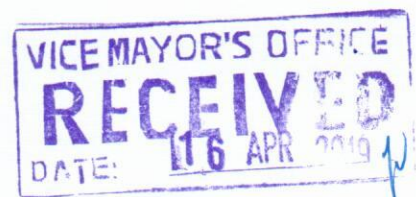


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



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 APRIL 15, 2019



PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Vincent L. Rama,	SP Member, Majority Floor Leader
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 LEAVE:

Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
John Eulalio Nepomuceno O. Aparis II,	SP Member
	Minority Floor Leader
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader

**RESOLUTION NO. 2019-091**

**A RESOLUTION GRANTING AUTHORITY TO ORMOC CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH THE ORMOC FESTIVAL AND CULTURAL FOUNDATION, INC. (OFCFI) RELATIVE TO THE PROVISION OF A CHILDREN'S OUTDOOR PLAY SET FOR USE BY THE PUBLIC TO BE INSTALLED AT THE CHILDREN'S PARADISE LOCATED AT FR. ISMAEL CATA-AG STREET, BARANGAY DISTRICT 12, ORMOC CITY.**

WHEREAS, the City Mayor Richard I. Gomez through an Indorsement dated April 12, 2019 forwarded to this august Body for consideration the Memorandum of Agreement (MOA) to be entered into by LGU-Ormoc with the Ormoc Festival and Cultural Foundation, Inc. (OFCFI) and further requesting for the passage of a resolution authorizing him to sign the same, a copy of the MOA is hereto attached and made an integral part hereof;

WHEREAS, Republic Act No. 7160, otherwise known as the Local Government Code 1991, states that cities shall exercise and discharge its powers, functions and responsibilities appropriate or incidental to the efficient and effective provision of basic services and facilities, which includes, among others, programs and projects on child and youth welfare;



WHEREAS, it is one of the City's thrusts to promote and advance local tourism by improving existing properties that have cultural and historical significance to Ormoc and Ormocanons for the better enjoyment of the public;

WHEREAS, further, the City respects the inherent right of children to life, and is committed to enabling children to have access to quality social services, to participate in family and community life, and to live in a safe, secure and clean environment with access to green spaces;

WHEREAS, the Ormoc Festival and Cultural Foundation, Inc. (OFCFI) aims to promote and enhance cultural awareness in Ormoc society through activities and festivals that depict and promote Ormoc's history and culture;

WHEREAS, the OFCFI is a grantee of a usufruct of the land situated at Cataag St., Barangay District 12, Ormoc City, in front of the Saints Peter and Paul Parish Church, known as the "Children's Paradise," which is used as playground;

WHEREAS, OFCFI has planned to find a suitable place for children to play and maintain an outdoor play set, which is to be provided by the City in accordance with the subject MOA, in a suitable place as determined by the former and which will be available to the general public, and which play set can definitely significantly help children in the City develop interpersonal skills by providing them the opportunity to play and interact with other children as well as adults;

WHEREAS, the City encourages the private sector, in this particular instance the OFCFI, to work in partnership with the former for the betterment and the progress of Ormoc, in consonance, along with other important concerns, with its thrust of providing and developing a child-friendly local government;

WHEREAS, in pursuit of such partnership, there is a need to pass a resolution granting authority to the City Mayor to enter into and sign for and on behalf of the LGU-Ormoc a MOA with the OFCFI so as to facilitate the swift and smooth completion, implementation and maintenance of the said project;

WHEREAS, the parties thereto are committed into collaborating with each other to enter into this MOA with full knowledge, commitment and willingness in the fulfillment of their responsibilities contained thereon;

WHEREAS, this august Body recognizes the importance of the subject MOA under consideration and the parties fully understand their specific roles and obligations towards the attainment of the lofty ends of the same, this Sanggunian, upon thorough review, finds that overall it is favorable and advantageous to the City, particularly its children as well as their families, and therefore, is most deserving of this august Body's prompt and favorable consideration;

WHEREFORE, on motion of SP Member Benjamin S. Pongos, Jr. Chairman, Committee Laws and Ordinances, severally seconded by SP Members Tomas R. Serafica, Vincent L. Rama, Eusebio Gerardo S. Penserga, Gregorio G. Yrastorza III, Esteban V. Laurente and Jasper C. Yerro; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION GRANTING AUTHORITY TO ORMOC CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH THE ORMOC FESTIVAL AND CULTURAL FOUNDATION, INC. (OFCFI) RELATIVE TO THE PROVISION OF A CHILDREN'S OUTDOOR PLAY SET FOR USE BY THE PUBLIC TO BE INSTALLED AT THE CHILDREN'S PARADISE LOCATED AT FR. ISMAEL CATA-AG STREET, BARANGAY DISTRICT 12, ORMOC CITY;

ADOPTED, April 15, 2019.




RESOLVED, FURTHER, that a copy of the final and notarized Memorandum of Agreement (MOA) be submitted to the Sangguniang Panlungsod ng Ormoc for its information and files;

RESOLVED, FINALLY, to furnish copies of this resolution one each to the City Mayor Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Josephine Mejia-Romero; the Ormoc Festival and Cultural Foundation, Inc.; the City Local Government Operations Officer, DILG; and other offices concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

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

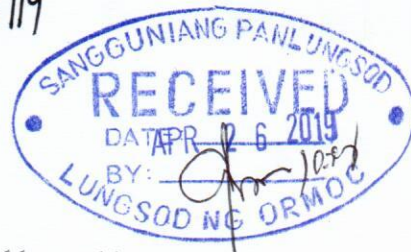
ATTESTED:

  
LEO CARMELO L. LOCSIN, JR.  
City Vice Mayor & Presiding Officer

Res. # 2019-091  
4/15/19

## MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:



This **MEMORANDUM OF AGREEMENT**, made and executed by and between:

The **CITY OF ORMOC**, a duly organized Local Government Unit existing under and by virtue of the laws of the Republic of the Philippines, through the City Mayor's Office with office address at the New Ormoc City Hall, Anubing St., Cogon, Ormoc City, represented by Mayor **RICHARD I. GOMEZ**, herein referred to as the "**CITY**";

-and-

The **ORMOC FESTIVAL & CULTURAL FOUNDATION, INC.**, a duly organized corporation existing by and pursuant to Philippine laws, herein represented by **ESTRELLA MARIA S. PANGILINAN**, Filipino, of legal age, married, and a resident of Ormoc City, Leyte, herein referred to as "**OFCFI**".

**WITNESSETH:** That---

**WHEREAS**, it is one of the thrusts of the **CITY** to promote and advance tourism by improving existing properties that have significance to Ormoc City, for the better enjoyment of the public;

**WHEREAS**, the **CITY** respects the inherent right of children to life, and is committed to provide the children with access to quality social services, participate in family, cultural, city/community and social life and to live in a safe secure and clean environment with access to green spaces;

**WHEREAS**, a recreational park is a venue where the social skills of children will be developed as they get the chance to enjoy and interact with other children;

**WHEREAS**, the **CITY** enjoins private sectors to work in partnership with the former for the betterment and progress of Ormoc;

**WHEREAS**, the **OFCFI** maintains and operates a recreational park in the City, which has deep cultural and historical significance to the City of Ormoc;

**WHEREAS**, one of the plans of **OFCFI** is to maintain an outdoor play set;

**WHEREAS**, a play set is a tool which can help develop people skills of children as they get the chance to enjoy and interact with other children and get to know other people, and the provision and development a child-friendly local government is one of the thrust of the **CITY**;

**NOW, THEREFORE**, foregoing premises considered, the **CITY** hereby agrees to procure and install a playset and deliver possession and control thereof to **OFCFI**, subject to the following terms and conditions:

1. The **CITY** shall install a playground set suitable for 3 to 7 year old children, consisting of a wave slide, a croc slide, a spiral slide with arch, a crawl tube, tic tac toe with FRP panel, an FRP rock climber, 2 FRP roofs with design, FRP panels with acrylic glass, ladders with FRP stairs, 2 FRP umbrella roofing, and an RFP swing;
2. he **OFCFI** shall maintain and preserve the play set so delivered and shall undertake to cause the necessary repairs over the same;

*Estrella Pangilinan*



3. The **OFCFI** shall maintain the outdoor playset and shall ensure that all facilities found thereon are child-friendly and not detrimental to public safety;
4. The **OFCFI** shall ensure that the use of the facilities thereon, is free of charge and open to the general public, primarily devoted for the benefit and enjoyment of children;
5. The **OFCFI** shall maintain the cleanliness and sanitation of the playset, as well as its immediate surroundings, at all times;
6. In case of violation or infringement of any of the foregoing terms and conditions, the **CITY** reserves the right to terminate this MEMORANDUM OF AGREEMENT immediately and the **OFCFI** agrees to return the play set to the former without need of court proceeding.

IN WITNESS WHEREOF, the parties have hereunto set their hands this \_\_\_\_\_ at Ormoc City, Leyte, Philippines.


**OFCFI**

By:


  
**ESTRELLA MARIA S. PANGILINAN**  
President

**CITY GOVERNMENT  
OF ORMOC**

By:

  
**RICHARD I. GOMEZ**  
City Mayor  
As per SP Resolution No. 2019-091

SIGNED IN THE PRESENCE OF:

  
**NONILYN D. GALANO**

  
**IVY M. ECAY**

Republic of the Philippines )  
Province of Leyte ) SS  
City of Ormoc )

**ACKNOWLEDGMENT**

**BEFORE ME**, this JAN 08 2019 at Ormoc City, personally appeared:

Name	CTC No.	Place Issued	Date Issued
RICHARD I. GOMEZ	<u>LTDP #</u>	<u>101-85-028243</u>	
ESTRELLA MARIA S. PANGILINAN	<u>TIN ID#</u>	<u>128-45-234</u>	

both known to me and to me known to be the same persons who executed and signed the foregoing Contract of Lease and they acknowledged to me that the same is their free act and deed of the entities they represented in this instance.

This instrument, consists of two (3) pages, including this page on which this acknowledgment is written, has been signed on each and every page thereof by the parties and their instrumental witnesses and sealed with my notarial seal.

**WITNESS MY HAND AND SEAL** on the date and in the place first above written.

Doc. No. 36  
Page No. 8  
Book No. V  
SERIES OF 2019.

**ATTY. ADELITO M. SOLINAGA JR.**  
Notary Public for the City of Ormoc,  
Municipalities of Marikina, Matag-on,  
Merida and Marikina  
NCMO, ORMOG, 12-019 issued on 12/22/17  
Valid until December 31, 2019  
PT. 12-019, 12-019, Ormoc City  
IBP No. 0800, 12-19, Cebu City  
Roll of Notary No. 51625  
TIN: 1202-692-30  
J. Navarro St., Ormoc City, Philippines

*Pangilinan*