

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC

RECEIVED
DATE 12 JAN 2018

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 JANUARY 11, 2018

PRESENT:

Leo Carmelo L. Locsin, Jr.,	Vice Mayor & Presiding Officer
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
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
	SP Member, Majority Floor Leader
	SP Member

On Leave:

Rolando M. Villasencio,
Eusebio Gerardo S. Penserga,

RESOLUTION NO. 2018-006

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 ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH THE MARITIME INDUSTRY AUTHORITY (MARINA) REGIONAL OFFICE NO. VIII FOR THE USE AND OCCUPANCY BY THE LATTER OF A 16 X 9 METER SPACE PORTION OF BUILDING A, 2ND FLOOR OF THE ORMOC CITY PUBLIC MARKET.

WHEREAS, this Sanggunian was in receipt of a communication from the Office of the City Mayor Richard I. Gomez dated October 18, 2017 endorsing the recommendation of Atty. Jasper M. Lucero, City Legal Officer, for an issuance of a Resolution granting the City Mayor the authority to sign the attached Memorandum of Agreement (MOA) between the Local Government Unit of Ormoc (LGU-Ormoc) and Maritime Industry Authority (MARINA) for the occupancy of a portion of Building A, 2nd floor of the Ormoc City Public Market, a copy of the said MOA is hereto attached and made an integral part hereof;

WHEREAS, the MARINA RO VIII, a government agency tasked with the development, promotion, regulation and supervision of the maritime industry in the Eastern Visayas Region, desires to occupy a portion of Building A, 2nd floor of the Ormoc City Public Market located at Ebony Street, Ormoc City;

WHEREAS, under R.A. 9295 otherwise known as the Domestic Shipping Act of 2004, the MARINA has the power and authority to inspect all vessels to ensure and enforce compliance by every domestic ship operator with required safety standards and other rules and regulations on vessel safety;

WHEREAS, one of the purposes of the MARINA in requesting for the use of the said area is for the establishment of an office space which will serve as its MARINA RO VIII Ormoc Satellite Sub-Unit;

WHEREAS, said area is said to cover an area of more or less one hundred and fourteen (114) square meters, a copy of the said sketch plan is hereto attached and made an integral part hereof;

WHEREAS, the City Legal Officer has expressed an opinion dated December 19, 2017 that as MARINA is a government entity and policy dictates that government instrumentalities must cooperate to render a better service to the people, and that the said MOA is in accordance with law, not detrimental to the interest of the city, not contrary to law, moral and public policy;

WHEREAS, the subject MOA clearly and plainly encapsulates the terms and conditions of the agreement of the parties thereto, including their specific roles and obligations towards the attainment of the lofty ends of the same, and this Sanggunian, after thorough examination of the aforementioned request by the City Mayor, finds that the same is entered into for the best interests of the City and her constituents and most advantageous to it, and therefore, finds considerable merit and basis in authorizing the City Mayor or the acting City Mayor to sign the MOA by and between LGU-Ormoc and the MARINA;

NOW, THEREFORE, on joint motion of SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances and SP Member Mario M. Rodriguez, Chairman, Committee on Economic Enterprise, severally seconded by SP Members Vincent L. Rama, Tomas R. Serafica and Gregorio G. Yrastorza III; 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 ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH THE MARITIME INDUSTRY AUTHORITY (MARINA) REGIONAL OFFICE NO. VIII FOR THE USE AND OCCUPANCY BY THE LATTER OF A 16 X 9 METER SPACE PORTION OF BUILDING A, 2ND FLOOR OF THE ORMOC CITY PUBLIC MARKET;


ADOPTED, January 11, 2018.

RESOLVED, FURTHER, that a copy of the final and notarized Memorandum of Agreement be furnished 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. Jasper M. Lucero; the OIC-Public Market Administrator, Engr. Rodolfo H. Labarda, Jr.; the Maritime Industry Authority (MARINA) - Manila; the MARINA RO VIII - Tacloban; the MARINA RO VIII/Ormoc Satellite Sub-Unit; the OIC-City Director, DILG, and all other offices concerned for their information and guidance.

CARRIED UNANIMOUSLY.

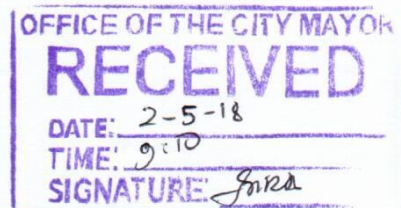
I HEREBY CERTIFY to the correctness of the foregoing resolution.


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

ATTESTED:


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

MEMORANDUM OF AGREEMENT



KNOWN ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement, is entered into by and between:

The **City Government of Ormoc** with office at Brgy. Cogon, Ormoc, City, represented herein by its City Chief Executive, **HON. RICHARD FRANK I. GOMEZ**,

and

The **Maritime Industry Authority (MARINA)**, a government agency, with principal office at 984 Parkview Plaza, Taft Avenue cor. T.M. Kalaw Street, Ermita, Manila, and a **Maritime Industry Authority Regional Office VIII (MARINA VIII)** with office at Senator Enage Street, Tacloban City, represented herein by its Regional Director, **ENGR. EMMANUEL B. CARPIO**.

WITNESSETH

WHEREAS, the City Government of Ormoc, an independent component city of the Province of Leyte established under its charter, Republic Act No. _____ dated _____, is the owner of a building known as the **Building A, 2nd Floor, Public Market**, located at Public Market, Ebony Street, Ormoc City;

WHEREAS, the **MARINA RO VIII**, a government agency tasked with the development, promotion, regulation and supervision of the maritime industry in the Eastern Visayas Region, desires to occupy a portion of the **Building A, 2nd Floor, Public Market** located at Public Market, Ebony Street, Ormoc City to be use as the office for its **MARINA RO VIII/Ormoc Satellite Sub-Unit**;

NOW THEREFORE, for and in consideration of the foregoing premises and agreements hereinafter stipulated, the parties hereby agree for the occupancy by the **MARINA RO VIII/Ormoc Satellite Sub-Unit** of a portion of the **Building A, 2nd Floor, Public Market**, located at Public Market, Ebony Street, Ormoc City under the following terms and conditions, to wit:

1. That the **MARINA RO VIII/Ormoc Satellite Sub-Unit** can occupy the portion of the **Building A, 2nd Floor, Public Market with an area of more or less 114 square meters** (19.00 meters x 6.00 meters) without rent and/or free of charge, provided that the occupant agency shall keep the property in good condition and shall take care of the premises with the diligence of a good father of a family and shall further undertake minor repairs at its own expense without the benefit of reimbursement except that for major repairs, the occupant agency shall notify the City Government of Ormoc and the former shall make or cause to be made the major repairs at their account within a reasonable period of time;
2. That the grounds and surroundings shall be kept clean and green and be maintained as to sanitation and landscaping all the time by the occupant agency;

3. That the connection of utilities such as electricity, water, telephone, among others, and all corresponding bills therefore shall be the responsibility and account of MARINA RO VIII/Ormoc Satellite Sub-Unit;
4. That the MARINA RO VIII/Ormoc Satellite Sub-Unit shall not use the property for any unlawful or immoral purpose; nor shall store in the premises any flammable or obnoxious materials;
5. That MARINA RO VIII/Ormoc Satellite Sub-Unit shall be responsible for all acts and commissions of its staff, personnel and any other or all persons allowed by it to have access to the premises;
6. That this Memorandum of Agreement takes effect immediately upon the signing of the parties and the City Government of Ormoc or the MARINA RO VIII/Ormoc Satellite Sub-Unit will inform the other party in writing three (3) months before any changes on this Memorandum of Agreement, including its termination, will be effected.

IN WITNESS WHEREOF, the parties, hereby signed this MEMORANDUM OF AGREEMENT this ____ day of 26 JAN 2018, 2018 at Ormoc City, Philippines.

**FOR THE CITY GOVERNMENT
OF ORMOC**

RICHARD FRANK I. GOMEZ
City Mayor

FOR THE MARINA R.O. VIII:

EMMANUEL B. CARPIO
Regional Director

SIGNED IN THE PRESENCE OF:

Billy [Signature]

S.M. Allen
SANTIAGO M. ACERA

ACKNOWLEDGEMENT

Republic of the Philippines)
City of TACLOBAN) S.S.

BEFORE ME a Notary Public for and in the above jurisdiction, on this _____ day of _____, 2018 personally appeared:

Name	Gov't Issued ID	Date Issued
RICHARD FRANK I. GOMEZ	DRIVER'S LICENSE NO. <u>1-85 - 028343</u>	<u>04/07/2018</u>
EMMANUEL B. CARPIO	MARINA ID R08-015	2017

Both known to me and to me known to be the same persons who executed and signed the foregoing Memorandum of Agreement and they acknowledge to me that the same is their free act and deed of the entities they represented in this instance.

The instrument, consist of three (3) pages, including this page on which this acknowledgement 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.

NOTARY PUBLIC

[Signature]
ATTY. MARIE KINETE SILVE E. BARREDA
Notary Public for Tacloban City and Province of Leyte
Notarial Commission No. NC-2018-01-08
Valid Until December 31, 2019
Roll of Attorneys No. 65010
IBP Lifetime No. 018055; 01/13/2017; Leyte Chapter
PTR No. 0035945; 01/04/2018; Tacloban City

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[Signature]
S. Man

ACKNOWLEDGEMENT

Republic of the Philippines)
City of Ormoc) S.S.

BEFORE ME a Notary Public for and in the above jurisdiction, on this 26 JAN 2018 day of 26 JAN 2018, 2017 personally appeared:

Name	Gov't Issued ID	Date Issued
RICHARD FRANK I. GOMEZ	DRIVER'S LICENSE NO-1-85-028343	<u>04/07/2018</u> 2017

Both known to me and to me known to the same persons who executed and signed the foregoing Memorandum of Agreement and they acknowledge to me that the same is their free act and deed of the entities the represented in this instance.

The instrument, consist of three (3) pages, including this page on which this acknowledgement is written, has been signed on each 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.

NOTARY PUBLIC

JOSEPHINE A. MEJIA-ROMERO
Notary Public for the City of Ormoc
MUNICIPALITIES OF SANANGA,
MATAG OB, MERILLAS, ISABEL LEYTE
Notarial Commission No. ORM 17-12-2017, UNTIL December 31, 2019
PTR No. 5450002 I/03/18, Ormoc City
IBP No. 989477 I/07/15 (LIFETIME MEMBER)
ROLL No. 49021 MCLE Certificate of Completion No. V-0009588 7/20/15

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