

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 FEBRUARY 18, 2020

PRESENT:

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

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

SP Member  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member

Joan Marbie C. Simbajon,

Ex-Officio SP Member, Chapter President,  
Liga ng mga Barangay ng Ormoc

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

ON OFFICIAL BUSINESS:

Roiland H. Villasencio,

(O.B. – Cebu City),  
SP Member, 1<sup>st</sup> Asst. Majority Floor Leader

**RESOLUTION NO. 2020-059**

**A RESOLUTION GRANTING AUTHORITY TO THE CITY  
MAYOR RICHARD I. GOMEZ OR OIC-CITY  
MAYOR/ACTING CITY MAYOR TO ENTER INTO AND  
SIGN A COMPROMISE AGREEMENT UNDER SUCH  
TERMS AS HE MAY DEEM REASONABLE, FOR AND IN  
BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC  
CITY (LGU-ORMOC) WITH PROVINCIAL GOVERNMENT  
OF LEYTE IN CIVIL CASE NO. M-ORM-19-00009CV.**

WHEREAS, the 15<sup>th</sup> Sangguniang Panlungsod ng Ormoc received an endorsement letter from the Office of the City Mayor dated 13 February 2020, a request for the issuance of a Resolution granting authority to the City Mayor/ OIC Mayor/Acting Mayor to enter and sign a Compromise Agreement to be entered into by and between the Local Government Unit of Ormoc City and Provincial Government of Leyte in Civil Case No. M-ORM-19-00009CV, a copy of the Compromise Agreement is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, LGU-ORMOC is the owner of a parcel of land, Lot No. 2227 covered by Transfer Certificate of Title No. 9851 and Tax Declaration No. 00019-01159 R-10, a portion of which is occupied by LGU-LEYTE's Sub-Provincial Jail (LSPJ), housing inmates with cases pertaining to the City of Ormoc and the Municipalities of Kananga, Matag-ob, Palompon, Isabel, and Merida;

WHEREAS, above-mentioned occupation was by tolerance of the LGU Ormoc, which tolerance has been withdrawn;



Res. No. 2020-059

WHEREAS, to recall, a Resolution was issued dated 7 February 2018 addressed to the Hon. Leopoldo Dominico L. Petilla, Governor, Province of Leyte, requesting the immediate transfer of the Leyte Sub-Provincial Jail, Ormoc Facility outside the territorial jurisdiction of Ormoc City, a copy of the Resolution is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, the parties desire to buy peace and wish to avoid protracted litigation in Civil Case No. M-ORM-19-00009CV for ejectment, with prayer for issuance of a writ of preliminary injunction and demolition;

WHEREAS, upon close and thorough review, this Sanggunian finds that the aforementioned Compromise Agreement/s for the best interest of the City and its inhabitants therefore meriting this august Body's full support and favorable action;

NOW THEREFORE, on motion of SP Member Jasper M. Lucero, Vice-Chairman, Committee on Public Properties, severally seconded by SP Members Tomas R. Serafica, Nolito M. Quilang, 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 THE CITY MAYOR RICHARD I. GOMEZ OR OIC-CITY MAYOR/ACTING CITY MAYOR TO ENTER INTO AND SIGN A COMPROMISE AGREEMENT UNDER SUCH TERMS AS HE MAY DEEM REASONABLE, FOR AND IN BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC) WITH PROVINCIAL GOVERNMENT OF LEYTE IN CIVIL CASE NO. M-ORM-19-00009CV;

ADOPTED, February 18, 2020.

RESOLVED FURTHER, that copies of this resolution be furnished 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 City General Services Office; the City Local Government Operations Officer, DILG; the City Treasurer's Office; the City Assessor's Office; the Municipal Trial Court in Cities of Ormoc City, the Provincial Legal Officer, 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

Republic of the Philippines  
SUPREME COURT  
MUNICIPAL TRIAL COURT IN CITIES  
Ormoc City

**CITY GOVERNMENT OF ORMOC**  
represented by **MAYOR RICHARD**  
**I. GOMEZ,**

**CIVIL CASE No.M-**  
**ORM-19-00009-CV**

*Plaintiff,*

-versus-

**THE PROVINCIAL**  
**GOVERNMENT OF LEYTE**  
represented by **GOVERNOR**  
**LEOPOLDO DOMINICO L.**  
**PETILLA ,**

*Defendant.*

**FOR: EJECTMENT WITH**  
**PRAYER FOR**  
**ISSUANCE OF A**  
**WRIT OF**  
**PRELIMINARY**  
**INJUNCTION AND**  
**DEMOLITION**

X-----X

**COMPROMISE AGREEMENT**

This Agreement executed this 19<sup>th</sup> of February, 2020 at Ormoc City, Leyte by and between:

The **CITY GOVERNMENT OF ORMOC**, a local government unit existing by virtue of Philippines laws, represented by **HON. RICHARD I. GOMEZ**, Filipino, of legal age, with office address at City Mayor's Office, New Ormoc City Hall, Aunubing St., Brgy. Cogon Ormoc City, Leyte, herein after referred to as **LGU ORMOC**;

-and-

The **PROVINCIAL GOVERNMENT OF LEYTE**, a local government unit existing by virtue of Philippine laws, represented by **HON. LEOPOLDO DOMONIC L. PETILLA**, Filipino, of legal age, with office address at corner Sen. Enage St. and Magsaysay Blvd., Provincial Capitol, Tacloban City, Leyte, hereinafter referred to as **LGU LEYTE**;

**WITNESS THAT:**

**WHEREAS**, LGU ORMOC is the owner of a parcel of land, Lot No. 2227 covered by Transfer Certificate of Title (TCT) No. 9851 and Tax Declaration No. 00019-01159 R-10, a portion of



which is occupied by LGU LEYTE's Sub-Provincial Jail (LSPJ), housing inmates with cases pertaining to the City of Ormoc and the municipalities of Kananga, Matag-ob, Palompon, Isabel and Merida;

**WHEREAS**, above-mentioned occupation was by tolerance of, and was withdrawn by LGU ORMOC;

**WHEREAS**, for failure of LGU LEYTE to relocate its inmates, LGU ORMOC instituted Civil Case No. M-ORM-19-00009-CV before the Municipal Trial Court in Cities-Ormoc City, for ejectment, with prayer for issuance of a writ of preliminary injunction and demolition;

**WHEREAS**, public safety is of utmost consideration in the transfer of province detainees to an appropriate facility;

**WHEREAS**, LGU LEYTE has manifested that it has been accommodated by the Bureau of Jail Management and Penology Region VIII, to the end that the latter shall receive/house LGU LEYTE's detainees, pending the former's construction and completion of its own suitable jail facility;

**WHEREAS**, the parties desire to buy peace and wish to avoid protracted litigation in this case;

**NOW THEREFORE**, in consideration of the foregoing, and the further covenants hereinafter set forth, the parties agree as follows:

1. LGU LEYTE shall fully vacate Lot 2227 located in Brgy. Cogon, Ormoc City, on which LGU LEYTE's Leyte Sub-Provincial Jail (LSPJ) stands on or before \_\_\_\_\_;
2. LGU LEYTE shall deliver possession, occupation, and control of the portion of Lot 2227 on which its facility rests to LGU ORMOC;
3. LGU LEYTE shall make the necessary manifestation before the Regional Trial Court-Ormoc City Executive Judge for the transfer of its inmates to BJMP-Ormoc's facility;
4. LGU LEYTE shall make the necessary manifestation before the Regional Trial Court-Ormoc City Executive Judge of its MOA with BJMP for new inmates of LSPJ to be committed to BJMP-Ormoc's facility instead of LSPJ in Cogon, pursuant to the MOA between BJMP and LGU LEYTE;
5. LGU LEYTE shall do and perform every act and things of whatever requisite and necessary to be done to undertake due disposal procedures for the demolition of Leyte Sub-Provincial Jail, and warrant that procedures be undertaken immediately, to the end that approval for disposal be had from the Commission on Audit concurrent with the full transfer of detainees from Lot 2227 and delivery of the property to LGU ORMOC ;
6. LGU LEYTE shall put up its permanent jail facility to house its inmates with cases pertaining to the City of Ormoc and the municipalities of Kananga, Matag-ob, Palompon, Isabel and Merida;
7. The signatories to this Agreement hereby represent and warrant that they are duly authorized to execute this Agreement;
8. The parties, their agents, or successors-in-interest hereby waive, renounce and forever quitclaim all their respective claims and counterclaims subject of the instant action as well as those that may arise therefrom, in connection therewith or in relation thereto;
9. The foregoing covenants are not contrary to law, morals, or public policy and the parties bind themselves to comply strictly with their undertakings.



In witness hereof, the parties have hereunto affixed their signatures this \_\_\_\_\_ day of \_\_\_\_\_ 2020, at Ormoc City, Philippines.

LGU ORMOC  
by:

LGU LEYTE  
By:

RICHARD I. GOMEZ  
City Mayor  
LGU Ormoc

LEOPOLDO DOMINIC L. PETILLA  
Provincial Governor  
Province of Leyte

CONFORME:

J/CSUPT EDWIN BADILLA RIEL  
Regional Director, BJMPRO-VIII

Signed in the Presence of:

REPUBLIC OF THE PHILIPPINES)  
Ormoc City ) S.S.

ACKNOWLEDGMENT

BEFORE ME, a Notary Public in and for Ormoc City, Philippines, personally appeared:

Name	Valid I.D., No.	Date/Place of Issue
RICHARD I. GOMEZ		
LEOPOLDO DOMINIC L. PETILLA		

known to me and to me known to be the same persons who executed the foregoing instrument and they acknowledged to me the same is their free and voluntary act and deed, as well as, the free and voluntary act and deed of the entities represented.

I further certify that the foregoing instrument relates to a Compromise Agreement executed by and between the Local Government of Ormoc and Local Government of Leyte, and that it consists of three (3) pages, including the page wherein the Acknowledgment is written.

WITNESS MY HAND AND SEAL on the place and date first above mentioned.

Doc. No. \_\_\_\_\_;  
Page No. \_\_\_\_\_;  
Book No. \_\_\_\_\_;  
Series of 2020.





*Republic of the Philippines*  
**CITY PEACE AND ORDER COUNCIL**  
Ormoc City

CPOC RESOLUTION No. 2018-02

**"A RESOLUTION ADDRESSED TO THE HON. LEOPOLDO DOMINICO L. PETILLA, GOVERNOR, PROVINCE OF LEYTE, REQUESTING THE IMMEDIATE TRANSFER OF THE LEYTE SUB-PROVINCIAL JAIL, ORMOC FACILITY OUTSIDE THE TERRITORIAL JURISDICTION OF ORMOC CITY."**

**WHEREAS**, the City Peace and Order Council is mandated by law through Executive Order No. 366, to formulate plans and recommend such measures which will improve or enhance peace and order and public safety of its constituents;

**WHEREAS**, the City Peace and Order Council is also mandated to recommend measures to converge and orchestrate internal security operations efforts of civil authorities and agencies, military and police;

**WHEREAS**, the Leyte Sub-Provincial Jail Ormoc facility is occupying a lot owned by the City located in Brgy. Cogon, adjacent to the New Ormoc City Hall, Social Development Center for Children and to a number of educational institutions, both private and public;

**WHEREAS**, the condition of the structure is no longer safe and secure to ensure that jail residents cannot escape because of overcrowding and a dilapidated structure;

**WHEREAS**, Ormoc City Police City Director, P/SSupt. Ramil Ramirez reported to Mayor Richard Gomez and to the members of the August Body that said facility is being used to proliferate illegal drugs in the city based on the casing and surveillance operations conducted which resulted in the arrest of several inmates outside of the facility, being able to freely go in and out of the jail facility;

**WHEREAS**, the said January 29, 2018 report indicates as follows: (a) "arrest was made against Jail Guard BANJAMIN BASILIO REGINO having drinking session with inmates FELIX L. ABORDO, KEN L. TERADO, SONNY C. THOMPSON and REYNALDO N. DAYDAY at ANDOKS Ormoc City on December 19, 2017"; (b) subsequent "BUY-BUST Operation conducted last January 22, 2018, which resulted to the arrest of a certain DIONESIO GARCIANO y TARETE, also an inmate of the Leyte Sub-Provincial Jail, Ormoc facility and his cohort a certain CELSO TOMBIGA y SUYAHON, an ex-convict for the crime of highway robbery".



**WHEREAS**, the said facility poses a threat to the current peace and order situation and affects negatively on the "Drug-Cleared" status of the city;

**WHEREAS**, for security purposes, and to prevent damage to life and property that may be suffered by the residents, employees and students in the area;

**NOW THEREFORE**, foregoing premised considered, on motion of City Director - OCPO P/SSupt. Ramil Ramirez, duly seconded by Mr. Emmanuel Sevilla, representative from the Land Transportation Office, be it:

**RESOLVED, AS IT IS HEREBY RESOLVED**, to pass a RESOLUTION ADDRESSED THE HON. LEOPOLDO DOMINICO L. PETILLA, GOVERNOR, PROVINCE OF LEYTE, REQUESTING THE IMMEDIATE TRANSFER OF THE LEYTE SUB-PROVINCIAL JAIL, ORMOC FACILITY OUTSIDE THE TERRETORIAL JURISDICTION OF ORMOC CITY;

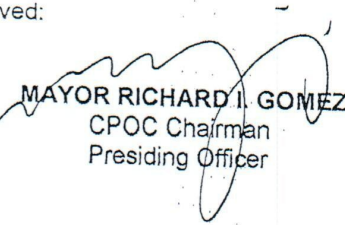
**ADOPTED, February 7, 2018.**

**RESOLVED FINALLY**, to furnish copy of this resolution to Hon. Leopoldo Dominico L. Petilla, Governor, Province of Leyte; the Members of Sangguniang Panlalawigan, Province of Leyte; the Regional Peace and Order Council; the Members of the Sangguniang Panlungsod, Ormoc City; the Hon. Richard I. Gomez, City Mayor of Ormoc; DILG and other concerned offices.

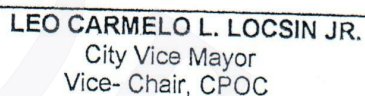
Certified True and Correct:


  
ENGR. JESUS JEREMY D. BAGARES  
DILG, CLGOO/Head Secretariat

Approved:

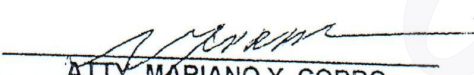
  
MAYOR RICHARD I. GOMEZ  
CPOC Chairman  
Presiding Officer

SIGNED:


  
LEO CARMELO L. LOCSIN JR.  
City Vice Mayor  
Vice- Chair, CPOC

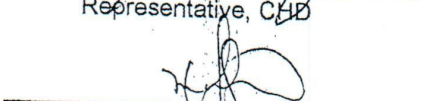
  
HON. GREGORIO G. YRASTORZA III  
SP Committee on Peace and Order

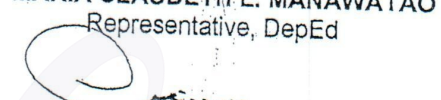
  
CPT. ALBERT P. GULLOY  
802<sup>ND</sup> Brigade

  
ATTY. MARIANO Y. CORRO  
President, Liga ng mga Barangay

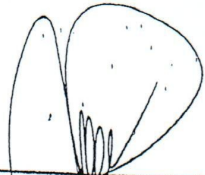
  
LCDR. FERDINAND MONTEHERMOSO  
Coast Guard Station Western Leyte

  
DRA. MA. LOURDES P. LAMPONG  
Representative, CHD

  
MARIA CLAUDETH L. MANAWATAO  
Representative, DepEd

  
AL FRANCIS S. CABALLERO  
Representative, DAR




  
LINO F. GONZALEZ  
District Engineer, DPWH


  
PSSUPT. RAMIL RAMIREZ  
PNP - City Director

  
SFO3 GERARDO A. LONGAKIT  
Representative, BFP

  
COL. NORMAN ZUNIEGA  
8 RCDG PA - Group Commander

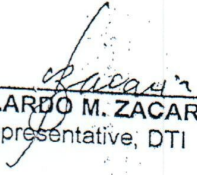
  
IMELDA T. REMOLLO  
Representative, City Agriculture Office

  
ROY C. DONAIRE  
NULOC

  
MR. EMMANUEL SEVILLA  
Representative, LTO

  
DELIA D. CORBO  
CSWDO


  
HOSPICIO O. HERAMIL  
UAOMODA

  
ABELARDO M. ZACARIAS  
Representative, DTI

ATTY. JERRY Y. ABIERA  
ARD, NBI

  
JO3 JOSEPH ALLAN MACABENTA  
Representative, BJMP

  
PP03 KERSTIN JOY DURAN  
Representative, Phil. Ports Authority

  
CDR LAWRENCE A. ROQUE  
Representative, Phil. Coast Guard

  
MARIC RUEL CASUCO  
BISFA

PROS. MARCELO H. ONATE  
City Prosecutor

FE L. COMORPOSA  
ENRD