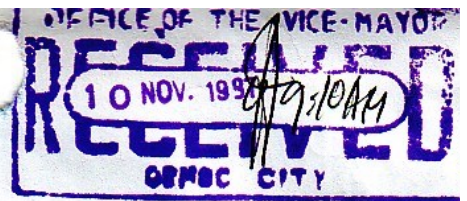


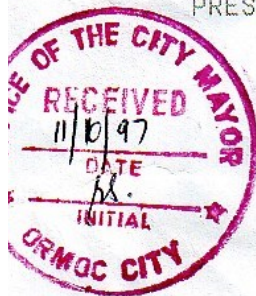


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SEVENTH  
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE  
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD  
BUILDING ON NOVEMBER 06, 1997

PRESENT:



|                                  |   |
|----------------------------------|---|
| Hon. Benjamin F. Tugonon,        | Vice-Mayor & Presiding Officer                                    |
| Hon. Celso P. Adolfo,            | Majority Floor Leader, Kagawad                                    |
| Hon. Claudio P. Larrazabal,      | Asst. Majority Floor Leader, Kagawad                              |
| Hon. Benjamin B. Lladoc,         | Kagawad   |
| Hon. Sotero M. Pepito,           | Kagawad   |
| Hon. Alfredo F. Capahi,          | Kagawad   |
| Hon. Manuel T. Fiel,             | Kagawad   |
| Hon. Jose C. Alfaro, Jr.,        | Kagawad   |
| Hon. Gregorio A. Yrastorza, Jr., | Kagawad   |
| Hon. Mariano Y. Corro,           | Minority Floor Leader, Kagawad                                    |
| Hon. Fernando P. Parrilla,       | Chapter Pres., Liga ng mga Barangay ng Ormoc, Ex-Officio, Kagawad |
| Hon. Chiqui B. Labagala,         | SK Federation President, Ex-Officio, Kagawad                      |
| Hon. Deborah Robin B. Conejos,   | (Appointed in lieu of Hon. Jose B. Conejos who resigned), Kagawad |

ABSENT:

N O N E

RESOLUTION NO. 97-208

PREFATORY STATEMENT

Ormoc City as an Independent Component City in the Eastern Visayas Region has been able to undertake major Infrastructure Development Projects funded out of local resources. These projects include various revenue generating projects which form part of its economic enterprises. One of the economic enterprise undertakings is the construction of the Ormoc City Superdome which is already completed.

The Ormoc City Superdome is one of the prides of the city. It would provide a decent and magnificent venue for sport competition and socio-cultural activities. The presence of this structure would contribute to the promotion of tourism and further provide the opportunities of holding concerts, benefit shows, convention, seminars, economic summits and fiesta celebration activities and at the same time provide additional income to the city.

The LGU's thrust of establishing more economic enterprise ventures in the City like the Shopping Mall, Expanded Water System, Public Market, and the Ormoc City Superdome caused the creation of the Economic Enterprise Committee. The Committee is primarily tasked in formulating policies, plans and guidelines in the operation, management, lease, and concessions of economic enterprises.

In order to provide the City Government the direction for an effective management in the operation of the Ormoc City Superdome, the Committee on Economic Enterprise recommends to this Sanggunian the passage of an Ordinance which will govern the operation/management of the Ormoc City Superdome and the fixing of the rentals, fees and other charges for the use thereof.



Moreover, the Local Government Code of 1991 (RA 7160), Section 22, par. (d) thereof provides: "Local Government Units shall enjoy full autonomy in the exercise of their proprietary functions and in the management of their economic enterprises, subject to the limitations provided in the Code and other applicable laws."

The Honorable City Mayor, through a letter dated 30 October 1997 has informed this Sanggunian that said request for the passage of an Ordinance entitled: "AN ORDINANCE GOVERNING THE OPERATION/MANAGEMENT OF THE ORMOC CITY SUPERDOME, AND THE FIXING OF THE RENTALS, FEES AND OTHER CHARGES FOR THE USE THEREOF", is certified as URGENT and "that immediate favorable action on said request is earnestly enjoined";

WHEREFORE, foregoing premises considered, on joint motion of Kagawad Benjamin B. Lladoc, Chairman, Committee on Ways & Means, and Kagawad Mariano Y. Corro, Chairman, Committee on Laws & Ordinances severally seconded by mga Kagawad Sotero M. Pepito, Claudio P. Larrazabal, Alfredo F. Capahi and Benjamin B. Lladoc; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass and enact,

ORDINANCE NO. 64

AN ORDINANCE GOVERNING THE OPERATION/MANAGEMENT OF THE ORMOC CITY SUPERDOME, AND THE FIXING OF THE RENTALS, FEES AND OTHER CHARGES FOR THE USE THEREOF.

BE IT ORDAINED by the 7TH SANGGUNIANG PANLUNGSOD NG ORMOC in REGULAR SESSION assembled, That:

SECTION 1. This Ordinance shall be known and cited as the Ormoc City Superdome Ordinance.

SECTION 2. Definition of Terms:

- a. Superdome - Ormoc City Superdome;
- b. City - the City of Ormoc;
- c. Administrator - the City Administrator of Ormoc;
- d. Economic Enterprise Committee (EEC)- the Committee created by the City Mayor of Ormoc under Executive Order No. 03-95 dated August 11, 1995, as amended by Executive Order No. 01-1997 dated March 24, 1997;
- e. The City Treasurer - the City Treasurer of Ormoc;
- f. The City Mayor - the City Mayor of Ormoc;
- g. Sanggunian - Sangguniang Panlungsod ng Ormoc.

SECTION 3. A) For the efficient operation of the Superdome, the following positions are hereby created and their qualifications based on the standard qualifications of the Civil Service Commission, with their corresponding particulars, to wit:



A.1 PERSONNEL COMPLEMENT

| <u>NO. OF<br/>POSITIONS</u> | <u>POSITION TITLE</u>   | <u>SALARY GRADE</u> |
|-----------------------------|---|---------------------|
| 1                           | Public Relations Officer IV<br>(Designation - Manager)  | SG-22               |
| 1                           | Engineer II (Technical Supervisor)  | SG-16               |
| 1                           | Information Officer I<br>(Designation: Promotion & Marketing<br>Officer)  | SG-11               |
| 2                           | Electrician 1   | SG-4                |
| 6                           | Utility Worker A (Designation)<br>- 1 (Clerk/Messenger)<br>- 1 (Sound System Technician)<br>- 1 (Air Condition Technician)<br>- 1 (Generator Set Technician)<br>- 2 (Laborer) | SG-3                |

A.2 Six (6) Security Guards will be hired from a licensed Security Agency to ensure proper safety and protection of the building as well as the users thereof. The hiring of the security guards will be through public bidding, or by negotiation if sealed bids have failed under the supervision of Pre-qualifications, Evaluations and Awards Committee (PEAC).

A.3 JOB DESCRIPTION OF POSITIONS

A.3.1 PUBLIC RELATIONS OFFICER IV SG - 22  
(Designation: MANAGER)

Under the direct supervision of the Office of the City Administrator, he is responsible in the overall administration and supervision of the SUPERDOME in its operations, promotion and marketing, and relative thereto, submits to the Economic Enterprise Committee, the following:

1. Five-Year Plan of income-generating activities;
2. Monthly/quarterly/yearly report of activities and corresponding income derived therein, in coordination with the Office of the City Treasurer;
3. Submit the Annual Budget for approval;
4. Submit the Guidelines and Policies concerning management, operation, promotion and marketing, subject to a yearly assessment and evaluation, for approval.

Informs the EEC on issues concerning the Superdome and recommends measure to address and improve them.

A.3.2. ENGINEER II -  
(Designation: TECHNICAL ENGINEER)

Responsible in the repair and maintenance of equipment and facilities of the Superdome.

Conducts regular inspection and check-up of all equipment and facilities installed in the Superdome.

Submits to the Manager a monthly report on equipment status and recommends measures for improvement.

Supervises the maintenance crew.

Performs other related duties as may be assigned by the Manager.

A.3.3 INFORMATION OFFICER I -

(Designation: PROMOTION & MARKETING OFFICER)

Responsible in the information dissemination to all types of media regarding press releases of activities held at the Superdome.

Assist the Manager in formulating promotional and marketing strategies of the Superdome, subject to EEC approval.

Gathers and supplies data relevant to the promotion and marketing operations of the Superdome.

Submits to the Manager a monthly progress and follow-up report on the promotion and marketing aspects.

Designs a brochure/pamphlet of the Ormoc City Superdome for printing and distribution, subject to EEC approval.

Performs other related duties as may be assigned by the Manager.

A.3.4 ELECTRICIAN I -

Responsible in the repair and maintenance of all electrical equipment and facilities of the Superdome.

Conducts regular inspection and testing of said equipment and facilities.

Submits a report to the Technical Supervisor on the status of equipment and facilities after regular inspection and testing.

Performs other related duties as may be assigned by the technical supervisor.

A.3.5.1 UTILITY WORKER -

(Designation: CLERK/MESSENGER)

Responsible for the safekeeping of all records of the Superdome.

Types, records and files communications.

Receives and delivers messages and communications.

Performs related other duties as may be assigned by the Supervisor.



A.3.5.2 UTILITY WORKER -  
(Designation: SOUND SYSTEM TECHNICIAN)

Assists in the repair and maintenance of amplifiers, speakers, mixers and all audio facilities installed inside the Superdome.

Conducts regular inspection and testing of sound system equipment.

Submits to the Technical Supervisor an equipment status report after regular inspection and testing.

Performs other related duties as may be assigned by the technical supervisor.

A.3.5.3 UTILITY WORKER -  
(Designation: AIR CONDITION TECHNICIAN)

Assists in the repair and maintenance of Air Condition Units.

Conducts regular inspection and testing of said equipment.

Submits to the technical supervisor an equipment status report after regular inspection and testing.

Performs other related duties as may be assigned by the technical supervisor.

A.3.5.4 UTILITY WORKER -  
(Designation: GENERATOR SET TECHNICIAN)

Assists in the repair and maintenance of the Generator Set, Automatic Controls and Circuit Breakers.

Conducts regular inspection and testing of said equipment.

Submits reports to the technical supervisor on the equipment status after every regular inspection and testing.

Performs other related duties as may be assigned by the technical supervisor.

SECURITY GUARD I -

To guard against fire, theft, vandalism, of all properties and equipment of the Superdome, and against unlawful entry at assigned area or building.

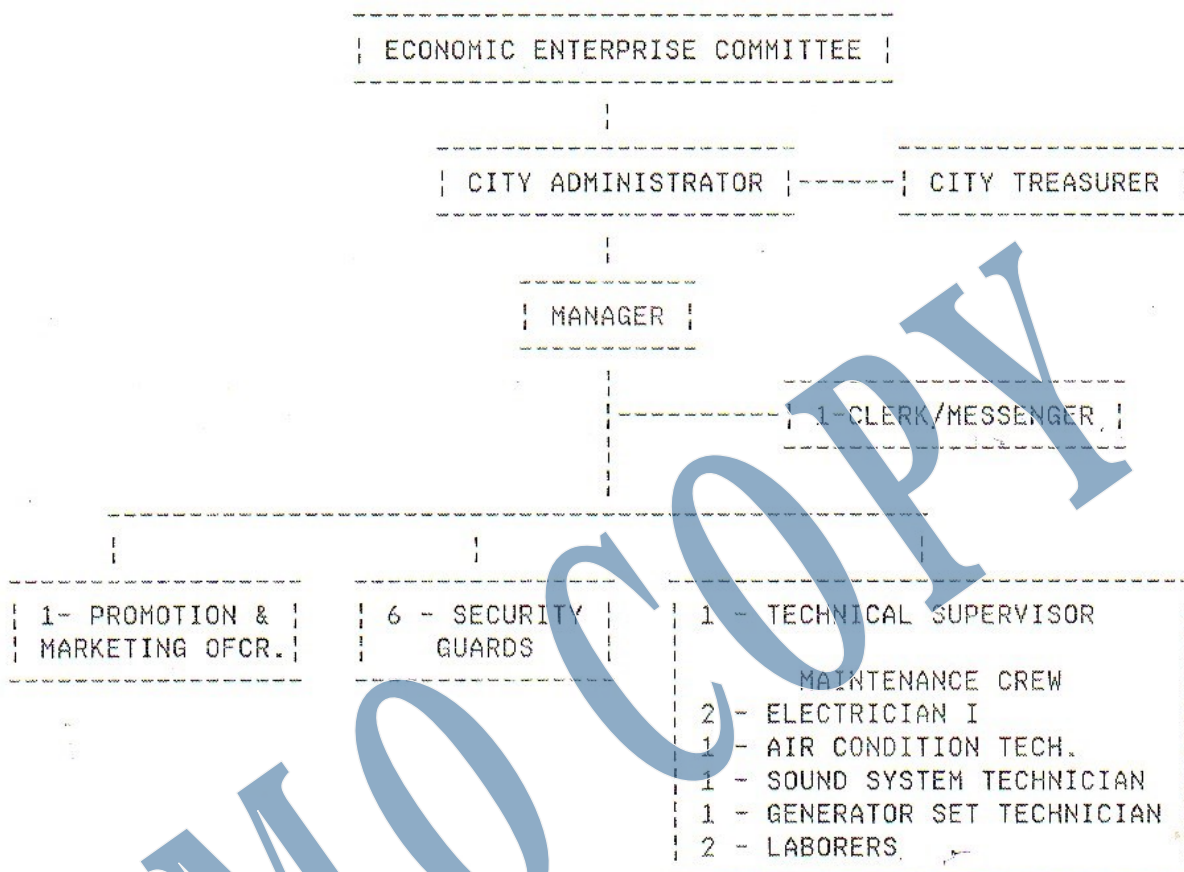
Be responsible for the maintenance of peace and order in the Superdome.

Checks locks to see they are secured.

Maintains a complete and updated Logbook and Record Book, Signs turn-over document during shifts after a thorough tour and inspection with the incoming and outgoing guard.

B.1 ORGANIZATIONAL STRUCTURE AND POSITION CHART

ORMOC CITY SUPERDOME



B.2 DUTIES AND RESPONSIBILITIES:

ECONOMIC ENTERPRISE COMMITTEE AS CREATED BY E.O NO. 03-95

1. Formulate policies, plans and programs governing the operation of Superdome;
2. Set standards and guidelines in the operation, lease and concession of Superdome;
3. Monitor the operation/management of Superdome;
4. Receives and evaluates report submitted by the City Administrator, on the operation of the Superdome.
5. Submit copies of the report submitted by the City Administrator to the Sangguniang Panlungsod.

CITY ADMINISTRATOR

1. Approves all activities that will be undertaken at the superdome; if a contract the same is subject to the approval of the Sangguniang Panlungsod.
2. Responsible for the overall-direction of its operation and management subject to policies setforth by the EEC.



3. Decides on issues and concerns that need immediate attention in relation to superdome operation;
4. Reviews and evaluates the qualifications of prospective operators, lessees, concessionaires and other interested parties (users) of the Superdome as submitted by the manager in accordance to guidelines set forth by the EEC.
5. Submit, Quarterly reports of the operation of the Superdome to the Economic Enterprise Committee.
6. Be answerable to the Mayor/Sangguniang Panlungsod or EEC.

MANAGER/PROMOTER

1. Responsible in the over-all operation/management of the Superdome under the direction and control of the City Administrator;
2. Prepares an annual schedule of activities;
3. Submits quarterly reports of income generated in the operation of the Superdome;
4. Sees to it that the users of the Superdome pay the rental/fees and other charges including amusement taxes were due to the Office of the City Treasurer.
5. Advise collection of monthly stall rentals of which payment shall be made directly to the City Treasurer;
6. Recommends for disbursement all the expenses related to the superdome operations;
7. Responsible in the promotion and marketing of the superdome;
8. Implements strictly the house rules and implementing guidelines in the operation of Superdome.

SECTION 4. a) The stalls in the Superdome including the spaces intended for canteen shall be leased thru sealed bids or by negotiation if sealed bids have failed under the supervision of Pre-Qualifications, Evaluations and Awards Committee (PEAC) on a per square meter per month basis which shall not be less than the rates stated hereunder, to wit:

Ground Floor . . . . . P150.00  
Second Floor . . . . . P100.00

b) The types of business that may be allowed at the ground floor are as follows:

1. Offices;
2. Refreshment Parlors;
3. Stores selling sports/souvenirs and related items;

c) The types of business that may be allowed at the second floor are the following:

1. Offices;
2. Mini-gym operators equipped with modern and new sports equipments/facilities;
3. Meetings/Conference rooms.

One of the stalls in the second floor will be reserved for exclusive use of the City Government of Ormoc as determined by the City Mayor.

d) The lease contract for the stalls shall contain among others the following terms and conditions, to wit:

1. The life of the lease contract shall not exceed three years renewable thereafter, on a yearly basis under such terms and conditions as maybe agreed by the parties;
2. All fixed improvements introduced by the occupants therein at the end of the lease become the property of the City Government of Ormoc;
3. Installation of toilet fixtures, air-conditioning, telephone, lights and other facilities at the stalls is at the expense of the lessee/occupants; (where applicable) subject to the written approval of the manager of the superdome.
4. Store spaces shall not be used as overnight sleeping quarters;
5. Store spaces should not be sub-leased to third party;
6. Payment of two (2) months security deposit and 1 month advance rental are required;
7. No renovation/improvement of stall shall be made by the occupant thereof without prior written approval from the Manager;
8. Only electric appliances are allowed for cooking;
9. Failure to pay the monthly rental for three (3) months will be a ground for ejectment, without prejudice to the payment of the rentals due plus interest.
10. The City is not responsible nor liable for damages/losses of the personal property of the lessee/occupants in their respective stalls
11. Monthly rental shall be paid directly to the Office of the City Treasurer and in advance within seven days of the month applicable without the need of any demand and rentals not paid on the due date shall earn an interest of 3% per month until paid.
12. Electric and water consumption shall be paid by the lessee;



13. Lessees/occupants of the second floor shall hold office until 5:00 P.M. only, if there is an ongoing activity inside the Superdome where entrance fee as collection, otherwise they may stay up to 10:00 P.M.;
14. The lessee shall surrender the stall space upon expiration of the lease contract unless renewed, and shall be liable for damages which the City of Ormoc may suffer for his failure to surrender the same;
15. No stalls, tables and or similar fixtures for selling, should be allowed outside the leased premises within the Superdome;
16. In the event that the stalls space leased is abandoned by the lessee before the expiration of the lease without justifiable cause, the City reserves the right to enter and relet the same and collect the rentals corresponding to the unexpired portion of the lease;
17. The City reserves the right to terminate the lease contract for failure or refusal of the lessee to pay the rentals agreed upon during the period stipulated in the lease contract or for violation of the terms and conditions thereof;
18. The lessee shall comply faithfully with the terms and conditions of the lease contract;

SECTION 5. For the use of the Superdome's Court and its stage, seats bleachers, the following charges shall be collected:

A) For activities in which ADMISSION FEE is charged:

- 1) For activities like, basketball, boxing, concerts (except rock concerts which are prohibited), variety shows, and other similar activities - TEN (10%) PERCENT of the gross receipts or SIX THOUSAND FIVE HUNDRED PESOS (P6,500.00) per hour whichever results to a higher revenue to the City.
- 2) For cockfighting (Derby) - FIFTEEN PERCENT (15%) of the combined gross areba and gate receipts/admission fees, or SIX THOUSAND FIVE HUNDRED PESOS (P6,500.00) per hour whichever results to a higher revenue to the City.

B) For activities in which NO ADMISSION FEE is collected:

- 1) For activities like, convention/seminars, religious activities, wedding/birthday parties, graduation, the following fees shall be collected according to the following schedule of fees.

THE FOLLOWING FEES SHALL BE COLLECTED ON A PER HOUR BASIS:

- 1.A Maximum use of Lights, Aircon and sound system . . . . . P6,500.00  
(8 Aircons; Full lights)



- 1.B Minimal Use of Lights, Aircon  
with sound system . . . . . P5,800.00  
(4 Aircons; 50% usage of Lights)
- 1.C 50% Usage of Lights and sound system;  
without Aircon with sound system. . . . . P2,200.00
- 1.D Without Use of Lights and Aircon  
with sound system . . . . . P1,400.00

SECTION 6. Responsibilities/accountabilities of the lessees/operators/promoters/users:

- a) Any damage(s) suffered or destruction caused to the superdome properties/equipment/facilities and other structures during the period of the lease/show will be repaired/replaced at the expense of the lessee/operator/promoter/user immediately after use or to pay the cost thereof at the option of the City.
- b) Any injury/casualty suffered or inflicted by any person at the time of the lease/show will be the sole responsibility of the lessee/operator/promoter/user;
- c) The City will always be rendered harmless and free from any liabilities for any incident that may happen inside the superdome at the time when it is leased or used by the lessee/operator/promoter;
- d) Maintenance of peace and order security and discipline during the lease/show shall be the responsibility of the lessee/operator/promoter.

SECTION 7. a) The following house rules shall always be observed at the Superdome; court and its surroundings by the user thereof.

1. No use of profane, abusive language;
2. No throwing of objects into the court;
3. No food and drinks allowed to be brought inside except when authorized or permitted by the management of the Superdome;
4. No taking of pictures, video and sound recordings, unless authorized or permitted to do so by the management of the Superdome and the user thereof;
5. No drunk, drugged persons and those not in proper decorum will be admitted into the Superdome;
6. No cooking inside the superdome will allowed unless authorized to do so; if authorized, only electric appliances will be used;
7. No person wearing leather shoes will be allowed in the playing court during games except the prescribed rubber playing shoes;
8. No animals, like dogs and cats, will be allowed inside the Superdome;
9. No sitting along the aisles, and standing along passageways allowed;
10. No firearms, deadly weapons and pointed sharp objects allowed inside the Superdome including pentel pen, ballpen to prevent any untoward incident;
11. No sitting on the cushion at the back of the basketball goals;
12. Unauthorized persons are not allowed inside the playing court;
13. No spitting on the floor;



14. No badges allowed in place of tickets;
15. No ticket, No entry.

b) Vandals (persons causing damage to the facilities of the superdome) will be charged in court accordingly, and will be required to pay for the value of the damaged done;

c) The management of the Superdome reserves the right to inspect bags and other personal belongings, including bodily inspection, on those persons who would like to enter the Superdome for the protection of the viewing public;

d) The Superdome management reserves the right to eject or initiate appropriate legal action against persons who violate any of the foregoing house rules.

SECTION 8. The Economic Enterprise Committee (ECC) is tasked of studying other schemes in the operation of the Superdome, like the bidding out of the management aspect of the Superdome to private individuals, or juridical person like partnership or corporation that will be more beneficial and advantageous to the City than the scheme presently adopted, and to recommend the same to the Sanggunian for approval.

SECTION 9. For activities undertaken by the City in which no entrance fee is charged including but not limited to Fiesta Celebration, Charter Day, Independence Day, and Official Conferences and Seminars and they like, the Superdome will be used free of charge upon approval by the Economic Enterprise Committee and/or the City Mayor.

SECTION 10. For activities undertaken by the City in which entrance fee is collected, the use of the Superdome, as well as the amount of charges/fees to be collected, shall be subject to the approval of the Sanggunian. If approved, proper accounting for the use thereof shall be prepared and rendered by the Officials concerned within FIFTEEN (15) working days from the date of such activity, copy of which shall be furnished the Sanggunian.

SECTION 11. TEN PERCENT (10%) of the revenue of the Superdome shall be set aside as trust fund to be used exclusively in the maintenance thereof, but not for personal services which shall be included in the annual/supplemental budget of the City.

SECTION 12. All ordinances or executive orders or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 13. If, for any reason, any provision of this Ordinance is declared unlawful or unconstitutional, the other provisions hereof not affected thereby shall remain valid and enforceable.

SECTION 14. This Ordinance shall take effect after its posting at conspicuous places in the City of Ormoc for at least three consecutive weeks, and its publication once in a local newspaper of general circulation whichever occurs later.



ENACTED, November 06, 1997.

RESOLVED, FURTHER, to furnish copies of this Ordinance one each, to His Honor, the City Mayor; the City Administrator, the City Legal Officer, the City Treasurer, the City Planning and Development Officer, the City Budget Officer, the City Accountant, the City Auditor and other Offices concerned, -in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution-ordinance.

OSCAR LASAM  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

BENJAMIN P. TUGONON  
Vice Mayor & Presiding Officer

APPROVED:

EUFROCINO M. CODILLA, SR.  
City Mayor

11-13-97  
(Date)