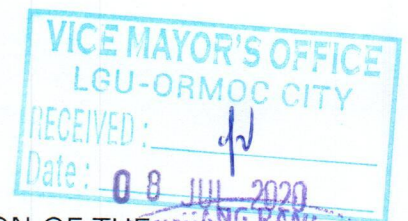
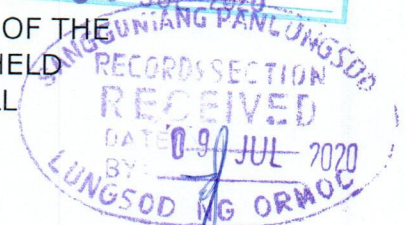


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON JULY 07, 2020



PRESENT:

Leo Carmelo L. Locsin, Jr.
Benjamin S. Pongos, Jr.,
Roiland H. Villasencio,
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, 1st Asst. Majority Floor Leader
SP Member, Presiding Officer "Pro Tempore"
SP Member, 2nd Asst. Majority Floor Leader
SP Member
SP Member
SP Member
SP Member
SP Member
SP Member
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

RESOLUTION NO. 2020-199

**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) BY AND
BETWEEN THE NATIONAL IRRIGATION
ADMINISTRATION (NIA) AND THE CITY
GOVERNMENT OF ORMOC RELATIVE TO THE
REHABILITATION AND IMPROVEMENT WORKS OF
THE SERVICE ROADS OF BAO RIVER IRRIGATION
SYSTEM.**

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated June 29, 2020 from the Office of the City Mayor, endorsing a request for the issuance of a Resolution granting the City Mayor or Acting City Mayor the authority to sign the Memorandum of Agreement (MOA) to be entered into by and between the National Irrigation Administration (NIA) and the City Government of Ormoc relative to the rehabilitation and improvement works of the Service Roads, a copy of the MOA is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, National Irrigation Administration (NIA) is a government owned and controlled corporation created under Republic Act No. 3601 as amended by Presidential Decree Nos. 552 and 1702 is hereinafter referred to as NIA;

WHEREAS, NIA is mandated to develop, rehabilitate, operate, and maintain irrigation facilities to improve irrigation services;

WHEREAS, the Bao River Irrigation System in Valencia, Ormoc City was one of the National Irrigation System in Region VIII to adapt the mandate to develop, rehabilitate, operate, and maintain irrigation systems facilities including the service roads and farm to market roads within its service area in Ormoc City;

WHEREAS, the service road within National Irrigation System under Bao River Irrigation System also serves as the passage of the commuters from Ormoc City and other Barangays in going to sitios (sub-barangays) and vice versa;

WHEREAS, the agency does not receive subsidy from the national government, hence Operation and Maintenance cost of Systems are funded out of its internally generated income, which causes poor maintenance of its facilities including the Service Roads if funds generated, is low;

WHEREAS, the residents of the barangays and other commuters utilizing the service roads of Bao River Irrigation System are adversely affected by the poor condition of this road;

WHEREAS, the subject MOA clearly and plainly encapsulate the terms and conditions of the agreement of the parties thereto, including their specific roles and obligations towards the attainment of the lofty ends of the same, and this Sanggunian, upon thorough review, finds that the same is entered into for the best interests of the City and its constituents, and therefore, is most deserving of this august Body's prompt and favorable consideration;

WHEREFORE, on joint motion of SP Member Esteban V. Laurente, Chairman, Committee on Infrastructure and Development and SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Tomas R. Serafica, Nolito M. Quilang, Gregorio G. Yrastorza III, Lalaine A. Marcos, Peter M. Rodriguez 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 THE ACTING CITY MAYOR TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) BY AND BETWEEN THE NATIONAL IRRIGATION ADMINISTRATION (NIA) AND THE CITY GOVERNMENT OF ORMOC RELATIVE TO THE REHABILITATION AND IMPROVEMENT WORKS OF THE SERVICE ROADS OF BAO RIVER IRRIGATION SYSTEM;

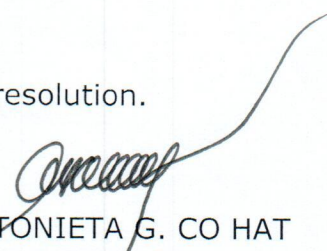
ADOPTED, July 07, 2020.

RESOLVED, FURTHER, that a copy of the final notarized Memorandum of Agreement (MOA) 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 National Irrigation Administration; the Punong Barangay of Barangay Labrador; the City Local Government Operations Officer-DILG; and other offices concerned 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

Res. # 2020-199
"Annex A"

Witness for the Ormoc City Mayors'



Republika ng Pilipinas
National Irrigation Administration
(PAMBANSANG PANGASIWAAN NG PATUBIG)
Regional Office 8
Mainit Pongso Bao River Irrigation System
SATELLITE OFFICE

REVIEWED
ORMOC CITY LEGAL OFFICE
_____ Approved
_____ Separate Opinion
_____ Drafted by CLO
_____ Not contrary to laws, public policy, moral.
Amendments/Revisions
 Atty. Burt J. Pades City Legal Officer
DATE: JUL 06 2020

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

The **NATIONAL IRRIGATION ADMINISTRATION**, a government owned and controlled corporation created under Republic Act No. 3601 as amended by Presidential Decree Nos. 552 and 1702, with principal office address at Epifanio De Los Santos Avenue, Quezon City, Philippines, represented herein by **ISABELO C. RODRIGUEZ JR.**, who is authorized in his capacity as Officer In Charge of Mainit Pongso Bao, Satellite Office, Brgy. Valencia, Ormoc City, Leyte hereafter referred as the "NIA";

- and -

The **CITY GOVERNMENT**, a duly constituted government instrumentally with principal address at the City of Ormoc, Leyte represented by its City Mayor, **HON. RICHARD I. GOMEZ** hereinafter referred to as "Local Government Unit (LGU)";

- Witnesseth that -

WHEREAS, the NIA is mandated to develop, rehabilitate, operate and maintain irrigation facilities to improve irrigation services;

WHEREAS, the Bao River Irrigation System in Valencia, Ormoc City was one of the National Irrigation System in Region VIII to adapt the mandate to develop, rehabilitate, operate and maintain irrigation systems facilities including the service roads and farm to market roads within its service area in Ormoc City;

WHEREAS, the service road within National Irrigation System under Bao River Irrigation System also serves as the passage of the commuters from Ormoc City and other barangays in going to sitios (sub-barangays) and vice versa;

WHEREAS, the agency does not receive subsidy from the national government, hence Operation and Maintenance cost of Systems are funded out of its internally generated income, which causes poor maintenance of its facilities including the Service Roads if funds generated, is low;

WHEREAS, the residents of the Barangay and nearby barangay and other commuters utilizing the service roads of Bao River Irrigation System are adversely affected by the poor condition of this road.

WITNESSES:

CITY GOVERNMENT OF ORMOC:

NATIONAL IRRIGATION ADMINISTRATION

TEODERICO A. BORNEO
SWRFT, NIA-Bao RIS

HON. RICHARD I. GOMEZ
City Mayor

ISABELO C. RODRIGUEZ JR.
OIC MP Bao Satellite Office

By:

By:

NOW, THEREFORE, for and in consideration of the foregoing premises and the terms and conditions herein stipulated all parties mutually agree on the following:

I. Obligations of the parties:

A. The NIA through the Office of the Officer In Charge shall:

1. Authorize the City Government to undertake rehabilitation and improvement works of the Service Roads with the condition that it will not hamper water delivery and cause contamination of irrigation water.

2. Authorize the Officer In charge of Bao River Irrigation System with Office address at Valencia, Ormoc City, as its official representative in the implementation of the improvement works.

3. Provide technical assistance/guidelines to protect irrigation structures and other irrigation facilities that would be affected by the rehabilitation and improvement works.

4. Allow commuters to pass thru this service road without any cost.

City Government:

1. Designate an authorized representative in the implementation of service road rehabilitation and improvement works.

2. Provide funding for the rehabilitation and improvement works as determined thereof.

3. Undertake rehabilitation and improvement works in coordination and collaboration with NIA and Barangays located along the Service Roads.

4. Allow commuters to pass thru this service road without any cost.

5. Keep and maintain records of rehabilitation and improvement works.

II. Amendments:

This agreement may, upon mutual consent of the parties be amended, revised or modified any time as deemed necessary.

III. Effectivity:

This agreement shall take effect upon signing by all parties concerned.

IN WITNESS WHEREOF, the parties have hereunto signed this Memorandum of Agreement this _____ day of _____ 20__ at Ormoc City, Province of Leyte.

Witness for the Ormoc City Mayors' Office

TEODERICO A. BORNEO

SWRFT, NIA-Bao RIS

HON. RICHARD I. GOMEZ

City Mayor

ISABELO C. RODRIGUEZ JR.

OIC MP Bao Satellite Office

REVIEWED	4.
ORMOC CITY LEGAL OFFICE	
B.	City Government:
Approved	1.
Separate Opinion	Implementation of service road rehabilitation and improvement works.
Drafted by CLO	2.
Not contrary to laws, public policy, moral.	Provide funding for the rehabilitation and improvement works as determined thereof.
Amendments/Revisions	3.
Willy Burt J. Pades	Undertake rehabilitation and improvement works in coordination and collaboration with NIA and Barangays located along the Service Roads.
BY: Assistant City Legal Officer	4.
DATE: 06 2020	Allow commuters to pass thru this service road without any cost.

National Irrigation Administration

City Government of Ormoc:

Represented by:

Represented by:

ISABELO C. RODRIGUEZ JR.
OIC, MP Bao Satellite Office

HON. RICHARD I. GOMEZ
City Mayor

Approved by:

CONRADO M. SAMSON
Division Manager A

MANUE L. RAÑESES
Acting Regional Manager

SIGNED IN THE PRESENCE OF:

TEODERICO A. BORNEO
Sr. Water Resource Facilities Technician,
NIA-Bao RIS

Witness for the Ormoc City Mayor's Office

REVIEWED
ORMOC CITY LEGAL OFFICE
Approved _____
Separate Opinion _____
Drafted by CLO _____
Not contrary to laws, public policy, moral _____
Amendments/Revisions _____
Atty Burt J. Pades BY: Assistant City Legal Officer
DATE: JUL 06 2020

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
ORMOC CITY.....) S.S.

BEFORE ME, a Notary Public, for and in the City of Ormoc this ____ day of June 2020 personally appeared before me the parties and exhibited their competent evidence of identity as indicated below:

Names	Competent Evidence of Identity	Date and Place of Issue
RICHARD I. GOMEZ		
ISABELO C. RODRIGUEZ JR.		

known to me to be the same persons who executed the foregoing instrument and they both acknowledge to me that the same is their free and voluntary act and deed that of the government/private agency and institution they represent herein.

This instrument consisting of _____ pages, including this page on which this acknowledgment is written and signed by the parties and their instrumental witnesses on the left hand margin of each page thereof and on page ____ of same instrument, refers to a Memorandum of Understanding executed for the purpose(s) therein set forth.

WITNESS MY SIGNATURE AND SEAL on the date and place first above written.

Doc No. : _____
Page No. : _____
Book No. : _____
Series No. : 2020