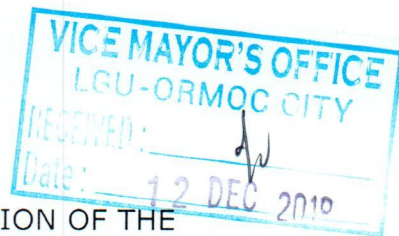


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON DECEMBER 10, 2019

PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Roiland H. Villasencio,	SP Member, 1 st Asst. Majority Floor Leader
Tomas R. Serafica,	SP Member, Presiding Officer "Pro-Tempore"
Nolito M. Quilang,	SP Member, 2 nd Asst. Majority Floor Leader
Eusebio Gerardo S. Penserga,	SP Member
Vincent L. Rama,	SP Member
Gregorio G. Yrastorza III,	SP Member
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc
Joan Marbie C. Simbajon,	Ex-Officio SP Member, Chapter President, Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON OFFICIAL BUSINESS:

Lalaine A. Marcos, (O.B. – Taiwan), SP Member

ON LEAVE:

Benjamin S. Pongos, Jr.,	SP Member, Majority Floor Leader
Jasper M. Lucero,	SP Member
Peter M. Rodriguez,	SP Member

RESOLUTION NO. 2019-164

A RESOLUTION GRANTING AUTHORITY TO CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR/OIC MAYOR IN HIS ABSENCE 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 EASTERN VISAYAS STATE UNIVERSITY – ORMOC CITY CAMPUS (EVSU – OCC) RELATIVE TO THE CITY'S FINANCIAL ASSISTANCE AMOUNTING TO THREE HUNDRED THOUSAND (P300,000.00) PESOS, PHILIPPINE CURRENCY, TO FUND THE EXPENSES OF THE ATHLETES AND DELEGATION OFFICIALS OF EVSU-OCC IN THE 2019 REGIONAL STATE COLLEGES AND UNIVERSITIES ATHLETIC ASSOCIATION (SCUAA) GAMES ON DECEMBER 8-13, 2019 TO BE HELD AT THE NAVAL STATE UNIVERSITY, BILIRAN PROVINCE.

WHEREAS, this august Body was in receipt of an Endorsement from the City Mayor's Office dated December 9, 2019, requesting for authority to allow the City Mayor (or Acting Mayor or OIC Mayor in his absence), to execute the attached Memorandum of Agreement with Eastern Visayas State University – Ormoc City Campus (EVSU – OCC) relative to the City's financial assistance amounting to Three Hundred Thousand (P 300,000.00) Pesos to fund the expenses of the athletes and delegation officials of EVSU-OCC in the 2019 Regional State Colleges and Universities Athletic Association (SCUAA) Games on December 8-13, 2019 which will be held at the Naval State University, Biliran province. A copy of the Memorandum of Agreement is hereto attached as Annex "A";

WHEREAS, the 1987 Constitution recognizes the role of sports development in nation building and provides that, "the State shall promote physical education and encourage sports programs, league competitions, and amateur sports, including training for international competitions, to foster self-discipline, teamwork and excellence for the development of a healthy and alert citizenry";

WHEREAS, Article XIV, Section 19 (1) of the 1987 Constitution also provides, the State shall promote and protect the physical, moral spiritual, intellectual and social well-being of the youth (Article II, Section 13) and shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development" (Article II, Section 17);

WHEREAS, EVSU – OCC believes that it is fundamental for the holistic development of the youth that their students engage in various sports competitions and further develop their skills, talents, teamwork, and competitive intelligence in the spirit of displaying great sportsmanship aside from providing competent technical trainings and sports development courses;

WHEREAS, EVSU – OCC lacks the needed funds for sports development and training in order to fare better in local and regional competitions and in order to send strong delegation to represent the City of Ormoc;

WHEREAS, Section 22 (c) of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides, that:

"Sec. 22. Corporate Powers – (a) Every local government unit, as a corporation, shall have the following powers:

XXX

(c) Unless otherwise provided in this code, no contract may be entered into by the local chief executive in behalf of the local government unit without prior authorization by the sanggunian concerned."

WHEREAS, the City Mayor is empowered by the same Code to enter into contracts on behalf of the City, pursuant to Section 445 (b) (1)(vi) thereof which provides:

"Sec. 445. Chief Executive: Powers, Duties and Compensation. – XXX

(b) For efficient, effective and economical governance the purpose of which is the general welfare of the city and its inhabitants pursuant to Section 16 of this Code, the city mayor shall:

(vi) 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 or pursuant to law or ordinance."

WHEREAS, upon close and thorough examination of the MOA appended as Annex "A" and made an integral part of this Resolution, this Sanggunian finds that it is not contrary to law, contract, public policy and morals, and that the aims of the partnership are advantageous to LGU-Ormoc considering that sports development is one of the main thrusts and priorities of the City Government and considering further that the development of the youth through athletic events will greatly benefit the young people under the following: prevention of drug and alcohol use; teaches life and leadership skills, builds character and instills perseverance, discipline and the ability to work with others;

WHEREFORE, on motion of SP Member Nolito M. Quilang, Vice-Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Roiland H. Villasencio, Tomas R. Serafica, Vincent L. Rama, Gregorio G. Yrastorza III, Esteban V. Laurente and Joan Marbie C. Simbajon; be it:

RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION GRANTING AUTHORITY TO CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR/OIC MAYOR IN HIS ABSENCE 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 EASTERN VISAYAS STATE UNIVERSITY – ORMOC CITY CAMPUS (EVSU – OCC) RELATIVE TO THE CITY'S FINANCIAL ASSISTANCE AMOUNTING TO THREE HUNDRED THOUSAND (P300,000.00) PESOS, PHILIPPINE CURRENCY, TO FUND THE EXPENSES OF THE ATHLETES AND DELEGATION OFFICIALS OF EVSU-OCC IN THE 2019 REGIONAL STATE COLLEGES AND UNIVERSITIES ATHLETIC ASSOCIATION (SCUAA) GAMES ON DECEMBER 8-13, 2019 TO BE HELD AT THE NAVAL STATE UNIVERSITY, BILIRAN PROVINCE;


ADOPTED, December 10, 2019.

RESOLVED, FURTHER, that a copy of the final and notarized MOA 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. Josephine A. Mejia- Romero, the City Budget Officer, the OIC-City Treasurer; the City Accountant; the City Auditor; Eastern Visayas State University – Ormoc City Campus; the CLGOO DILG; and all other offices concerned.

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

Annex "A"

MEMORANDUM OF AGREEMENT

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

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**, hereinafter referred to the City; and

The **EASTERN VISAYAS STATE UNIVERSITY- ORMOC CITY CAMPUS**, an education institution with principal address at Ormoc City, represented herein by **DANILO B. PULMA**, hereinafter referred to as the EVSU- OCC;

WITNESSETH: THAT:

WHEREAS, the EVSU- OCC is a Technological University in Region 8 and provides various opportunities in Engineering courses, as well as Research and Extension;

WHEREAS, aside from competent technical trainings and sports development courses provided for the students, the EVSU- OCC further emphasizes the need to develop its athletes by letting them compete in and join regional, national and international competitions;

WHEREAS, the EVSU- OCC lacks the needed funds for the training of said athletes;

WHEREAS, one of the main thrusts and priority of the City is the development of its youth through athletics events given the benefits of the promotion of sports, to wit: prevention of drug and alcohol use; teaches life and leadership skills, builds character and instills perseverance, discipline and the ability to work with others.

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 provision of Financial Assistance for the EVSU-OCC ATHLETES to the State Colleges, Universities Athletic Association (SCUAA) on December 8 to 13, 2019 at the Biliran Province State University, Naval, Biliran.

II. RESPONSIBILITIES

The following are the respective roles of the parties herein:

The City shall provide financial assistance for the athletes and delegation officials of the EVSU- OCC from DECEMBER __, 2019 for the SCUAA in the sum of **THREE HUNDRED THOUSAND PESOS ONLY** (Php 300,000.00);

The EVSU- OCC shall:

- a. Distribute the assistance to the proper beneficiaries made subject of this agreement;
- b. It shall issue the corresponding Official Receipt (OR) to acknowledge funds received from LGU-ORMOC;
- c. Coordinate with the Office in charge with the sports development of the City and with all other offices needed in the implementation of this agreement;

- d. Ensure compliance with the provisions of RA 9184 whenever applicable.
- e. Submit a fund utilization and liquidation report to the City together with the supporting documents in compliance with government accounting and auditing rules and regulations, as applicable;
- f. To solely use the funds for the purpose that it was given. In the event, that the said funds are used in any other purpose without any written consent from the City, the funds given shall be returned to the City without prejudice to its other rights under the law;

III. EFFICTIVITY

This agreement shall take effect immediately upon signing by both Parties and shall remain valid and effective unless revoked, modified and/or amended.

IN WITNESS WHEREOF, the PARTIES have hereunto set their hands this ____ day of ____, 2019 at _____.

CITY GOVERNMENT OF ORMOC
RICHARD I. GOMEZ, MBA

EASTERN VISAYAS STATE UNIVERSITY- ORMOC CITY CAMPUS
DANILO B. PULMA

SIGNED IN THE PRESENCE OF:

(PRINT NAME AND SIGN)

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>
RICHARD I. GOMEZ	
DANILO PULMA	

known to me to be the same persons who executed the foregoing which instrument consists of 3 pages, including 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 may hand and affixed my notarial seal this _____ in Ormoc City, Philippines.

Doc. No. ____;
Page No. ____;
Book No. ____;
Series of 2019.