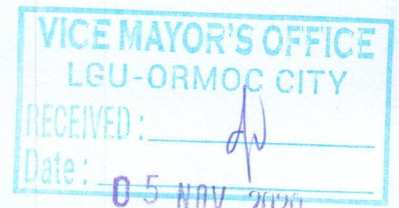
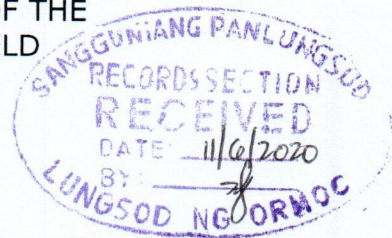


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,  
ORMOC CITY HALL BUILDING  
ON NOVEMBER 03, 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  
SP Member  
SP Member, Majority Floor Leader  
SP Member  
SP Member  
SP Member, Asst. Majority Floor Leader  
SP Member  
SP Member  
SP Member  
SP Member

Joan Marbie C. Simbajon,  
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

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. 2020-358**

**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) WITH THE  
DANGEROUS DRUGS BOARD, REPRESENTED BY  
SECRETARY CATALINO S. UY, FOR THE GRANT OF  
FIVE MILLION PHILIPPINE PESOS  
(PHP5,000,000.00) TO LGU-ORMOC PURSUANT TO  
BOARD RESOLUTION NO. 6, SERIES OF 2020, FOR  
THE ESTABLISHMENT AND MAINTENANCE OF A  
TREATMENT AND REHABILITATION AREA IN THE  
CITY.**

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated October 12, 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) with the Dangerous Drugs Board, represented by Secretary Catalino S. Uy, for the grant of Five Million Philippine Pesos (PHP5,000,000.00) to LGU-Ormoc pursuant to Board Resolution No. 6, Series of 2020, for the establishment and maintenance of a treatment and rehabilitation area in the city, a copy of the MOA is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, in an Opinion dated October 7, 2020, the City Legal Office finds nothing legally objectionable in the said MOA and that the same is not contrary to law, morals, public order, or public policy much less detrimental to the best interest of Ormoc City, a copy of the Opinion is hereto attached as "ANNEX B" and made an integral part hereof;



WHEREAS, the Dangerous Drugs Board is the policy-making and strategy-formulating body in the planning and formulation of policies and programs on drug prevention and control and is tasked to develop and adopt a comprehensive, integrated, unified, and balanced national drug abuse prevention and control strategy;

WHEREAS, Dangerous Drugs Board formulated the Philippine Anti-Illegal Drugs Strategy (PADS) which outlines the balanced effort of the government to strengthen its campaign against abuse and trafficking of illegal drugs and precursors, which was adopted by the Office of the President for institutionalization and implementation in all government offices and local government units pursuant to Executive Order No. 66, Series of 2018;

WHEREAS, Dangerous Drugs Board is mandated by Republic Act No. 9165 or the Comprehensive Dangerous Drugs Act of 2002, as amended, to extend assistance in the establishment of treatment and rehabilitation centers in the country;

WHEREAS, to pursue the objective of the said Act and the provision of the PADS, the parties recognize the importance of working together to successfully implement the evidence-based treatment and rehabilitation programs of the government and address problems of drug use and dependence in the community;

WHEREAS, LGU-Ormoc City manifested its intention to implement a community-based treatment and rehabilitation program in its jurisdiction to support the campaign of President Rodrigo Roa Duterte and the National Government against illegal drug trafficking and abuse

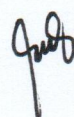
WHEREAS, the subject MOA clearly and plainly encapsulates the terms and conditions of the agreement of the parties thereto, including their specific roles and obligations towards the attainment of the lofty ends of the same, and this Sanggunian, upon thorough review, finds that the same is entered into 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 Eusebio Gerardo S. Penserga, Chairman, Committee on Health and Sanitation and SP Member Benjamin S. Pongos, Jr. Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Tomas R. Serafica, Gregorio G. Yrastorza III, Joan Marbie C. Simbajon, Lalaine A. Marcos and Esteban V. Laurente; 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) WITH THE DANGEROUS DRUGS BOARD, REPRESENTED BY SECRETARY CATALINO S. UY, FOR THE GRANT OF FIVE MILLION PHILIPPINE PESOS (PHP5,000,000.00) TO LGU-ORMOC PURSUANT TO BOARD RESOLUTION NO. 6, SERIES OF 2020, FOR THE ESTABLISHMENT AND MAINTENANCE OF A TREATMENT AND REHABILITATION AREA IN THE CITY;

ADOPTED, November 03, 2020.

RESOLVED, FURTHER, that a copy of the final notarized Memorandum of Agreement (MOA) be submitted to this Sanggunian for its information and files;

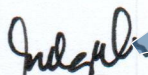




RESOLVED, FINALLY, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Josephine Mejia-Romero; Dangerous Drugs Board; the City Health Department; the City Local Government Operations Officer-DILG; and other offices concerned for their information and guidance;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

  
NONILYN D. GALANO  
OIC - SP Secretary  
(Supervising Administrative Officer)

ATTESTED:

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



RECEIVED

DATE: 11 SEP 2020

TIME: 10:23

SIGNATURE: [Signature]

## MEMORANDUM OF AGREEMENT

## KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement was made and entered into by and among the following Parties:

The **DANGEROUS DRUGS BOARD** (hereinafter referred to as the "BOARD"), an entity under the Office of the President with office address at 3F, DDB-PEA Building, National Government Center, NIA Northside Road, Brgy. Pinyalan, Quezon City, represented herein by **Secretary CATALINO S. CUY**;

-and-

The **CITY GOVERNMENT OF ORMOC** (hereinafter referred to as "LGU-ORMOC CITY"), with office address at New Ormoc City Hall, Aunubing Street, Brgy. Cogon, Ormoc City, Leyte represented herein by **Mayor RICHARD I. GOMEZ, DPA**;

WITNESSETH: THAT -

WHEREAS, the BOARD is the policy-making and strategy-formulating body in the planning and formulation of policies and programs on drug prevention and control and is tasked to develop and adopt a comprehensive, integrated, unified, and balanced national drug abuse prevention and control strategy;

WHEREAS, the BOARD formulated the Philippine Anti-Illegal Drugs Strategy ("PADS") which outlines the balanced effort of the government to strengthen its campaign against abuse and trafficking of illegal drugs and precursors, which was adopted by the Office of the President for institutionalization and implementation in all government offices and local government units pursuant to Executive Order No. 66, Series of 2018;

WHEREAS, the BOARD is mandated by Republic Act No. 9165 or the Comprehensive Dangerous Drugs Act of 2002 (the "Act"), as amended, to extend assistance in the establishment and maintenance of treatment and rehabilitation centers in the country;

[Signature]



WHEREAS, to pursue the objective of the Act and the provisions of the PAOS, the PARTIES recognize the importance of working together to successfully implement the evidence-based treatment and rehabilitation programs of the government and address problems of drug use and dependence in the community;

WHEREAS, LGU-ORMOC CITY manifested its intention to implement a community-based treatment and rehabilitation program in its jurisdiction to support the campaign of President Rodrigo Roa Duterte and the National Government against illegal drug trafficking and abuse.

NOW, THEREFORE, for and in consideration of the foregoing premises and the terms and conditions hereinafter set forth, the PARTIES have agreed as follows:

1. That the BOARD grant financial assistance in the amount of FIVE MILLION PESOS (Php 5,000,000.00) to LGU-ORMOC CITY pursuant to Board Resolution No. 6, Series of 2020 (Subject: Approving the Provision of Financial Assistance from the Special Account in the General Fund of the Board to Government Treatment and Rehabilitation Centers and Community-Based Treatment and Rehabilitation Facilities for CY 2020).
2. That LGU-ORMOC CITY shall:
  - a. Fully devote the aforementioned financial assistance to the construction of a facility to be utilized for the implementation of the community-based treatment and rehabilitation program;
  - b. Undertake the Project either by contract or administration, in accordance with existing rules and regulations;
  - c. Prepare the plans and specifications, programs of work, and detailed estimates in connection with the Project;
  - d. Commence administrative and technical preparations in connection with the Project within thirty (30) days from the signing of this Memorandum of Agreement; and
  - e. Submit within sixty (60) days from full utilization of the financial assistance a final liquidation report duly audited and certified by the Auditor assigned by the Commission on Audit to LGU-ORMOC CITY.
3. Final completion of the Project means that all work has been completed and all materials and equipment for the structure has been installed substantially in accordance with specifications and will not void any applicable warranties. Final completion shall be within one (1) year from the effectivity date stated in the Notice to Proceed issued by LGU-ORMOC CITY to the successful bidder, unless justifiable reasons in writing and addressed to the Executive Director of the BOARD shall warrant the extension of the implementation of the Project.



4. That the BOARD may monitor the utilization of funds and progress of the Project and provide recommendations to LGU-ORMOC CITY.

This Memorandum of Agreement shall take effect immediately upon its signing by the PARTIES hereof. Either PARTY may pre-terminate this Memorandum of Agreement in case of breach by one of the PARTIES, by giving notice to the other PARTY at least thirty (30) days prior to its pre-termination. The PARTY guilty of breach shall be held liable for violation of any applicable administrative issuances and / or penal laws.

IN WITNESS WHEREOF, herein PARTIES have hereunto set their affirmation on \_\_\_\_\_ in \_\_\_\_\_, Philippines.

DANGEROUS DRUGS BOARD

Secretary CATALINO S. CUY

CITY GOVERNMENT OF ORMOC

Mayor RICHARD I. GOMEZ, DPA

WITNESSES

Undersecretary EARL P. SAAVEDRA  
Executive Director, DDB

\_\_\_\_\_

*Handwritten signature*

## ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)

\_\_\_\_\_ ) S.S.

BEFORE ME, a Notary Public for and in the above jurisdiction, personally appeared the following:

ID Presented

ID No.

Secretary CATALINO S. CUY

Mayor RICHARD I. GOMEZ, DPA

Known to me to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their own free will and voluntary act and deed.

This instrument consists of \_\_\_\_\_ pages ( ) pages including this page wherein this Acknowledgment is written, and is signed by the parties and their instrumental witnesses on each and every page hereof.

WITNESS MY HAND AND SEAL this \_\_\_\_\_, 2020

NOTARY PUBLIC

Doc. No.: \_\_\_\_\_;

Page No.: \_\_\_\_\_;

Book No.: \_\_\_\_\_;

Series of 2020.



**OFFICE OF THE CITY LEGAL OFFICER**

Ormoc City, Leyte

07 October 2020

MAYOR RICHARD I. GOMEZ  
Ormoc CityThru: MA. VICTORIA LYRA P. DELA CERNA  
City Gov't, Asst. Dept. Head I

OFFICE OF THE CITY MAYOR

**RECEIVED**

DATE: 09 OCT 2020

TIME: 8:31

SIGNATURE: [Signature]

Dear Ms. Dela Cerna:

This has reference to your letter requesting for review of the draft MOA to be entered into by and between the City Government of Ormoc and the Dangerous Drugs Board for the establishment and maintenance of a treatment and rehabilitation area in the City.

This Office after review of the standard draft MOA finds nothing legally objectionable therein. The same is not contrary to law, morals, public order or public policy much less detrimental to the best interest of LGU-Ormoc City.

It is recommended for the draft MOA to be endorsed to the SP for the issuance of a Resolution granting the City Mayor the authority to enter into and sign the said agreement in behalf of LGU-Ormoc City pursuant Section 22 (c) in relation to Section 455 (b) 1 (vi) of R.A. No. 7160 (Local Government Code).

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

For your consideration:

Most Respectfully,

[Signature]  
ATTY. ANNE VERNA DICE A. AREÑA  
Attorney III

WITH CONFORMITY:

[Signature]  
ATTY. JOSEPHINE A. MEJIA- ROMERO  
City Legal OfficerNew Ormoc City Hall, Aunubing St., Cogon, Ormoc City  
(053)255-7395 loc. 1010 ++ clo.ormoc@gmail.com