas-Garcia ruling. Section 15 of the said Executive Order mandates the preparation of the Devolution Transition Plan by the Local Government Units (LGUs) in view of the full devolution which will commence on FY2022;

WHEREAS, Mayor Evelio R. Leonardia issued Executive Order No. 83-A, an Order Creating the Local Devolution Transition Team/Technical Working Group in charge of the preparation for the full devolution of functions to local governments;

WHEREAS, ENRO is one of the offices of the City Government tasked to prepare its Devolution Transition Plan;

WHEREAS, The devolved functions of National Government Agency under Section 17 of R.A 7160 mandates local government to: Pursuant to national policies and subject to supervision, control, and review of the DENR, enforcement of forestry laws limited to community-based forestry projects, pollution control law, small-scale mining law, and other laws on the protection of the environment; and mini-hydroelectric projects for local purposes, solid waste disposal system or environmental management system and services or facilities related to general hygiene and sanitation;

WHEREAS, there is an urgent need to strengthen the structure of our environment office given its present set-up and limited personnel to handle environmental programs and services, in preparation for the full devolution of certain functions of national government agencies to local government;

WHEREAS, The Department of Public Service which is a crucial department of the City Government as the implementing arm of its Solid Waste Management Program perform a minimal functions when the City started to outsource and privatized its garbage collection and disposal services since 2012. At present, regular employees of the Department were tasked to do street cleaning and garbage collection monitoring and some were reassigned to other offices to augment their manpower requirement;

WHEREAS, Solid Waste Management and other services related to pollution control, hygiene and sanitation were environmental functions directly supervised by the Department of Environment and Natural Resources (DENR) under its Environmental Management Bureau or EMB that is now fully devolved to LGUs;

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WHEREAS, The most effective and responsive strategy to strengthen the environmental management programs and services of the City is the merging of the two offices, the Department of Public Services and City Environment and Natural Resources Office, creating regular plantilla positions, reclassifying certain vacant regular plantilla positions, transferring existing regular plantilla positions to other offices and establishing a functional and responsive organizational structure with defined functions and responsibilities;

WHEREAS, the merged offices will be renamed as the City Environment and Natural Resources Office or CENRO;

NOW THEREFORE, be it enacted, as it is hereby enacted by the Sangguniang Panlungsod of Bacolod City in session assembled, that:

SECTION 1. SHORT TITLE

This Ordinance shall be known as "CENRO Level Up Ordinance".

SECTION 2. PURPOSE OF MERGING

The merging of DPS and ENRO is the most effective and responsive strategy to strengthen and expand the City's environmental management programs and services taking into accounts the present set-up and functions of both offices.

In addition, the merging is part of the Devolution and Transition Plan of the City as proactive measure in anticipation of the full devolution of certain functions of National Government Agencies to Local Governments specifically the devolved functions of Department of Environment and Natural Resources (DENR) which will commence on FY 2022;

SECTION 3. GENERAL FUNCTIONS OF CENRO

The City Environment and Natural Resources Office shall undertake the simultaneous implementation, enforcement and monitoring of various legislation concerning environment and natural resources such as the National Pollution Control Law, Solid Waste Management Act, Clean Air Act, Clean Water Act, Hazardous, Toxic and Nuclear Waste Act, Philippine Mining Act and implementation of climate change adaptation and mitigation measures as follows:

1. Formulate measures for legislative enactment and provide technical assistance and support for the Local Chief Executive's programs/projects to ensure delivery of basic services and adequate facilities related to environment and natural resources;
2. Develop plans and strategies for environmental and natural resources programs that the Local Chief Executive may implement which the Sanggunian is empowered to provide;
3. Direct frontline services concerning environment and natural resources during and in the aftermath of man-induced or natural calamities/disasters;



4. Recommend to the Sanggunian and/or advise the Local Chief Executive on all matters relative to the protection, conservation, maximum utilization and adoption of appropriate technology related to environment and natural resources;
5. Supervise the establishment, maintenance and protection of tree park, communal forests, watersheds, greenbelts and mangroves;
6. Coordinate with government agencies and non-governmental organizations in the enforcement of laws related to environment and natural resources.
7. Be in the frontline in the implementation of the City Solid Waste Management Plan and Climate Change Mitigation and Adaptation Plan.

SECTION 4. SPECIFIC FUNCTIONS AND SERVICES OF CENRO AS PER DEVOLUTION AND TRANSITION PLAN

1. Natural Resource Management Services

- 1) Enforcement of pollution control and environmental protection laws
- 2) Issuance of environmental clearance/permits
- 3) Apprehension and testing of smoke belching vehicles.
- 4) Implementation of climate change mitigation and adaptation program

2. Solid Waste Management & Street Cleaning Services

- 1) Implementation and Monitoring of Solid Waste Management Program
- 2) Street Cleaning Services
- 3) Conduct information, education, and communication activities among various sectors of waste generators and monitor the enforcement and compliance to pertinent laws, rules, and regulations.

3. Forest Management

- 1) Enforcement of Forest Laws
- 2) Implementation of the Integrated Social Forest Projects, Community Forest Projects and establish new regular tree/mangroves planting activities

4. Protected Areas and Wildlife

- 1) Establish, protect, and maintain tree parks and greenbelts.
- 2) Maintenance of the City's clonal nursery
- 3) Establish mangrove nursery and mangrove planting activities
- 4) Assist in the maintenance and protection of identified watershed and other protected areas

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5. Mines and Geo-Sciences Development

- 1) Enforcement and monitoring of the small-scale mining activities
- 2) Issuance of permit to extract gravel and other quarry resources

SECTION 5. DIVISIONS AND SECTIONS THAT WILL CARRY OUT THE ABOVE FUNCTIONS, PROGRAMS AND SERVICES

1. Administrative Services Division

- 1) Facilitate official transaction of office personnel, such as payroll, including following-up of procurement documents, payments/and such other documents relative to the function of the office
- 2) Maintain records of personnel in their 201 files including Leave records
- 3) Maintain records of office property and supplies
- 4) Assess and prepare performance evaluations of personnel as well as formulate system for easy reference
- 5) Develop management system to meet the objectives and targets of the office
- 6) Provides administrative and technical support to other divisions

2. Natural Resource Management Services Division

1. Environmental Research and Planning Section

- 1) Conduct Research necessary in the establishment of updated action plans namely:
 1. Solid Waste Management Plan
 2. Climate Change Adaptation and Mitigation Plan
 3. Integrated Forest Management Plan
 4. Pollution Control and Environmental Management Plan
- 2) Provide decision makers with reliable data and information so that they can come up with necessary programs and policies for sustained environmental management.
- 3) Provide community extension service for integrated social forestry management, maintenance of city tree parks and green belts and community-based mangrove reforestation projects
- 4) Coordinate the efforts of city departments, national government agencies and non-government organizations in the implementation of projects and programs and other related environmental concerns

2. Environmental Clearance and Permit Section

- 1) Issuance of clearances and permits
- 2) Issuance of Sand and Gravel permit
- 3) Water Discharge Permit
- 4) Endorsement for Issuance of Tree Cutting permit
- 5) Water extraction clearance/permit



3. Environmental Compliance and Enforcement Section

- 1) Conduct inspection of commercial and industrial establishments regarding their compliance with environmental laws and regulation (City Ordinances, National Laws)
- 2) Conduct survey and prepare inventory of establishments and industries concerning their emissions and discharges (create GIS)
- 3) Recommend Closure of business that repeatedly violates environmental laws and regulations

3. Solid Waste Management & Street Cleaning Division

- 1) Monitoring of garbage collection services and landfill facility operations implemented by the private garbage contractor
- 2) Implement Street Cleaning Services in major streets along commercial quadrant of the city
- 3) Conduct Information and Education Campaign related to SWM
- 4) Supervise and monitor Barangay Solid Waste Management Program implementation
- 5) Implement SWM programs and activities aligned with the objectives and targets of the City's 10-year Solid Waste Management Plan

SECTION 6. CENRO ORGANIZATIONAL STRUCTURE AND STAFFING AS A RESULT OF MERGING

The DPS and ENRO in coordination with the Human Resource Office has come up with an organizational structure for CENRO based on the existing regular personnel of DPS and ENRO, the existing regular positions to be reclassified and transferred and the necessary regular plantilla positions to be created and its corresponding qualification standards.

1. The CENRO Organizational Structure (Attached as Annex 1)

2. Existing Regular plantilla positions under the DPS which are proposed to be reclassified through conversion under this ordinance:

a. Position to be reclassified thru conversion



Office	From existing Vacant Position Title/SG	To be reclassified through conversion	Assigned Division under CENRO
DPS	Public Service Officer II-SG 15	Environmental Management Specialist II -SG 15/1	Section Head- Research and Planning Section
DPS	Supply Officer II-SG 15/1	Environmental Management Specialist II- SG 15/1	Section Head- Environmental & Enforcement Section

b. The Qualification Standards

1) EMS II –SG 15/1 -Section Head Research and Planning Section:

- o Bachelor's Degree in any of the following: BS In Forestry or any allied courses
- o Years' experience in Environmental Management Programs in government or in private industry.
- o 16 hours intensive training related to pollution control
- o Civil Service Professional Eligibility or other

2) EMS II SG 15/1-Section Head, Environmental and Enforcement Section

- o Bachelor's Degree in any of the following: BS in Forestry or any allied courses
- o Years' experience in Environmental Management Programs in government or in private industry.
- o 16 hours intensive training related to pollution control
- o Civil Service Professional Eligibility or other

3. Necessary Plantilla Position proposed to be created under this ordinance and to be funded under the 2023 Annual Budget:

a. Proposed Regular Position

Position Title	Salary Grade	Assigned Division under CENRO
Senior Environmental Management Specialist (SEMS)	SG 18/1	Division Head- Natural Resource and Services Management Division
Senior Environmental Management Specialist (SEMS)	SG 18/1	Division Head- Solid Waste and Street Cleaning Division

b. The Qualification Standards

1) SEMS SG18/1 –Division Head, Natural Resource Management Services Division

- Bachelor's Degree in any of the following: Environmental Engineering, Chemical Engineering, Mechanical Engineering, or any environmental related field
- 3 years' experience in Environmental management programs in government or in private industry.
- 16 hours intensive training related to pollution control or environmental safety management training
- Civil Service Professional Eligibility or other eligibility under special laws

2) SEMS SG18/1 –Division Head, Solid Waste Management and Street Cleaning Services Division

- Bachelor's degree in any of the following: Environmental Engineering, Chemical Engineering, Mechanical Engineering, or any environmental related field
- 3 years' experience in Environmental management programs in government or in private industry.
- 16 hours intensive training related to pollution control or solid waste management training
- Civil Service Professional Eligibility or other eligibility under special laws

4. Transfer of existing regular employees such as Drivers, Utility Workers and Laborers

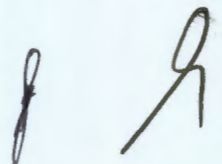
The existing regular employees of DPS which are assigned to other offices is proposed to be transferred where they are currently assigned to augment their manpower requirement. The City Human Resource Office is hereby directed to facilitate the inventory of employees and process the transfer after thorough consultation.

The personnel services allotment of regular employees who will be transferred to other offices will be added to the budget of the office that will absorb them.

5. Abolition of vacant positions such as Drivers, Utility Workers and Laborers

Existing vacant positions due to retirement, separation, or promotion such as Drivers, Utility Workers and Laborers that are deemed redundant and unnecessary are proposed to be abolished.

6. Additional Functions for existing regular Laborer and Utility Workers

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In addition to the present job description of existing permanent Laborers, Utility Workers, Drivers and Clerks, the head of office may utilize them to perform other tasks and functions deemed to be necessary in the implementation of the environmental management programs and services of the office.

7. Capacity Development Trainings

While in the process of transition, the existing regular employees of DPS and ENRO shall undergo capacity development training specifically in the areas related to the functions and services of the office. The capacity development training needs must be included in the capacity development agenda to be formulated by the city in compliance with the Executive Order 138.

8. Qualifications to be considered for the Department Head of CENRO

In addition to the Qualification Standards set by the Civil Service Commission for the position of City Government Department Head II (CGDH II), technical and core competencies in terms of knowledge and skills related to environmental management and services will be required.

9. Creation of additional positions as the need arises

Additional regular positions may be created in the future depending on the personnel requirement of the office.

SECTION 7. FUNDING REQUIREMENT AND APPROPRIATION

1. Budget of CENRO

The CENRO shall utilize the existing budget of two offices DPS and ENRO for its Personnel Services and Maintenance and Other Operating Expenses for FY2022.

2. Appropriation for Regular Positions created under this ordinance

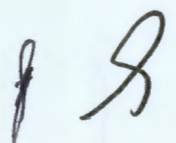
An amount of Two Million Pesos (P2, 000,000.00) is hereby appropriated for the personnel services of necessary regular plantilla positions created under this ordinance, and which shall be taken from the FY 2023 Annual Budget of the City.

SECTION 8. REPEALING CLAUSE

All other pertinent Ordinances and resolutions that may be in conflict or contradictory to the provisions of this ordinance are hereby repealed or amended accordingly.

SECTION 9. EFFECTIVITY

This ordinance shall take effect immediately after its due passage and approval.



CARRIED BY THE VOTE OF:

Affirmative :

Councilors : Cindy T. Rojas, Simplicia Z. Distrito, Carlos Jose V. Lopez, Al Victor A. Espino, Israel P. Salanga, Dindo C. Ramos, Bartolome N. Orola, Sr., Ana Marie V. Palermo, Ayesha Joy Y. Villaflor.

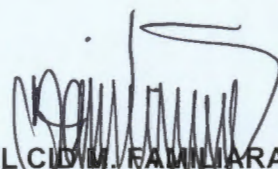
Negative : None.

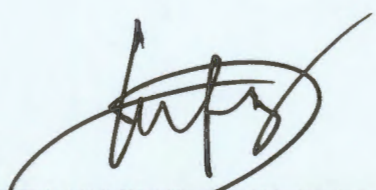
Absent : None.


Author : Councilor Carlos Jose V. Lopez

Passed : December 09, 2021 (127th Regular Session of the 10th Council via Zoom Teleconference)

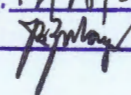
Comments : Passed.
Floor Leader Renecito S. Novero, Councilors Archie S. Baribar, Lady Gles Gonzales-Pallen and Wilson C. Gamboa Jr. were not around when this ordinance was passed.


EL CID M. FAMILARAN
Vice Mayor
Presiding Officer

ATTESTED: 
ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

APPROVED: DEC. 27, 2021
EVELIO R. LEONARDIA
City Mayor 

VCP/CGT/ngb

SP LEGISLATIVE
SERVICES SECTION
DATE: 12/28/21 TIME: 10:20 AM
BY: 

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