

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON MARCH 11, 2019

PRESENT:

Vincent L. Rama,	(OIC-City Vice-Mayor & Temporary Presiding Officer), SP Member, Majority Floor Leader
Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica,	SP Member, Asst. Majority Floor Leader
Benjamin S. Pongos, Jr.,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Gregorio G. Yrastorza III,	SP Member
Nolito M. Quilang,	SP Member
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc
Jasper C. Yerro,	Ex-Officio SP Member, Chapter President, Panlungsod Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON OFFICIAL BUSINESS:

Leo Carmelo L. Locsin, Jr.	(OIC - City Mayor), City Vice Mayor & Presiding Officer
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ON LEAVE:

John Eulalio Nepomuceno O. Aparis II,	SP Member Minority Floor Leader
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader

RESOLUTION NO. 2019-060

**A RESOLUTION GRANTING AUTHORITY TO THE CITY
MAYOR RICHARD I. GOMEZ, OR THE ACTING CITY
MAYOR, FOR AND ON BEHALF OF LOCAL
GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC),
TO SIGN THE DEED OF DONATION (DOD) EXECUTED
BY AND BETWEEN LGU-ORMOC, AS DONOR, IN
FAVOR OF THE PHILIPPINE NATIONAL POLICE
(PNP), AS DONEE, RELATIVE TO THE DONATION OF
FIREARMS.**

WHEREAS, this august Body was in receipt of an Indorsement from the Office of the City Mayor dated March 1, 2019, requesting therein for the passage of a resolution granting authority to Ormoc City Mayor Richard I. Gomez to sign, for and on behalf of LGU-Ormoc, as Donor, the Deed of Donation (DOD) in favor of the Philippine National Police (PNP), as Donee, for the donation of firearms and further classifying the same as EXTREMELY URGENT, a copy of said DOD is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, this Sanggunian enacted Appropriation Ordinance No. 2018-009 dated June 07, 2018 which appropriated the sum of SEVENTEEN MILLION PHILIPPINE PESOS (PHP 17,000,000.00) under Capital Outlay Account - Military, Police and Security Equipment to fund the purchase of the firearms intended to be given to the Ormoc City Police Office (OCPO), a copy of said Ordinance is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, for the attainment of the policy of the State to promote peace and order, ensure public safety and further strengthen the local government capability, the existence of a highly efficient and competent police force equipped with the necessary equipment is deemed utmost necessary;

WHEREAS, the Donor is the purchaser of the firearms subject of this donation, more particularly described as follows:

		Model Number	Caliber		
THIRTY (30) units	Galil Assault Rifle	ACE 21N	5.56mm x 45 NATO	Made in Israel	inclusive of two (2) pieces magazines
THREE (3) units	Galil Assault Rifle	ACE 52	7.62mm x 51 NATO	Made in Israel	inclusive of two (2) pieces magazines

WHEREAS, the DONOR recognizes and supports the noble task of the DONEE in promoting peace and order and ensuring the safety and security of the residents and people of Ormoc;

WHEREAS, the City Legal Officer, Atty. Josephine Mejia-Romero, in an annotation in the attached DOD, has already approved the same and further recommends the necessary Sanggunian Resolution authorizing the City Mayor to sign the document;

WHEREAS, this Sanggunian, after thorough examination of the aforementioned request by the City Mayor finds that it is to the best interest of the City and advantageous to the same to authorize the City Mayor to sign the Deed of Donation (DOD) in favor of the CCPO in light of the fact that such provision is essential equipment in the Office's crime prevention drive and thereby promoting the betterment of the peace and order situation of the City while living up to the expectations and challenges of their motto, *"To serve and protect"*;

NOW, THEREFORE, on joint motion of SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws & Ordinances and SP Member Gregorio G. Yrastorza III, Chairman, Committee on Justice and Peace & Order, severally seconded by SP Members Tomas R. Serafica, Esteban V. Laurente and Jasper C. Yerro; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ, OR THE ACTING CITY MAYOR, FOR AND ON BEHALF OF LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC), TO SIGN THE DEED OF DONATION (DOD) EXECUTED BY AND BETWEEN LGU-ORMOC, AS DONOR, IN FAVOR OF THE PHILIPPINE NATIONAL POLICE (PNP), AS DONEE, RELATIVE TO THE DONATION OF FIREARMS;


ADOPTED, March 11, 2019.

RESOLVED, FURTHER, that copies of the final notarized Deed of Donation be submitted to this Sanggunian for its information and files;


RESOLVED, FINALLY, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez, the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Josephine Mejia-Romero; the Ormoc City Police Office; the OIC-City Director; DILG; and other concerned offices for their information and guidance.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


MARIA ANTONIETA G. CO HAT
(OIC - SP Secretary)
Supervising Administrative Officer

ATTESTED:


VINCENT L. RAMA
(OIC-City Vice Mayor & Temporary Presiding Officer)
Majority Floor Leader
SP Member

DEMO COPY

REPUBLICA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOG

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOG HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON JUNE 07, 2018

PRESENT:

Rolando M. Villasencio,	(Acting City Vice-Mayor & Temporary Presiding Officer),
Vincent L. Rama,	SP Member, Majority Floor Leader
Mario M. Rodriguez	SP Member, Asst. Majority Floor Leader
Tomas R. Serafica,	SP Member, Presiding Officer "Pro-Tempore"
Benjamin S. Pongos, Jr.,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Gregorio G. Yrastorza III	SP Member
Nolito M. Quilang	SP Member
John Eulalio Nepomuceno O. Aparis II,	SP Member
Lea Doris C. Villar	Minority Floor Leader
Mariano Y. Corro,	SP Member, Asst. Minority Floor Leader
	Ex-Officio SP Member
	Chapter President, Liga ng mga Barangay ng Ormoc

ON OFFICIAL BUSINESS:

Leo Carmelo L. Locsin, Jr.	(Acting City Mayor),
	City Vice Mayor & Presiding Officer

PREFATORY STATEMENT

WHEREAS, the Sangguniang Panlungsod was in receipt of an Indorsement Letter from the City Mayor's Office (CMO), dated April 16, 2018, requesting for a Supplemental Appropriation in the amount of SEVENTEEN MILLION PHILIPPINE PESOS (Php17, 000,000.00) to fund the purchase of One (1) lot of SPECIAL WEAPONS AND TACTICS (SWAT) TEAM EQUIPMENT intended for the Ormoc City Public Safety Company (OCPSC) personnel of the Ormoc City Police Office, and further classifying the same as URGENT;

WHEREAS, for the attainment of the policy of the State to promote peace and order, ensure public safety and further strengthen local government capability, the existence of a highly efficient and competent police force equipped with the necessary equipment is deemed utmost necessary;

WHEREAS, Section 18 of the Local Government Code provides that Local Government Units (LGUs) can apply their resources and assets for purposes in furtherance and in the attainment of national goals;

WHEREAS, the Ormoc City Police Office (OCPAO) has a SWAT Team that lacks the necessary equipment to better execute their functions that include, but not limited to, hostage crisis, hostage negotiation and counter-terrorism in the City of Ormoc, and due to insufficiency of funds, the said Office had requested thru a letter dated January 18, 2018 for financial assistance from the City relative to the purchase of said equipment, a copy of which is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, in furtherance and support of said request, the OCPO, thru PNP City Director Police Senior Superintendent Ramil L. Ramirez, then submitted a list of the SWAT equipment needed along with the corresponding itemized budget for the same dated May 18, 2018, a copy of the same is herein attached as Annex "B" and made an integral part hereof;

WHEREAS, the General Services Department (GSD) through Jose Y. Ymas, Jr. Storekeeper II which was noted by Engr. Narciso A. Emping Engr. IV, has stated in a letter dated May 25, 2018 that the aforementioned estimated cost provided by OCPO City Director Ramil L. Ramirez is just the same as with the cost in the local market, a copy of which is herein attached as Annex "C" and made an integral part hereof;

WHEREAS, the City Budget Officer, OIC- City Accountant and City Treasurer issued a certification dated March 13, 2018 stating that the amount of SEVENTEEN MILLION PHILIPPINE PESOS (Php17,000,000.00) is deemed available to be taken from the Unappropriated Surplus, end of year 2017 for the purchase of one (1) lot Swat Team Equipment under the Capital Outlay Account - Military, Police and Security Equipment (Office of the City Mayor), a copy of said certification is attached as Annex "D" and made an integral part hereof;

WHEREAS, upon examination of the aforementioned CMO's request for supplemental appropriation for the purchase of the SWAT equipment requested by OCPO, this Sanggunian finds that the same is abundant with merit and basis, especially in light of the fact that such provision of essential SWAT equipment will significantly bolster the OCPO's crime prevention drive and thus, promote the betterment of the peace and order situation of the City and her constituents;

WHEREFORE, FOREGOING PREMISES CONSIDERED, on the motion of SP Member Benjamin S. Pongos, Jr., Vice-Chairman, Committee on Finance and Appropriation, severally seconded by SP Members Tomas R. Serafica, Vincent L. Rama, Gregorio G. Yrastorza III and Mariano Y. Corro: be it

RESOLVED, to enact:

**APPROPRIATION ORDINANCE NO. 2018-019
(General Fund)**

AN ORDINANCE APPROPRIATING THE AMOUNT OF SEVENTEEN MILLION PHILIPPINE PESOS (Php17,000,000.00) TO BE TAKEN FROM THE UNAPPROPRIATED SURPLUS END OF YEAR 2017 TO PURCHASE ONE (1) LOT SPECIAL WEAPONS AND TACTICS (SWAT) TEAM EQUIPMENT AND SUPPLIES UNDER CAPITAL OUTLAY ACCOUNT - MILITARY, POLICE AND SECURITY EQUIPMENT (OFFICE OF THE CITY MAYOR).

BE IT ENACTED, by the Fourteenth Sangguniang Panlungsod ng Ormoc in Regular Session assembled, that:

SECTION 1. 2018 GENERAL FUND SUPPLEMENTAL BUDGET. The sum of SEVENTEEN MILLION PHILIPPINE PESOS (Php17,000,000.00) under Capital Outlay Account - Military, Police and Security Equipment (Office of the City Mayor) is hereby appropriated to fund the above-mentioned purchase of equipments intended to be given to the Ormoc City Police Office to be taken from Unappropriated Surplus, End of Year 2017.

SECTION 2. EFFECTIVITY. This Appropriation Ordinance shall take effect immediately upon its approval.

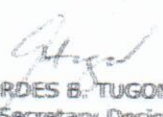
RESOLVED, FURTHER, that sufficient copies of this Appropriation Ordinance together with all supporting documents be submitted to the Honorable Secretary, Department of Budget & Management, Manila, through the City Budget Officer, to the Regional Director, Department of Budget & Management, Tacloban City, for review purposes;

ENACTED, June 07, 2018.


RESOLVED, FURTHERMORE, to furnish copies of this Appropriation Ordinance, one each to the City Mayor Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Jasper M. Lucero; the Ormoc City Police Office Director, PSSUPT. Ramil L. Ramirez; the City Budget Officer; the OIC-City Accountant; the City Treasurer; the City Auditor; the OIC-City Director, DILG; and other offices concerned;

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY that the foregoing Appropriation Ordinance No. 2018-009 which approved the General Fund Supplemental Budget of Ormoc City for CY 2018 was duly enacted by the Fourteenth Sangguniang Panlungsod ng Ormoc in its regular session.


MA. LOURDES B. TUGONON
(OIC - SP Secretary Designate)
Administrative Assistant V

ATTESTED:


ROLANDO M. VILLASENCIO
(Acting City Vice-Mayor & Temporary Presiding Officer)
Majority Floor Leader
SP Member

APPROVED:


RICHARD I. GOMEZ
City Mayor
18 JUN 2018

3/11/19

DEED OF DONATION

KNOW ALL MEN BY THESE PRESENTS:

This DEED OF DONATION, made and executed by: DATE: _____

LOCAL GOVERNMENT UNIT OF ORMOC, a juridical entity existing in accordance with pertinent laws, represented herein by **RICHARD I. GOMEZ**, of legal age, Filipino and a resident of Ormoc City, hereinafter referred to as the "DONOR";

- IN FAVOR OF -

PHILIPPINE NATIONAL POLICE- ORMOC CITY POLICE OFFICE, a juridical entity existing in accordance with pertinent laws, represented herein by **PSSUPT. ARMEL S. GONGONA** of legal age, Filipino and a resident of Ormoc City, hereinafter referred to as the "DONEE";

WITNESSETH, that:

WHEREAS, the DONOR is the purchaser/ of firearms listed and described as follows:

- a. THIRTY (30) units Galil Assault Rifle Model ACE21N, caliber ~~5.56~~mm NATO Made in Israel inclusive of 2 pieces magazines;
- b. THREE (3) units Galil Assault Rifle Model ACE 52 caliber 7.62 x 51mm Made in Israel inclusive of 2 pieces magazines.

WHEREAS, the DONOR recognizes and supports the noble task of the DONEE in promoting peace and order and ensuring the safety and security of the residents and people of Ormoc;

WHEREAS, the DONOR desires to assist the DONEE and give further impetus to the performance by the latter of its mandate which includes but is not limited to hostage crisis, hostage negotiations and counter-terrorism in the Ormoc City through its Special Weapons and Tactic (SWAT) Team;

NOW, THEREFORE, for and in consideration of the foregoing premises and due to the magnanimity of the DONOR, the latter hereby transfers and conveys unto the DONEE, by way of DONATION, the equipment as enumerated above, subject to the conditions that:

- a. The DONEE shall, at its own expense, maintain the donated equipment and exercise all measures to ensure that said equipment are in functioning condition at all times;
- b. Observe all legal provisions relative to the use, ownership and possession of firearms, and for such purpose shall register the said firearms with the proper agency(ies)/ department(s) and secure the required permit(s) or license(s) pursuant to applicable laws and issuances;
- c. Devote the use of the equipment only for and within the City of Ormoc;
- d. Free the DONOR from any and all liability that may arise from the use and possession of the said firearms whether by the DONEE's authorized personnel or otherwise;

In the event that the conditions of the donation, as contained herein, are not complied with by the DONEE within thirty (30) days after the latter's failure to comply with the same is brought to its attention, this donation shall be automatically revoked and rendered ineffective and the DONOR shall regain ownership over the playground equipment and shall have the right to recover possession of the same.

The DONEE hereby accepts the donation of the equipment as listed herein together with the conditions herein imposed, and hereby expresses its gratitude and appreciation for the support, kindness and liberality of the DONOR.

MAR 22 2019

IN WITNESS WHEREOF, we have hereunto set our hands, this _____
at ORMOC CITY Philippines.

LOCAL GOVERNMENT UNIT OF ORMOC

represented herein by RICHARD I. GOMEZ
as per SF Resolution no. 2019-060

PHILIPPINE NATIONAL POLICE- ORMOC CITY POLICE OFFICE

represented herein by PCOL ARNEL S. GONCONA

SIGNED IN THE PRESENCE OF:

PLTCOL VICTORIA LYRA P. DELA CERNA

MA. VICTORIA LYRA P. DELA CERNA
City Govt. Asst. Dept. Head

ACKNOWLEDGMENT

Republic of the Philippines)
City of ORMOC CITY S.S.

Before me, a Notary Public for the City of ORMOC CITY this _____
day of MAR 22 2019 at _____, Philippines, personally
appeared the following, with competent evidence of identity.

PARTY	COMPETENT EVIDENCE OF IDENTITY
RICHARD I. GOMEZ	UM ID # CRN 021-1628-7805-8

known to me to be the same persons who executed the foregoing Deed of Donation, consisting of two (2) pages including the page on which this Acknowledgment is written, and they acknowledged to me that the same is their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal, on the date and place above- written.

Doc. No. 416
Page No. 83
Book No. VI
Series of 2019.

ATTY. ABELITO M. SOLIBAGA JR.

Notary Public for the City of Ormoc,
Municipalities of Kananga, Matag-ob,
Marikina and Isabela.

Notary Seal No. 12-12-19 issued on 12/22/17
Valid until December 31, 2019

PTR No. 5370454, 01/04/19, Ormoc City

ISP No. 070808, 1/24/19, Cebu City

Roll of Attorney No. 51625

TIN 207693-130

J. Navarro St., Ormoc City, Philippines

OFFICE OF THE CITY MAYOR
Ormoc City

**CERTIFIED TRUE COPY OF
ORIGINAL DOCUMENT**

SIGNED [Signature]
DATE _____