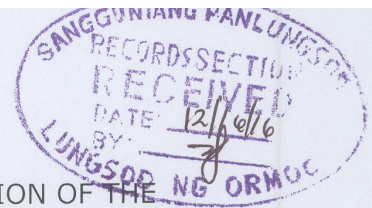


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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 DECEMBER 15, 2016

PRESENT:

Leo Carmelo L. Locsin, Jr.	Vice Mayor & Presiding Officer
Rolando M. Villasencio,	SP Member, Majority Floor Leader
Vincent L. Rama,	SP Member, Asst. Majority Floor Leader
Mario M. Rodriguez	SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica,	SP Member
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
	Minority Floor Leader
Lea Doris C. Villar	SP Member, Asst. Minority Floor Leader
Mariano Y. Corro,	Ex-Officio SP Member
	Chapter President, Liga ng mga Barangay ng Ormoc

RESOLUTION NO. 2016-148

A RESOLUTION GRANTING AUTHORITY TO ENGR. ARTHUR A. ARCUINO, OIC-CITY ASSESSOR'S OFFICE TO ENTER INTO AND SIGN A COMPROMISE AGREEMENT, AMICABLE SETTLEMENT AND THERETO SUBMIT TO ALTERNATIVE DISPUTE RESOLUTION REGARDING THE CASE FILED BY THE 1ST ASSISTANT CITY PROSECUTOR BIBIANO C. REFORZADO AGAINST THE ACCUSED ARIEL PEREZ Y GABRINO OF THE CRIME OF THEFT OF STEEL TRUSSES COMMITTED AT THE ORMOC PUBLIC MARKET LAST AUGUST 18, 2006.

WHEREAS, this august Body was in receipt of an Indorsement from the Office of the City Mayor regarding a request from Mr. Vincent L. Emnas, OIC-City Administrator, for the approval of the recommendation of the City Legal Office, represented by Fiscal Marcelo C. Oñate, to authorize Engr. Arthur A. Arcuino, OIC-City Assessor's Office to enter into and sign a Compromise Agreement, Amicable Settlement, and thereto submit to alternative mode of dispute resolution regarding the case filed by the Assistant City Prosecutor against the accused Ariel Perez y Gabrino;

WHEREAS, in a meeting of the Committee on Good Government, Prosecutor Marcelo Oñate explained that this is an old-aged case as it was filed in 2006 and considering that the value of the property stolen is only P360.00, the long years by which the case has been pending is already a reasonable ground to dispose of the said case;

WHEREAS, in the same meeting, Engr. Arcuino explained to the Committee that even if the City wishes to continue with the prosecution of the case, there is already a problem in locating the witnesses considering that the case was filed way back in 2006;

WHEREAS, the Committee on Good Government finds merit in the request to submit the case to alternative dispute resolution considering that it is no longer practical to proceed with the prosecution witnesses that can no longer be found and that there is also lapse on the part of the City Government to actively pursue the prosecution noting that this case of simple theft is already pending for 10 years;

WHEREAS, the Committee on Good Government supports the assertion of the Acting Legal Officer that this authority granted to settle the case should only be applied to this case taking note of its surrounding circumstances and should not be interpreted to mean that the city adopts condonation as a strategy and it should be emphasized that the City Government will continue to strictly enforcing the laws and aggressively apprehend and prosecute criminals and violators;

WHEREAS, the Committee on Good Government, upon motion of SP Member Benjamin Pongos, Jr., duly seconded by SP Member Gregorio G. Yrastorza III, and without any objection approved the request at the Committee level and endorses the matter to the plenary session;

WHEREAS, upon close and thorough discussion, this Sanggunian, finds the grant of authority to Engr. Arthur A. Arcuino to enter into and sign the compromise agreement proper and not contrary to existing laws, morals and public order;

WHEREFORE, on the motion of SP Member Nolito M. Quilang, Chairman, Committee on Good Government, severally seconded by SP Members Vincent L. Rama, Tomas R. Serafica, Eusebio Gerardo S. Penserga, Gregorio G. Yrastorza, III, John Eulalio Nepomuceno O. Aparis II, Lea Doris C. Villar and Mariano Y. Corro; be it

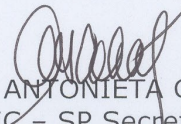
RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION GRANTING AUTHORITY TO ENGR. ARTHUR A. ARCUINO, OIC-CITY ASSESSOR'S OFFICE TO ENTER INTO AND SIGN A COMPROMISE AGREEMENT, AMICABLE SETTLEMENT AND THERETO SUBMIT TO ALTERNATIVE DISPUTE RESOLUTION REGARDING THE CASE FILED BY THE 1ST ASSISTANT CITY PROSECUTOR BIBIANO C. REFORZADO AGAINST THE ACCUSED ARIEL PEREZ Y GABRINO OF THE CRIME OF THEFT OF STEEL TRUSSES COMMITTED AT THE ORMOC PUBLIC MARKET LAST AUGUST 18, 2006;

ADOPTED, December 15, 2016.


RESOLVED, FURTHER, that copies of this resolution be furnished each to the City Mayor Richard I. Gomez, the OIC-City Administrator, the Acting City Legal Officer, the OIC-City Director, 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.
Vice Mayor & Presiding Officer