

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 26, 2018

PRESENT:

Mario M. Rodriguez	(Acting City Vice-Mayor & Temporary Presiding Officer)
	SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica	(Acting Majority Floor Leader), SP Member
Benjamin S. Pongos, Jr.	SP Member
Eusebio Gerardo S. Penserga	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

ON OFFICIAL BUSINESS:

Vincent L. Rama

(OIC - City Mayor),
SP Member, Asst. Majority Floor Leader

ON LEAVE:

Leo Carmelo L. Locsin, Jr.
Rolando M. Villasencio
Gregorio G. Yrastorza III
Mariano Y. Corro

Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader
SP Member
Chapter President, Liga ng mga Barangay ng Ormoc
Ex-Officio SP Member

RESOLUTION NO. 2018-080

A RESOLUTION AUTHORIZING THE 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 FOLLOWING PARTIES: ORMOC CITY FIESTA 2018 EXECUTIVE COMMITTEE (EXECOM); OCCIDENTAL LEYTE BAR ASSOCIATION (OLBA); PHILIPPINE INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS-ORMOC CITY CHAPTER (PICPA-ORMOC); THE ROTARY CLUB OF ORMOC BAY (RCOB); AND, THE ORMOC CITY CHAMBER OF COMMERCE AND INDUSTRY, INC. (ORCHAM), WHICH AIMS TO COVER THE ORGANIZATION, PREPARATION AND CONDUCT OF THE SOCIO-CULTURAL ACTIVITIES ON THE OCCASION OF THE ORMOC CITY FIESTA CELEBRATION 2018.

WHEREAS, the City Mayor Richard I. Gomez through an Indorsement dated March 14, 2018 forwarded to this august Body for consideration the Memorandum of Agreement (MOA) to be entered into by LGU-Ormoc with the Ormoc City Fiesta 2018 Executive Committee (EXECOM), Occidental Leyte Bar Association (OLBA), Philippine Institute Of Certified Public Accountants-Ormoc City Chapter (PICPA-Ormoc), Rotary Club of Ormoc Bay (RCOB) and the Ormoc City Chamber of Commerce and Industry, Inc. (ORCHAM), which aims to cover the organization, preparation and conduct of the Ormoc City Fiesta Celebration 2018, a copy of the final MOA is hereto attached and made an integral part hereof;

WHEREAS, through LGU-Ormoc Executive Order No. 05 Series of 2018, the 2018 Ormoc City Fiesta Executive Committee was created which aims to coordinate the various socio-cultural activities on the occasion of the City Fiesta celebrations involving various programs, activities and events that need active participation among the multi-sectors in the City, particularly from the government, business sector, civic clubs, professional organizations and religious groups;

WHEREAS, the ORCHAM is an organization of local businessmen established to promote trade and investments in the area towards the attainment of sustainable and equitable development of the local government and private sectors and has been recognized by LGU Ormoc as an accredited organization and partner to implement its programs and services with the City Government of Ormoc;

WHEREAS, OLBA and PICPA-Ormoc are organizations of professionals based in or with roots in the City, existing and operating under relevant laws, while the RCOB is a civic organization that is based in the City;

WHEREAS, OLBA and PICPA-Ormoc have been tasked to take charge of the collection of funds and compilation of disbursements and expenses for the socio-cultural activities on the occasion of the 2018 Fiesta Celebration, all of which are not income-generating activities for said organizations;

WHEREAS, for the generation of funds and compilation of disbursements and expenses for the fiesta celebration, RCOB has been tasked to be a member of the Resource Generation;

WHEREAS, LGU-Ormoc, cognizant of the positive impact of the Ormoc City Fiesta 2018 to the local economy, fully supports the conduct of this event in the City;

WHEREAS, the subject MOA clearly and plainly encapsulates the terms and conditions of the agreement of the parties thereto, including their specific roles, obligations and responsibilities for the successful conduct of the upcoming Ormoc City Fiesta 2018 Celebration;

WHEREAS, upon close and thorough review, this Sanggunian finds that the MOA is not contrary to law, public policy, public morals and existing contracts, and its aim is to successfully implement the socio-cultural activities on the occasion of the Ormoc City Fiesta Celebration 2018, which is an annual event that celebrates the City's rich culture and tradition, that brings together the different sectors of the City's broad societal spectra, that showcases the fun-lovingness and high-spiritedness of the Ormocanons in terms of celebrating long-enshrined traditions, and boosts and enhances the tourism and investment or business goals and initiatives of the City, therefore, making the same most worthy and deserving of this august Body's full support and affirmative action;

WHEREFORE, on motion of SP Member Benjamin S. Pongos, Jr. Chairman, Committee Laws and Ordinances, and Vice Chairman, Committee on Finance and Appropriation, severally seconded by SP Members Nolito M. Quilang, Tomas R. Serafica, Eusebio Gerardo S. Penserga, John Eulalio Nepomuceno O. Aparis II and Lea Doris C. Villar; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION AUTHORIZING THE 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 FOLLOWING PARTIES: ORMOC CITY FIESTA 2018 EXECUTIVE COMMITTEE (EXECOM); OCCIDENTAL LEYTE BAR ASSOCIATION (OLBA); PHILIPPINE INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS-ORMOC CITY CHAPTER (PICPA-ORMOC); THE ROTARY CLUB OF ORMOC BAY (RCOB); AND, THE ORMOC CITY CHAMBER OF COMMERCE AND INDUSTRY, INC. (ORCHAM), WHICH AIMS TO COVER THE ORGANIZATION, PREPARATION AND CONDUCT OF THE *SOCIO-CULTURAL ACTIVITIES ON THE OCCASION OF THE ORMOC CITY FIESTA CELEBRATION 2018*;


ADOPTED, March 26, 2018.

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 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 Ormoc City Fiesta 2018 Executive Committee; OLBA; PICPA-Ormoc; Rotary Club of Ormoc Bay; ORCHAM; 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.


NANCY I. LOPENA
(OIC - SP Secretary)
Local Legislative Staff Officer V

ATTESTED:


MARIO M. RODRIGUEZ
(Acting Vice Mayor & Temporary Presiding Officer)
SP Member, Presiding Officer "Pro-Tempore"

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement made and entered into by and among:

The **2018 ORMOC CITY FIESTA EXECUTIVE COMMITTEE**, herein referred to as the Committee, a special committee created for the 2018 fiesta celebration, represented herein by its Overall Chairman, **MR. JUDE P. ABENOJA, CPA;**

The **CITY GOVERNMENT OF ORMOC**, herein referred to as Ormoc LGU, a local government unit with principal address at the New Ormoc City Hall, Aunubing Street, Ormoc City, represented herein by its Mayor, **MR. RICHARD I. GOMEZ;**

The **OCCIDENTAL LEYTE BAR ASSOCIATION** herein referred to as OLBA, a non-government, non-stock, non-profit organization with principal address at Ormoc City, represented herein by **JOSEPHINE A. MEJIA- ROMERO;**

The **ROTARY CLUB OF ORMOC BAY**, herein referred to as Rotary Bay, a non-government organization with principal address at Ormoc City, represented herein by **STEPHANIE DIANE U. CHU;**

and

The **PICPA- ORMOC** herein referred to as PICPA, a non-government organization with principal address at Ormoc City, represented herein by **ALPHONSE MARI P. LIGUTAN;**

WITNESSETH: THAT:

WHEREAS, LGU Ormoc Executive Order No. 05, Series of 2018 created and organized the **2018 ORMOC CITY FIESTA EXECUTIVE COMMITTEE;**

WHEREAS, the Committee is created to coordinate the socio- cultural activities on occasion of the City Fiesta celebrations involving various programs, activities and events that need active participation among the multi-sectors in the city, from the government, business sector, civic clubs, professional organizations, and religious groups;

WHEREAS, the OLBA and PICPA are organizations of professionals based in or with roots in Ormoc City, existing and operating under relevant laws, and are accredited Civic Society Organizations with the LGU Ormoc;

WHEREAS, the Rotary is a civic organization based in Ormoc City;

WHEREAS, the OLBA, PICPA and the Rotary have been recognized by LGU Ormoc as organizations and partners to implement its programs and services with the City Government of Ormoc;

WHEREAS, it is recognized that the Fiesta is not only a religious celebration, but is also a major social and cultural that promotes tourism in the City of Ormoc.

WHEREAS, the OLBA and PICPA, as members of the Committee have been tasked to take charge of the collection of funds and compilation of disbursements and expenses for the socio- cultural activities on the occasion of the fiesta celebration, all of which are not income-generating activity for the OLBA and PICPA. All remittances and payments to the BIR and other government regulatory agencies, when pertinent and required, shall be paid on behalf of the Committee;

WHEREAS, the Rotary as member of the Resource Generation has been tasked to generate the needed funds for the socio- cultural activities on the occasion Ormoc City Fiesta 2018, which is likewise not income-generating activity for the organization;

WHEREAS, LGU Ormoc, cognizant of the positive impact of the socio- cultural activities on the occasion of the Ormoc City Fiesta 2018 to the local economy, fully supports the conduct of this event in the city.

WHEREAS, all PARTIES agree to donate the net proceeds of the ORMOC CITY FIESTA 2018 celebration to partially fund the Ormoc City Museum.

NOW, THEREFORE, for and in consideration of the foregoing premises, the PARTIES agree to the following:

I. Scope of Agreement

This agreement shall cover the organization, preparation and conduct of the socio-cultural activities on the occasion of the Ormoc City Fiesta 2018 for the period April 1 to July 15, 2018.

II. Organizational Set-Up

The Ormoc City Fiesta 2018 will have the following organizational set-up:

Overall Organizer	- Committee
Resource Generation	- Rotary Club of Ormoc Bay
Finance	- OLBA and PICPA
Piña Festival	- Ormoc City Cultural Foundation
Parade of Lights	- Rotary Club of Ormoc
Sports	- Host Lions Club
And other various organizations	
Host LGU	- LGU Ormoc

The Committee chairman shall act as the Overall Chairman, the Rotary representative as Resource Generation, the OLBA and PICPA representatives as

Finance Chairman and Co- Chairman, and the Ormoc City Mayor as the Honorary Chairman.

III. Responsibilities

A. The Committee shall:

- a. Provide overall direction in the conduct of the Ormoc City Fiesta 2018 activities;
- b. Provide assistance in generating sponsors;
- c. Provide secretariat support for preparatory activities and during the conduct of the fiesta celebration;
- d. Promote the event through local and/or national tri-media;
- e. Encourage participation in various fiesta activities among its stakeholders and partners;
- f. Provide technical and administrative support;
- g. Approve, through Finance Chairman, all **Liquidation Reports** and/or **Reimbursement of Expenses Reports**, including vouchers and other accounting and administrative forms submitted by all committee heads in the format as prescribed by the OLBA;
- h. Approve the reimbursement of the Resource Generation and/ or Finance committees' management and administrative cost and expenses, including payment of taxes, permits and other fees; and possible disallowances from the BIR (not more than 18% of the total gross receipts). Note: **The Committee shall not hold OLBA liable for any losses related to the fiesta celebration.**

B. The Rotary shall:

- a. Spearhead the generation of funds for the fiesta celebration, including but not limited to the following: sponsorships/solicitations, booth/ bazaar, food and theme park rentals, ticket sales on all activities, fiesta souvenirs, sectoral nights' registration fees, LGU funding for socio-cultural and sports activities and other special events;

C. The OLBA and PICPA shall:

- a. Collect and issue Official Receipts (OR) to all sponsors and other fund-generation activities under the name of Occidental Leyte Bar Association;
- b. Require all fiesta committee heads to submit Official Receipts (OR), Sales Invoices and other BIR acceptable documents, under the name of the Occidental Leyte Bar Association or OLBA as support for all disbursements and expenses incurred related to the fiesta celebration in a form of **Liquidation Report** or **Reimbursement of Expenses Report** as approved by the Committee Chairman. Note: Refer to OLBA's standard templates.
- c. Conduct meetings with all fiesta committee heads regarding compliance and submission of all reports, including liquidation of expenses, and updating of committee's assignments and other deliverables.

- d. Compile and submit regular financial reports to the Committee on a weekly basis, or as needed.
- e. Submit to the Bureau of Internal Revenue (BIR) and other government regulatory agencies all compliance reports including certificates of donation to requesting sponsors, as required.
- f. Shall facilitate processing of permits and other BIR related requirements (i.e. permit to print, etc.) and remittance of payment of taxes as required.
- g. Submit audited financial statements for the period April 1- July 15, 2018 to the Committee not later than August 31, 2018.

D. The City Government of Ormoc City shall:

- a. Provide technical, logistical, and financial support for cultural activities in an amount not less than EIGHT MILLION NINE HUNDRED THOUSAND PHILIPPINE PESOS (PHP 8,900,000.00) but not more than TEN MILLION PHILIPPINE PESOS (Php10,000,000.00), in accordance with the budget as itemized in the list of Ormoc City Socio- Cultural and Sports Events 2018, a copy of which is attached herein and made an integral part hereof. The said amount must be released in accordance with the schedule/ table of "Fund Releases on or Before" as indicated in the same list of Ormoc City Socio- Cultural and Sports Events 2018;
- b. Provide assistance in generating sponsors;
- c. Promote participation in the fiesta celebration;
- d. Encourage participation of key government officers and other stakeholders.

IN WITNESS WHEREOF, the PARTIES have hereunto set their hands this ____ day of ____, 2018 at ____.

2018 ORMOC CITY FIESTA EXECUTIVE COMMITTEE
JUDE P. ABENOJA, CPA

CITY GOVERNMENT OF ORMOC
RICHARD I. GOMEZ, MBA

OCCIDENTAL LEYTE BAR ASSOCIATION
JOSEPHINE A. MEJIA- ROMERO

ROTARY CLUB OF ORMOC BAY
STEPHANIE DIANE U. CHU

PICPA- ORMOC
ALPHONSE MARI P. LIGUTAN

SIGNED IN THE PRESENCE OF:

Peter M. Rodriguez
Anna Louisa A. Bumagat
Evangeline Chu
Estrella S. Pangilinan
Rey F. Evangelista
Ma. Victoria Lyra P. dela Cerna
Maricel R. Ngo

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
ORMOC CITY) S.S.

BEFORE ME, a Notary Public in and for the above jurisdiction, this
_____, personally appeared the following with competent device of
identity:

<u>Name</u>	<u>Competent Proof of Identity</u>
JUDE ABENOJA	
RICHARD I. GOMEZ	
JOSEPHINE A. MEJIA- ROMERO	
STEPHANIE DIANE CHU	
ALPHONSE MARI P. LIGUTAN	

known to me to be the same persons who executed the foregoing which instrument consists of 6 pages, including the Ormoc City Socio- Cultural and Sports Events 2018 and page on which this Acknowledgment is written, signed by the parties at the left hand margin of each and every page by the parties executing this instrument and their witnesses and they acknowledged to me that they executed the same as their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this _____ in Ormoc City, Philippines.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2018.