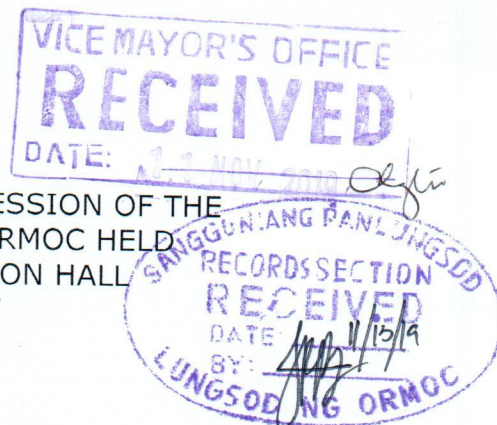


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON NOVEMBER 04, 2019 IN LIEU OF
NOVEMBER 05, 2019

PRESENT:

Leo Carmelo L. Locsin, Jr.
Benjamin S. Pongos, Jr.,
Tomas R. Serafica,
Nolito M. Quilang,
Eusebio Gerardo S. Penserga,
Vincent L. Rama,
Gregorio G. Yrastorza III,
Lalaine A. Marcos,

City Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader
SP Member, Presiding Officer "Pro-Tempore"
SP Member, 2nd Asst. Majority Floor Leader
SP Member
SP Member
SP Member
SP Member

ON OFFICIAL BUSINESS:

Roiland H. Villasencio,

Jasper M. Lucero,
Peter M. Rodriguez,
Esteban V. Laurente,

(O.B. - Quezon City),
SP Member, 1st Asst. Majority Floor Leader
(O.B. - Quezon City), SP Member
(O.B. - Quezon City), SP Member
(O.B. - Quezon City), Ex-Officio SP Member,
Chapter President, Liga ng mga Barangay ng Ormoc

ON LEAVE:

Jasper C. Yerro,

Ex-Officio SP Member, Chapter President,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

RESOLUTION NO. 2019-118

**A RESOLUTION ACCEPTING WITH REGRETS THE
RESIGNATION OF HONORABLE SP MEMBER JASPER C.
YERRO AS SANGGUNIANG KABATAAN (SK)
FEDERATION PRESIDENT OF ORMOC CITY AND
SUBSEQUENTLY AS EX-OFFICIO MEMBER OF THE
FIFTEENTH (15th) SANGGUNIANG PANLUNGSOD OF
ORMOC CITY AND EXPRESSING PROFOUND
GRATITUDE AND RECOGNIZING HIS INVALUABLE
CONTRIBUTIONS TO THE CITY OF ORMOC.**

WHEREAS, in a letter dated October 24, 2019 addressed to the Honorable Vice Mayor Leo Carmelo L. Locsin, Jr., incumbent Sangguniang Panlungsod Member Jasper C. Yerro tendered his irrevocable resignation as the Sangguniang Kabataan (SK) Federation President of Ormoc City, a copy of said letter is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, after having unselfishly served the Local Government Unit of Ormoc as Ex-Officio Member of the Sangguniang Panlungsod after his election as the Sanggunian Kabataan (SK) Federation President of Ormoc City, this august Body treats such a decision with utmost respect, even though it would mean missing SP Member Yerro's presence in the chamber along with his dedication and sincerity in serving the people of Ormoc, particularly in representing the Youth and Sports sector;

WHEREAS, during his incumbency as Ex-Officio SP Member, he had shared his time, efforts, thoughts and insights to various legislations effected and had helped the Sanggunian realize its mandate of providing the necessary legislation for the welfare of the people of Ormoc;

WHEREAS, Section 21, (c) of Republic Act No. 10742, otherwise known as the Sangguniang Kabataan Reform Act of 2015, specifically provides that the manner of election, suspension and removal of the officers of the Pederasyon at all levels and the term of office shall be governed by the guidelines to be jointly issued by the DILG, the COMELEC and the Commission”;

WHEREAS, in the implementation of the above-quoted provision, a Joint Memorandum Circular (JMC) was issued dated June 23, 2017 which provided the following:

“SECTION 39. RESIGNATION.

(a) Resignation of any SK Pederasyon officer at all levels shall be deemed effective only upon acceptance by the following authorities:

(1) X X X X

(2) **Presiding Officer of the Sangguniang Panlungsod/Bayan** in the case of Panlungsod/Pambayang Pederasyon President; and

(3) X X X X”

Further, item (c) of said Section also states that:

“(c) Irrevocable resignations by any Pederasyon President or other Pederasyon officer **be deemed accepted upon presentation before an open session of the sangguniang** or other concerned Pederasyon, as the case may be, and **duly entered in its records.**” X X X X

WHEREFORE, in view of the aforesaid provisions, this august Body deems it necessary to manifest its acceptance and to accede to the said resignation of a brilliant and dedicated colleague in the person of SP Member Jasper C. Yerro as Member of the 15th Sangguniang Panlungsod ng Ormoc, for purposes of good governance and is sincerely thankful for his unselfish contributions to the betterment for the City Government of Ormoc and to her people as well;

NOW, THEREFORE, motion of SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Internal Rules of Procedure & Legislative Tracking, severally seconded by SP Members Tomas R. Serafica, Nolito M. Quilang, Eusebio Gerardo S. Penserga and Vincent L. Rama; be it

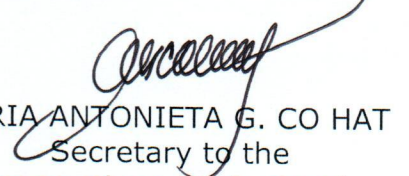
RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION ACCEPTING WITH REGRETS THE RESIGNATION OF HONORABLE SP MEMBER JASPER C. YERRO AS SANGGUNIANG KABATAAN (SK) FEDERATION PRESIDENT OF ORMOC CITY AND SUBSEQUENTLY AS EX-OFFICIO MEMBER OF THE FIFTEENTH (15th) SANGGUNIANG PANLUNGSOD OF ORMOC CITY AND EXPRESSING PROFOUND GRATITUDE AND RECOGNIZING HIS INVALUABLE CONTRIBUTIONS TO THE CITY OF ORMOC;

ADOPTED, November 04, 2019.

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 M. Romero; the Human Resources and Management Office – City Government Asst. Department Head I, Ms. Adelaida H. Biacolo; the City Local Government Operations Officer-DILG; and all other offices concerned for their information and guidance.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


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

DEMO COPY

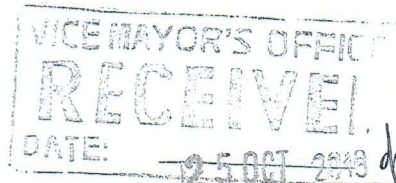
Annex "A"

OFFICE OF THE CITY LEGAL OFFICER

Ormoc City, Leyte

25 October 2019

LEO CARMELO L. LOCSIN JR.
City Vice-Mayor
Ormoc City



Dear Vice-Mayor Locsin Jr.,

1. This has reference to your routing slip dated October 24, 2019 requesting for recommendation in connection with the resignation letter dated October 24, 2019 tendered by SP Member Jasper C. Yerro, ex-officio member and President of the Panlungsod na Pederasyon ng mga Sangguniang Kabataan, to be effective upon acceptance.
2. Section 21, (c) of R.A. No. 10742 otherwise known as the "Sangguniang Kabataan Reform Act of 2015" specifically states: "The manner of election, suspension and removal of the officers of the Pederasyon at all levels, and the term of office of the other officers of the Pederasyon shall be governed by the guidelines to be jointly issued by the DILG, the COMELEC and the Commission within sixty (60) days upon the effectivity of this Act."
3. Implementing the above-quoted provision of law, the DILG, COMELEC and NYC issued Joint Memorandum Circular No. 2017-01 dated June 23, 2017 providing for the guidelines on the conduct of SK Pederasyon Election and rules governing the terms of office, suspension and removal of all SK Pederasyon Officers. Section 39 and Section 41 paragraph a of the said guidelines also particularly provide:

SECTION 39. RESIGNATION

a. Resignation of any SK Pederasyon officer at all levels shall be deemed effective only upon acceptance by the following authorities:

1. xxx

2. Presiding Officer of the Sangguniang Panlungsod/Bayan in the case of Panlungsod/Pambayang Pederasyon President; and

3. xxx (underscoring supplied)

b. The resignation shall be deemed accepted if not acted upon by the authority concerned within fifteen (15) days from receipt thereof.

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OFFICE OF THE CITY LEGAL OFFICER

Ormoc City, Leyte

c. Irrevocable resignations by any Pederasyon President or other Pederasyon officer be deemed accepted upon presentation before an open session of the sangguniang or the concerned Pederasyon, as the case may be, and duly entered in its records.

d. Copies of the resignation letters, together with the action taken by the aforesaid authorities, shall be furnished the Department of the Interior and Local Government;"

X X X X X

" SECTION 41. FILLING UP OF VACANCY IN THE OFFICE OF THE PEDERASYON PRESIDENT

a. **PERMANENT VACANCY.** - In case the Pederasyon President voluntarily resigns, dies, is permanently incapacitated, is removed from office, or has been absent without leave for more than three consecutive months, the Vice-President of the concerned Pederasyon shall:

1. Automatically assume the office for the unexpired portion of the term;
2. Discharge the powers and duties of the pederasyon president;
3. Enjoy the rights and privileges appurtenant to the office including representation in the local sanggunian and the receipt of the corresponding monetary remuneration for the service concerned; and
4. Special election shall be held to elect the Vice-President of the Pederasyon from among the other officers of the Pederasyon."

4. On the bases of the foregoing provisions of law, it is very clear that it is the Presiding Officer of the Sangguniang Panlungsod that has the authority to accept the resignation of the Panlungsod Pederasyon President for it to be effective. The irrevocable resignation is deemed accepted upon presentation before an open session of the Sangguniang Panlungsod and duly entered in its records. The law requires that the acceptance must be made within 15 days from receipt thereof, otherwise it is deemed accepted after the lapse of said period. It is also required that copies of the resignation letters and the action taken by the Presiding Officer and SP shall be furnished to the DILG.

5. In view of the foregoing, this Office recommends the following:

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a. The Vice-Mayor/Presiding Officer of the Sangguniang Panlungsod shall accept the resignation of SP Member Jasper C. Yerro for it to be effective within 15 days from receipt thereof. Otherwise, if not acted upon within the said period it is deemed accepted;

b. The resignation shall be presented before the SP in open session and duly entered in its records; and

c. The resignation letter of SP Member Jasper C. Yerro, together with the action taken by the Presiding Officer and SP, shall be furnished to the DILG.

6. This comment/recommendation is hereby being rendered based on the documents submitted without prejudice to contrary opinion from competent authorities or ruling of the proper court.

7. For your consideration.

Most Respectfully,


BURT J. PADES
Acting City Legal Officer

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