

Republic of the Philippines
Province of Cagayan
TUGUEGARAO CITY

NINTH CITY COUNCIL

COMMITTEE REPORT NO. 078-2025

February 25, 2025

Submitted by: **COMMITTEE ON RULES, LAWS AND ETHICS**
COMMITTEE ON GAMES, ENTERTAINMENT AND AMUSEMENT

PRESENT:

HON. MARC ALDOUS C. BACCAY	- Chairman, Rules
HON. TIRSO V. MANGADA	- Chairman, Games
HON. JUDE T. BAYONA	- Vice Chairman, (Rules) (Games)
HON. ARNEL T. ARUGAY	- Member, (Rules) (Games)
HON. GRACE B. ARAGO	- Member, (Rules) (Games)

RESOURCE PERSONS:

Atty. Roderick S. Iquin	- City Legal Officer
Ms. Evelyn Canapi	- Assistant City Treasurer
Mr. Jonathan Eric Pobre	- Franchise Owner
Atty. Jose Benjamin Kanapi	- Legal Representative of Mr. Pobre

SUBJECT:

Indorsement of the City Mayor, Hon. Maila Rosario S. Ting-Que, on the recommendation rendered by the City Legal Office regarding the revocation of the franchise to operate a cockpit issued to Mr. Jonathan Eric Pobre.

FOR THE PRESIDING OFFICER:

The Members of the Joint Committees met and deliberated on the Indorsement of the City Mayor, Hon. Maila Rosario S. Ting-Que, on the recommendation rendered by the City Legal Office regarding the revocation of the franchise to operate a cockpit issued to Mr. Jonathan Eric Pobre. The Joint Committees respectfully submit the herein Committee Report and has the honor to report to this August body in session the following actions taken, its findings and recommendations.

ACTIONS TAKEN:

1. The joint committees conducted a thorough and wholistic evaluation on the Indorsement of the City Mayor, Hon. Maila Rosario S. Ting-Que, on the recommendation rendered by the City Legal Office regarding the revocation of the franchise to operate a cockpit issued to Mr. Jonathan Eric Pobre on February 26, 2025.

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2. Resource persons were present to assist the joint committees in the committee deliberation.

FINDINGS:

1. The Eighth City Council in its 138th Regular Session held on May 24, 2022 approved City Ordinance No. 41-08-2022 titled “*Ordinance Granting Legislative Franchise to Mr. Jonathan Eric Y. Pobre to Establish and Operate a Cockpit located at Larion Alto, Tuguegarao City.*”
2. Mr. Jonathan Eric Pobre wrote a letter addressed to the City Mayor, copy furnished the Sangguniang Panlungsod, seeking for the withdrawal and/or revocation of the above-mentioned franchise issued to him by virtue of City Ordinance No. 41-08-2022.
3. The franchise grantee has requested the revocation of their franchise, which is set to expire in just a few months, due to reasons beyond their control that have prevented them from operating the cockpit. These reasons include:
 - a) The injunction case filed by Mr. Melvin Vargas against the Tuguegarao City Government, the 8th City Council and Mr. Jonathan Eric Pobre;
 - b) The necessary permits were not issued; and
 - c) The necessary structure for the cockpit has still to be constructed.
4. City Ordinance No. 03-09-2025 titled “*An Ordinance Revoking the Legislative Franchise to Operate a Cockpit Granted to Mr. Jonathan Eric Pobre on May 25, 2022 through City Ordinance No. 41-08-2022*” was forwarded to the Office of the City Mayor on February 07, 2025 and was returned **UNSIGNED** on February 24, 2025. Relative to this, Section 54 (b) of the Local Government Code states that:

“SECTION 54. Approval of Ordinances – (a) Every ordinance enacted by the Sangguniang Panlalawigan, Sangguniang Panlungsod, or Sangguniang Bayan shall be presented to the provincial governor or city or municipal mayor, as the case may be. If the Local Chief Executive concerned approves the same, he shall affix his signature on each and every page thereof; otherwise, he shall veto it and return the same with his objections to the Sanggunian, which may proceed to consider the same. The Sanggunian concerned may override the veto of the local chief executive by two-thirds (2/3) vote of all its members, thereby making the ordinance or resolution effective for all legal intents and purposes.

*(b) The veto shall be communicated by the local chief executive concerned to the Sangguniang within fifteen (15) days in the case of a province, and **ten (10) days in the case of a city or municipality; otherwise, the ordinance shall be deemed approved as if he had signed it.***

5. Under the Local Government Code of 1991, specifically Section 447, the City Council has the legal authority to grant franchises for the operation of cockpits. This power is part of the local government’s broader mandate to regulate local businesses and ensure that activities, including gambling and entertainment, are appropriately managed.
6. The City Council’s authority over these franchises also includes the power to revoke or cancel such franchises if the holder fails to comply with applicable laws, ordinances, or conditions set by the Council. The revocation on this case is warranted due to the franchise holder’s failure to adhere to the legal and regulatory requirements for starting operations.

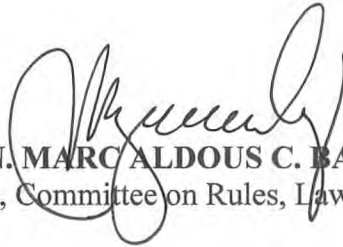
7. Since the ordinance has already been deemed approved, the recommendation letter submitted by the City Legal Officer, Atty. Roderick S. Iquin, is formally acknowledged and noted, as no further action or response has been requested from the council in relation to the matter.

RECOMMENDATIONS:

After a thorough discussion on the subject matter, the joint committees hereby recommend the following, to wit:

1. The Sanggunian has no proper action to undertake since the City Ordinance No. 03-09-2025 titled "*An Ordinance Revoking the Legislative Franchise to Operate a Cockpit Granted to Mr. Jonathan Eric Pobre on May 25, 2022 through City Ordinance No. 41-08-2022*" was deemed approved after the ten (10) days period have lapsed.
2. That the Office of the City Treasurer, in collaboration with the Office of the Local Chief Executive (LCE), is hereby entrusted with the responsibility of ensuring the proper enforcement of Mr. Pobre's obligations as discussed in the opinion of the City Legal Officer, Atty. Roderick S. Iquin.
3. That the Office of the City Treasurer is hereby assigned the responsibility of coordinating with Mr. Pobre and his legal counsel, Atty. Jose Benjamin Kanapi, in order to ensure the efficient and timely enforcement of their obligations.

Respectfully submitted:



HON. MARC ALDOUS C. BACCAY
Chairman, Committee on Rules, Laws and Ethics



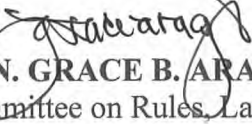
HON. TIRSO V. MANGADA
Chairman, Committee on Games, Entertainment and Amusement



HON. JUDE T. BAYONA
Vice Chairman, Committee on Rules, Laws and Ethics
Vice Chairman, Committee on Games, Entertainment and Amusement



HON. ARNEL T. ARUGAY
Member, Committee on Rules, Laws and Ethics
Member, Committee on Games, Entertainment and Amusement



HON. GRACE B. ARAGO
Member, Committee on Rules, Laws and Ethics