

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 JUNE 07, 2018

PRESENT:

Rolando M. Villasencio,	(Acting City Vice-Mayor & Temporary Presiding Officer),
	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

ON OFFICIAL BUSINESS:

Leo Carmelo L. Locsin, Jr. (Acting City Mayor),
City Vice Mayor & Presiding Officer

RESOLUTION NO. 2018-133

**A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR
RICHARD I. GOMEZ OR THE ACTING CITY MAYOR TO ENTER
INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA)
FOR AND IN BEHALF OF THE LOCAL GOVERNMENT UNIT OF
ORMOC (LGU-ORMOC) WITH THE TOURISM
INFRASTRUCTURE AND ENTERPRISE ZONE AUTHORITY
(TIEZA) FOR THE TOURISM MASTER PLAN FOR THE 4TH
DISTRICT OF LEYTE.**

WHEREAS, the City Mayor Richard I. Gomez through an Endorsement dated May 15, 2018, forwarded to this august Body for consideration the Memorandum of Agreement (MOA), to be entered into by and among the Tourism Infrastructure and Enterprise Zone Authority (TIEZA) and the Local Government Units of the 4th District of Leyte, particularly the Local Government Unit of Ormoc (LGU-Ormoc), for the Tourism Master Plan for the 4th District of Leyte, a copy of the final MOA is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, Republic Act No. 9593, otherwise known as the "Tourism Act of 2009", declares as one of its objectives the support of the establishment of Tourism Enterprise Zones (TEZs), which will provide the necessary vehicle to coordinate actions of the public and private sectors to address development barriers, attract and focus investment on specific geographic areas and upgrade product and service quality;

WHEREAS, Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that every local government unit (LGU), as a corporation has the power to enter into contracts and exercise other powers granted to corporations, subject to the limitations provided in R.A. No. 7160 and other pertinent laws;

WHEREAS, TIEZA is mandated to designate, regulate and supervise TEZs as well as to develop, manage and supervise tourism infrastructure projects including the formulation of Tourism Master Plans;

WHEREAS, there is a huge need to formulate a Tourism Master Plan to provide the 4th District of Leyte, particularly the City of Ormoc, a roadmap towards tourism improvement to bring in together different tourism sectors that can work together for the betterment of tourism in the city and at the same time to address investors' specific investment concerns;

WHEREAS, in line with the preparation of the Tourism Master Plan for the 4th District of Leyte that shall be undertaken by the TIEZA, a MOA is necessary to delineate the functions of all stakeholders in the master planning of the district and which would require the commitment of the LGUs of the 4th District of Leyte, among which is the City, in order to provide their inputs and comments on the reports, plans and deliverables of the consultant provided by the TIEZA within a given period to ensure a timely and smooth conduct of the master planning process;

WHEREAS, tourism, more than any other industry, relies upon the integrity of a locality's natural and manmade environment and cultural heritage;

WHEREAS, as a major driver of economic development, tourism, thru the said Tourism Master Plan for the 4th District of Leyte, shall be properly planned and given full support in its implementation through the optimization of its contribution to economic growth, enhancement of its contribution to the cultural preservation within the neighboring cities and municipalities, development of the same on an environmentally sustainable dimension including socio-cultural and environmental management;

WHEREAS, the City Legal Officer issued a legal opinion dated May 10, 2018 stating that after a review of the draft MOA against the provisions of Republic Act No. 9593 (Tourism Act of 2009), the same is found to be in order, not detrimental to the interests of the City, not contrary to law, morals and public policy and recommends for its approval and that a Resolution by this Sanggunian be secured for the granting of authority to the City Mayor to sign the same, a copy of the said letter is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, upon close and thorough review, this Sanggunian finds that the aforementioned MOA clearly, plainly and truthfully encapsulates the terms and conditions of the agreement of the parties thereto, including their specific roles and obligations towards the attainment of the objectives of the same, which is primarily to bring about much-sought after improvement in the City's tourism sector through the bringing together of the various tourism sectors and stakeholders, and additionally, harness to the fullest and s Benjamin S. Pongos, Jr., Chairman of the Committee on Laws and Ordinances sustain the vast tourism potential of the City;

NOW THEREFORE, on joint motion of SP Member Nolito M. Quilang, Chairman, Committee on Tourism and SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws & Ordinances, severally seconded by SP Members Tomas R. Serafica, Eusebio Gerardo S. Penserga, Gregorio G. Yrastorza III, John Eulalio Nepomuceno O. Aparis II and Mariano Y. Corro; 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 TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) FOR AND IN BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH THE TOURISM INFRASTRUCTURE AND ENTERPRISE ZONE AUTHORITY (TIEZA) FOR THE TOURISM MASTER PLAN FOR THE 4TH DISTRICT OF LEYTE;

ADOPTED, June 07, 2018.

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

RESOLVED, FINALLY, that copies of this resolution be furnished each to the City Mayor; City Legal Officer; City Tourism Office; the Tourism Infrastructure and Enterprise Zone Authority (TIEZA); the Department of Tourism (DOT) Region VIII; the OIC-City Director, DILG and all other concerned offices for their information and guidance.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.


MA. LOURDES B. TUGONON
(OIC – SP Secretary Designate)
Administrative Assistant V

ATTESTED:


ROLANDO M. VILLASENCIO
(Acting City Vice-Mayor & Temporary Presiding Officer)
Majority Floor Leader
SP Member



Republic of the Philippines
OFFICE OF THE CITY LEGAL OFFICER
Ormoc City, Leyte

OFFICE OF THE CITY LEGAL OFFICER	
RECEIVED	
DATE:	5-10-18
TIME:	4:20
SIGNATURE:	

10 May 2018

MA. VICTORIA LYRA P. DELA CERNA RRT, MBA-HA, MPA
City Govt. Asst. Dept. Head I
City Mayor's Office
LGU-Ormoc City

Re: Review of Multipartite MOA for the Tourism Master Plan for 4th District of Leyte

Dear Ms. Dela Cerna:

The undersigned has reviewed the draft multipartite MOA against the provisions of RA 9593 (Tourism Act of 2009) and finds nothing legally objectionable to the basis, substance and purposes thereof. The same is likewise found to be in order, not detrimental to the interests of the City, not contrary to law, morals and public policy.

The undersigned therefore recommends approval of the aforementioned multipartite MOA, and further recommends that an SP Resolution be secured for the Authority of the Mayor to sign the same.

Thank you.

Very Truly Yours,

ATTY. JASPER M. LUCERO
City Legal Officer

MA. VICTORIA LYRA P. DELA CERNA
City Mayor

MEMORANDUM OF AGREEMENT

This Agreement is made and entered into between:

The **TOURISM INFRASTRUCTURE AND ENTERPRISE ZONE AUTHORITY**, with principal office address at 6th and 7th Floors, Tower 1 Double Dragon, Meridian Park, Diosdado Macapagal Ave. cor. EDSA Extension, Pasay City represented herein by Chief Operating Officer **Pocholo Joselito D. Paragas**, hereinafter referred to as TIEZA;

AND

The **CITY OF ORMOC**, with principal office address at New City Hall Building, Aunubing Street, Ormoc City represented herein by its Local Chief Executive **Mayor Richard Gomez**;

RECITALS:

WHEREAS Republic Act No. 9593 (RA 9593), otherwise known as "The Tourism Act of 2009", declares as one of its objectives the support of the establishment of tourism enterprise zones (TEZs), which will provide the necessary vehicle to coordinate actions of the public and private sectors to address development barriers, attract and focus investment on specific geographic areas and upgrade product and service quality;

WHEREAS TIEZA is mandated to designate, regulate and supervise TEZs as well as to develop, manage and supervise tourism infrastructure projects;

WHEREAS in line with their respective mandates, the Department of Tourism and TIEZA developed a special program to identify, master plan and develop Flagship TEZs;

WHEREAS under Republic Act No. 7160 (RA 7160), otherwise known as the "Local Government Code of 1991", every local government unit (LGU), as a corporation, has the power to enter into contracts and exercise other powers granted to corporations, subject to the limitations provided in RA 7160 and other laws;

WHEREAS the local development councils may call upon any local official concerned or any official of national agencies or offices in the LGU to assist in the formulation of their respective development plans and public investment programs;

WHEREAS the City of Ormoc, thru its local chief executive, has expressed desire to be included in the formulation of a Tourism Development Plan for the 4th District of Leyte and the City of Ormoc which may be a guide for the identification and master planning of identified area/s as possible Flagship TEZ or private TEZs;

NOW, THEREFORE, for and in consideration of the foregoing premises, the TIEZA and City of Ormoc do hereby agree to undertake the following:

I. TIEZA shall:

1. Commission and shoulder the costs in drafting the tourism master plan for the 4th District of Leyte and City of Ormoc, using as reference existing plans and

- studies relative to said areas and TIEZA Board approved master plan/s for area/s therein;
2. Provide relevant materials, information and key resource persons as may be needed in the master planning; and
 3. Consolidate all comments on the deliverables for the master planning.

II. City of Ormoc:

1. Provide the necessary and relevant information in the drafting of the tourism master plan;
2. Allow the review, use or revision of the existing master plan/studies and proposals relative to the 4th District of Leyte and City of Ormoc;
3. Conduct the necessary public consultation and enter into contracts and agreements with the concerned stakeholders, including the private sector, prior to the completion of the conceptual and integrated tourism master plans;
4. Assign one (1) authorized representative or contact person to coordinate and assist TIEZA and the consultants commissioned by TIEZA to master plan the 4th District of Leyte and City of Ormoc; and
5. Review and comment on the Inception Report within three (3) days its submission. Review and comment on the Final Inception Report, Draft Final Report and Final Report within seven (7) days after their submission. Failure to submit comments to TIEZA within the review period will be deemed an approval of the subject report or plan.

IV. Effectivity.

This Memorandum of Agreement shall take effect immediately upon its execution and may be amended upon agreement of both parties.

IN WITNESS HEREOF, the parties have hereunto affixed their signatures this ____ day of _____ 2018 in City of Ormoc, Leyte, Philippines.

**TOURISM INFRASTRUCTURE AND
ENTERPRISE ZONE AUTHORITY (TIEZA)**

By:

POCHOLO JOSELITO D. PARAGAS
Chief Operating Officer

CITY OF ORMOC,
By:

RICHARD I. GOMEZ
Mayor

ACKNOWLEDGMENT

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

BEFORE ME, a Notary Public for and in the City of Manila, personally appeared the following:

Proof of ID

Issued at

Issued on

POCHOLO JOSELITO D. PARAGAS

RICHARD I. GOMEZ

known to me to be the same persons who executed the foregoing instruments and acknowledged to me that the same is their own free act and deed and of the entities they represents.

This Acknowledgment refers to a Memorandum of Agreement consisting of three (3) pages including the page on which this acknowledgment is written duly signed by both parties and their instrumental witnesses on each and every page thereof.

WITNESS MY HAND AND SEAL this ____ day of _____ 2018 in Manila, Philippines.

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