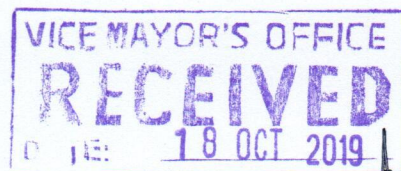




REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL  
ON OCTOBER 15, 2019

PRESENT:

|                              |   |
|------------------------------|---|
| Leo Carmelo L. Locsin, Jr.   | City Vice Mayor & Presiding Officer   |
| Benjamin S. Pongos, Jr.,     | SP Member, Majority Floor Leader  |
| Roiland H. Villasencio,      | SP Member, 1 <sup>st</sup> Asst. Majority Floor Leader  |
| Tomas R. Serafica,           | SP Member, Presiding Officer "Pro-Tempore"  |
| Nolito M. Quilang,           | SP Member, 2 <sup>nd</sup> Asst. Majority Floor Leader  |
| Eusebio Gerardo S. Penserga, | SP Member   |
| Jasper M. Lucero,            | SP Member   |
| Peter M. Rodriguez,          | SP Member   |
| Vincent L. Rama,             | SP Member   |
| Gregorio G. Yrastorza III,   | SP Member   |
| Lalaine A. Marcos,           | SP Member   |
| Esteban V. Laurente,         | Ex-Officio SP Member, Chapter President,<br>Liga ng mga Barangay ng Ormoc                                 |
| Jasper C. Yerro,             | Ex-Officio SP Member, Chapter President,<br>Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc |

**RESOLUTION NO. 2019-092**

**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), AS DONEE, TO ACCEPT AND SIGN THE DEED OF DONATION WITH THE DEPARTMENT OF HEALTH EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT (DOH), AS DONOR, RELATIVE TO THE EXTENSION OF THE CURVA DISTRICT HEALTH CENTER AND THE CONSTRUCTION OF THE WAITING AREA OF THE IPIL DISTRICT HEALTH CENTER IN THE CONTRACT AMOUNT OF SEVEN HUNDRED NINETY-NINE THOUSAND ONE HUNDRED SEVENTY-NINE PESOS AND THIRTY CENTAVOS (PHP799,179.30) AND SEVEN HUNDRED NINETY-NINE THOUSAND TWO HUNDRED FIFTY-THREE PESOS AND SEVENTY-TWO CENTAVOS (PHP799,253.72), RESPECTIVELY.**

WHEREAS, an Indorsement was forwarded to this august Body from the Office of the City Mayor dated September 30, 2019, requesting this august Body for the issuance of a Resolution granting authority to the City Mayor to accept and sign a Deed of Donation (DOD), for and on behalf of Local Government Unit of Ormoc City (LGU-ORMOC), as Donee, with the DEPARTMENT OF HEALTH EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT (DOH), as Donor, relative to the extension of the Curva District Health Center and the construction of the waiting area of the Ipil District Health Center in the contract amount of SEVEN HUNDRED NINETY-NINE THOUSAND ONE HUNDRED SEVENTY-NINE PESOS AND THIRTY CENTAVOS (PHP799,179.30) and SEVEN HUNDRED NINETY-NINE THOUSAND TWO HUNDRED FIFTY-THREE PESOS AND SEVENTY-TWO CENTAVOS (PHP799,253.72) respectively, a copy of the final Deed of Donation (DOD) and its annex are hereto attached as Annex "A" and made an integral part hereof;



WHEREAS, through an Indorsement dated September 19, 2019, Dr. Edmund B. Kierulf, OIC-City Health Officer, forwarded to the Office of the City Mayor the draft Deed of Donation for signing;

WHEREAS, the Local Government Unit of Ormoc (LGU-Ormoc) has various health centers located in different parts of the City to cater to the health needs of Ormocanons particularly in providing primary care including preventive and promotive health services and other public health programs through the RHUs and district health centers, which are the first point of contact for government-provided health services;

WHEREAS, District or Community health centers across the City have been providing care and reaching out to underserved communities and ensuring the care delivered is tailored for the needs of the communities they serve;

WHEREAS, under Republic Act No. 7160 otherwise known as the Local Government Code of 1991, responsibility for public health care was devolved to local government units (LGUs) across the country and accords every LGU the power and authority to promote the general welfare within its territorial jurisdiction, including the promotion of health and safety of its constituents;

WHEREAS, it has been determined by the City Health Office (CHO) of LGU-Ormoc and the DOH - EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT that there is a need to improve facilities of certain District Health Centers in the City;

WHEREAS, the DOH has already undertaken the construction of the following structures to wit:

- a. Extension of the Curva District Health Center, and
- b. Construction of Waiting Area at the Ipil District Health Center;

WHEREAS, the aforementioned structures have already been completed by the Contractor duly approved and authorized by DOH - EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT and are now ready for turn-over and are to be accordingly donated to the LGU-Ormoc through the aforementioned Deed of Donation;

WHEREAS, this Sanggunian finds the Deed in order, pursuant to the provisions of Section 455, Paragraph (b) (1) (vi) of Republic Act 7160, otherwise known as the Local Government Code of 1991, which authorizes the City Mayor to represent the city in all its business transactions and sign in its behalf all bonds, contracts and obligations, and such other documents upon authority of the Sangguniang Panlungsod concerned pursuant to law or ordinance;

WHEREAS, in a letter dated September 25, 2019 sent by the City Legal Office, it stated that upon review, the office finds nothing legally objectionable thereto and that the same may be executed between the concerned parties, a copy of said letter is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, the said donated property upon execution and acceptance of the Deed shall be considered as forming part of City properties for public use pursuant to the applicable provisions of the Civil Code and other pertinent laws;

WHEREAS, this Sanggunian, after thorough examination of the aforementioned request by the City Mayor finds that it is to the best interest of the City and advantageous to the same, and further deems it proper and meritorious to authorize the City Mayor to sign the Deed of Donation and accept the same as it immensely benefits Ormocanons in terms of an easier access to quality health care;



WHEREAS, LGU-Ormoc and this Sanggunian fully expresses its utmost gratitude and appreciation for the support and liberality of the Donor, considering the extreme usefulness of the donated property in the delivery of public service to the constituents;

WHEREFORE, on motion of SP Member Benjamin S. Pongos, Jr. Chairman, Committee Laws and Ordinances, severally seconded by SP Members Tomas R. Serafica, Nolito M. Quilang, Vincent L. Rama, Gregorio G. Yrastorza III, Lalaine A. Marcos, Esteban V. Laurente, Jasper C. Yerro and Jasper M. Lucero; 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), AS DONEE, TO ACCEPT AND SIGN THE DEED OF DONATION WITH THE DEPARTMENT OF HEALTH EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT (DOH), AS DONOR, RELATIVE TO THE EXTENSION OF THE CURVA DISTRICT HEALTH CENTER AND THE CONSTRUCTION OF THE WAITING AREA OF THE IPIL DISTRICT HEALTH CENTER IN THE CONTRACT AMOUNT OF SEVEN HUNDRED NINETY-NINE THOUSAND ONE HUNDRED SEVENTY-NINE PESOS AND THIRTY CENTAVOS (PHP799,179.30) AND SEVEN HUNDRED NINETY-NINE THOUSAND TWO HUNDRED FIFTY-THREE PESOS AND SEVENTY-TWO CENTAVOS (PHP799,253.72), RESPECTIVELY;

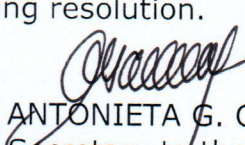
ADOPTED, October 15, 2019.

RESOLVED, FURTHER, that a copy of the final notarized Deed of Donation be submitted 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. Josephine Mejia-Romero; the Department of Health Eastern Visayas Center for Health Development (DOH); the City Health Officer, Dr. Edmund Kierulf; the City Local Government Operations Officer-DILG; and other concerned offices for their information and guidance.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

  
MARIA ANTONIETA G. CO HAT  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

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





Republic of the Philippines  
Department of Health  
**Eastern Visayas**  
Center for Health Development



## DEED OF DONATION

### KNOW ALL MEN BY THESE PRESENTS:

This Deed of Donation made and executed by

The **DEPARTMENT OF HEALTH EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT** a government agency under the executive department of the Republic of the Philippines – herein represented by **MINERVA P. MOLON, MD, MPH, FPPA, CESO III**, Director IV with office address at Government Center, Palo, Leyte, Philippines hereinafter referred to as the “**DONOR**.”

- in favor of -

The **CITY GOVERNMENT of ORMOC** herein represented by **HON. RICHARD I. GOMEZ**, Mayor with office address at Ormoc City hereinafter called the “**DONEE**,”

### WITNESSETH:

That the **DONOR** undertook the (1) **Extension of CURVA DISTRICT HEALTH CENTER** and (2) **Construction of WAITING AREA of IPIL DISTRICT HEALTH CENTER** in the contract amount of **Php799,179.30** and **Php799,253.72**, respectively, both in the City of the **DONEE**;

That the **DONOR** undertook the above described Extension/Construction for/in behalf of the **DONEE** pursuant to a Contract of Agreement which shall form an integral part of this act;

That for and in consideration of the legal mandate of the **DONOR** to ensure the provision of quality health care by improving/constructing primary health care facilities, improve their gatekeeping capacity and to make preventive, promotive and curative health services more accessible to the people through its Health Facility Enhancement Program (HFEP), the **DONOR** hereby freely and voluntarily gives, transfers and conveys by way of donation to the **DONEE**, its successors and assigns free and clear of any and all liens and encumbrances whatsoever all its rights, interests and title to the above described property;

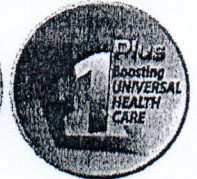
That the **DONOR** affirms that this donation is made in compliance and in accordance with government accounting and auditing rules;

That the **DONEE** hereby accepts and receives this donation made in his favor by the **DONOR**, and hereby manifests his gratefulness for the latter's generosity.





Republic of the Philippines  
Department of Health  
**Eastern Visayas**  
Center for Health Development



IN WITNESS WHEREOF, the **DONOR** has hereto subscribed herself this \_\_\_\_\_ day of \_\_\_\_\_.

**MINERVA P. MOLON, MD, MPH, FPPA, CESO, III**  
**DONOR**

**HON. RICHARD I. GOMEZ**

**DONEE**

**ACKNOWLEDGEMENT**

**REPUBLIC OF THE PHILIPPINES)**  
\_\_\_\_\_ ) S. S.

BEFORE ME this \_\_\_\_\_ (date) \_\_\_\_\_, personally appeared:

MINERVA P. MOLON ID# 20090194 Issued on/at DOH, MANILA

RICHARD I. GOMEZ ID# \_\_\_\_\_ Issued on/at \_\_\_\_\_

Known to me and to me known to be the same persons who executed the foregoing instrument, and they acknowledged to me that the same is free and voluntary act and deed, including that of the entities that they represent.

This instrument refers to a **Deed of Donation** that consists of \_\_\_\_\_ pages, including this page whereon this acknowledgement is written, and which is signed by the parties concerned on each and every page thereof.

**WITNESS MY HAND AND NOTARIAL SEAL**, on the date at the place first written above.

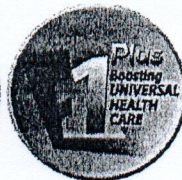
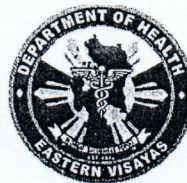
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Series of \_\_\_\_\_

**NOTARY PUBLIC**





Republic of the Philippines  
Department of Health  
**Eastern Visayas**  
Center for Health Development



## CERTIFICATE OF ACCEPTANCE

The **DONEE**, for and in behalf of **City of ORMOC**, hereby accepts and acknowledges the donation from the **DEPARTMENT OF HEALTH EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT**.

For and in behalf of the **City of ORMOC**, the **DONEE** expresses his most sincere appreciation for the benevolence shown by the **DONOR**.

### Details of the Donation

**EXTENSION OF CURVA DISTRICT HEALTH CENTER and  
CONSTRUCTION OF WAITING AREA OF IPIL DISTRICT HEALTH CENTER**

In witness whereof, the **DONEE** has set his hands this \_\_\_\_\_ in

**HON. RICHARD I. GOMEZ**

**DONEE**

**CITY OF ORMOC**

**Name of City**

**SIGNED IN THE PRESENCE OF:**

(Signature over Printed Name)

(Signature over Printed Name)



Annex "B"

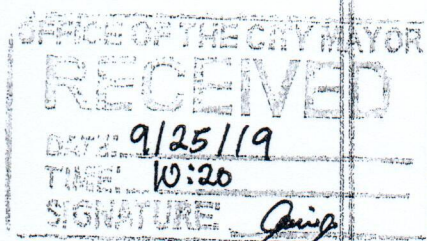
## OFFICE OF THE CITY LEGAL OFFICER

Ormoc City, Leyte

September 25, 2019

MAYOR RICHARD L GOMEZ  
Ormoc City

THRU: DEVRAN LOUISE O. TRILLANA  
CMT-I  
City Mayor's Office



Re: Review of Memorandum of Deed of Donation: DOH VIII

References:

1. Referral dated September 20, 2019;
2. City Health Department Indorsement dated September 19, 2019;
3. Deed of Donation;
4. Certificate of Acceptance;
5. Copy of Certificate of Completion;
6. Copy of Certificate of Turnover and Acceptance of Completed Project.

Dear Mayor Gomez:

This Office has reviewed above-stated documents and finds nothing objectionable thereto. The same may be executed by the concerned parties, subject to attachment of original/certified true copies of number 5 and 6 above, documents reflecting, or can be made basis of, the acquisition/construction/project cost of said improvement, photographs thereof, for purposes of entering the same into the books of LGU Ormoc, and the Contract of Agreement referred to in paragraph 2 of the Deed of Donation; and change of the pronoun "his" into "its" in paragraph 5 of the same deed (no soft copy submitted).

This advice is rendered without prejudice to contrary opinion from competent authorities or ruling of the proper body/court.

For consideration of the CMO and concerned/implementing office/s.

Most Respectfully,

ATTY. MARIA ADELFA S. CABRERA  
Attorney III

With conformity:

ATTY. JOSEPHINE A. MEJIA- ROMERO  
City Legal Office

New Ormoc City Hall, Annubirg St., Cogon, Ormoc City  
(053)255-7395 loc. 1010 ++ clo.ormoc@gmail.com