

REPUBLIC OF THE PHILIPPINES
ORMOC CITY

Office of the Municipal Board

EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION HELD
BY THE MUNICIPAL BOARD OF ORMOC CITY, PHILIPPINES IN
ITS SESSION HALL ON DECEMBER 19, 1951

PRESENT:

His Honor, Lucilo A. Conui.....Presiding Officer
Hon. Marcelo D. Bandalan.....Vice Mayor
" Guillermo T. Parrilla.....City Councilor
" Pablo S. Pajaron....." "
" Felipe Adolfo....." "
" Cleto P. Evangelista....." "
" Antonio C. Cataag....." "
" Porfirio Ayuyao....." "

ABSENT:

Hon. Victorino C. Teleron.....City Councilor

RESOLUTION NO. 196

WHEREAS Resolution No. 187 dated December 8, 1951 of the Municipal Board of Ormoc City was objected to by the City Auditor, Ormoc City per first indorsement dated November 18, 1951 on the grounds therein stated;

WHEREAS, be it known that on February 7, 1950, a lease contract agreement was entered into by and between C.R. Oliver, City Treasurer and Acting City Mayor, representing the City of Ormoc and Basilio Capuyan as lessee of the old market tienda building within the public market site of Ormoc City and which contract of lease for a period of one year from February 1, 1950 expired on February 1, 1951;

WHEREAS, be it known furthermore that the above contract of lease having expired on February 1, 1951, said contract of lease loses its binding legal effect upon the lessee; and considering that the Municipal Board of Ormoc City passed Resolution No. 202 dated December 16, 1950 granting reduction of 10% to the lessee, Mr. Basilio Capuyan and which resolution has never been objected to by the City Auditor of Ormoc City, it is believed that said Resolution No. 202 could be considered as a modification of the abovementioned contract of lease which has already expired;

WHEREAS, be it known finally that since the passage of Resolution No. 202 aforementioned, the plan of the Municipal Board, Ormoc City is to make the market stalls no longer disposed by bidding to avoid the dummy applicant by foreigners;

WHEREAS, based on the aforementioned facts surrounding the case, the authority cited in the aforementioned 1st indorsement of the City Auditor could no longer be applied in the instant case;

NOW THEREFORE, the Board, on motion of Councilor Felipe Adolfo seconded by Councilor Pablo S. Pajaron;

BE IT RESOLVED, as is hereby resolved to respectfully request the City Auditor, Ormoc City to reconsider his objection on Resolution No. 187 dated December 8, 1951;

(over)

1. RESOLVED FURTHER, to respectfully request the City Auditor concern to consider the economic and business aspect of the question involved and resolved the same in favor of the lessee concern, Mr. Basilio Capuyan, as it is believed that the general reduction of rentals in all market stalls of the city of Ormoc as contemplated in Resolution No. 202 dated December 16, 1950 aforementioned with the conformity of the City Treasurer, Ormoc City quoted in said resolution, was to make manifest the plan and intentions of the Municipal Board of Ormoc City to see to it that all market stalls, including that of Mr. Basilio Capuyan be no longer disposed of by bidding to avoid dummy bidders of foreigners. Thus taking into account all these surrounding circumstances they eloquently demonstrate the legality of the actuation of the Municipal Board, which, not only protects the best interest and gave justice and equity to the vendors or occupant of the market stalls, but also saved the Finance Department of the City Government of Ormoc City to suffer heavy financial losses if the occupants would vacate their stalls;

RESOLVED FINALLY, to furnish copy of this resolution each to the City Mayor, Ormoc City; City Treasurer, Ormoc City; City Auditor, Ormoc City and the Market Superintendent, Ormoc City.
CARRIED UNANIMOUSLY.

I hereby certify to the correctness of the above quoted resolution.

PELAGIO P. CODILLA
Secretary

APPROVED:

LUCELIO A. CONUI
City Mayor
Presiding Officer

COPY FURNISHED:

The City Mayor, Ormoc City
The City Treasurer, Ormoc City
The City Auditor, Ormoc City
The Market Supt., Ormoc City

ATTESTED:

FRANCISCO D. ABAS
Secretary to the City Mayor

/ftc