

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 DECEMBER 09, 2020 IN LIEU
OF DECEMBER 08, 2020



PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Benjamin S. Pongos, Jr.,	SP Member
Roiland H. Villasencio,	SP Member, Majority Floor Leader
Tomas R. Serafica,	SP Member
Nolito M. Quilang,	SP Member, Asst. Majority Floor Leader
Eusebio Gerardo S. Penserga,	SP Member
Jasper M. Lucero,	SP Member
Peter M. Rodriguez,	SP Member
Vincent L. Rama,	SP Member
Gregorio G. Yrastorza III,	SP Member
Lalaine A. Marcos,	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

RESOLUTION NO. 2020-398

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) TO BE ENTERED INTO BY AND BETWEEN THE LOCAL GOVERNMENT UNIT OF ORMOC AND THE COALITION OF SERVICES OF THE ELDERLY, INC. (COSE) TO HELP IMPROVE THE DELIVERY OF PROGRAMS AND SERVICES FOR THE OLDER PERSONS IN THE LOCALITY.

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated November 25, 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 Local Government Unit of Ormoc and the Coalition of Services of the Elderly, Inc. (COSE) to help improve the delivery of programs and services for the older persons in the locality, a copy of the MOA is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, in an Opinion dated July 6, 2020, the City Legal Office generally finds nothing legally objectionable except for some observations and suggestions in the said MOA which COSE had already complied with, a copy of the Opinion is hereto attached as "ANNEX B" and made an integral part hereof;

WHEREAS, COSE is a Non-Government Organization, which envisions an equitable society for all ages where older persons to live in dignity, remain healthy, self-reliant, secure and free to commit themselves to others and society;

WHEREAS, the Local Government of Ormoc City is mandated to unite, protect, and develop its people among its covered communities;

WHEREAS, part of the LGU's responsibility is to provide basic, regular, and direct services and effective governance of the inhabitants with its territorial jurisdiction;

WHEREAS, after the conduct of the consultation, COSE and the Local Government of Ormoc City recognized the need to strengthen the senior citizens' organizations, the Office of Senior Citizens Affairs (OSCA), and Local Government Unit to improve the delivery of programs and services for the older persons in the locality;

WHEREAS, COSE will assist to strengthen the capacity of the federation in public policy monitoring by forming the Older Citizens Monitoring Committee (OCMC) and establishing Senior Citizens Registration and Information System (SCRIS) in order to create an operational social accountability mechanism towards an age-friendly city;

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 Vincent L. Rama, Chairman, Committee on Social Welfare, Senior Citizens, and Persons with Disability and SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Esteban V. Laurente, Roiland H. Villasencio, Tomas R. Serafica, Jasper M. Lucero, Lalaine A. Marcos, Gregorio G. Yrastorza III 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) TO BE ENTERED INTO BY AND BETWEEN THE LOCAL GOVERNMENT UNIT OF ORMOC AND THE COALITION OF SERVICES OF THE ELDERLY, INC. (COSE) TO HELP IMPROVE THE DELIVERY OF PROGRAMS AND SERVICES FOR THE OLDER PERSONS IN THE LOCALITY;

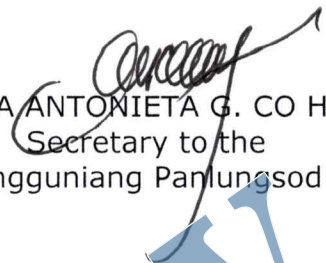
ADOPTED, December 09, 2020.

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; OSCA; CSWD; COSE; 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

MEMORANDUM OF AGREEMENT

This MEMORANDUM OF AGREEMENT made and entered into this ____ day of _____, at Ormoc City, Philippines by and between:

The **Local Government Unit of Ormoc City** with principal address at Aunubing St., Cogon, Ormoc City represented by its City Mayor **HON. RICHARD I. GOMEZ**, herein referred to as Local Government of Ormoc City;

---And---

The **Coalition of Services of the Elderly, Inc. (COSE)**, a non-stock, non-profit humanitarian and development organization duly registered with the Securities and Exchange Commission (SEC) and Department of Social Welfare and Development (DSWD), existing under the law of the Republic of the Philippines with office address at 1407 Quezon Avenue, West Triangle, Quezon City represented in this transaction by its Executive Director, **EMILY N. BERIDICO** herein referred to as COSE.

WITNESSETH THAT

WHEREAS, COSE is a Non-Government organization, which envisions an equitable society for all ages where older persons live in dignity, remain healthy, self-reliant, secure and free to commit themselves to others and society;

WHEREAS, the Local Government of Ormoc City is a local government unit mandated to unite, protect and develop its people among its covered communities;

WHEREAS, part of the Local Government of Ormoc City responsibility is to provide basic, regular and direct services and effective governance of the inhabitants within its territorial jurisdiction;

WHEREAS, after the conduct of consultation, COSE and the Local Government of Ormoc City recognize the need to strengthen the senior citizens' organizations, the Office of Senior Citizens Affairs (OSCA) and Local Government Unit (LGU) to improve the delivery of programs and services for the older persons in the locality;

WHEREAS, COSE will assist to strengthen the capacity of the federation in public policy monitoring by forming the Older Citizens Monitoring Committee (OCMC) and establishing Senior Citizens Registration and Information System (SCRIS);

WHEREAS, COSE will assist the Local Government Unit (LGU) in establishing an operational social accountability mechanism towards Age-friendly city/municipality;

NOW THEREFORE, for and in consideration of the foregoing premises and of the terms and conditions hereinafter provided, it is hereby agreed by both parties the following roles and responsibilities:

policy, moral.

Amendments/Revisions

BY: Atty. Maria Adella S. Calanan DATE: **NOV 24 2020**

ARTICLE I: ROLES AND RESPONSIBILITIES OF BOTH PARTIES

Section 1: Description of the Project

1. Enhancing Social Accountability Towards Responsive and Age-friendly Local Government Units in Leyte and Bulacan, Philippines aims to contribute to an improvement in the living situation of disadvantaged older people in 10 target municipalities. Specifically, it aims that:
 - The capacity of older persons' federations in public policy monitoring has been strengthened in 10 municipalities;
 - The delivery of programs and services for older persons has been improved in the target municipalities;
 - The number of older persons who benefit from the programs and services of age-friendly cities/municipalities has increased; and
 - The well-being of abandoned older persons in residential care facilities has improved.

Section 2: Responsibility of Coalition of Services of the Elderly, Inc. (COSE)

Pursuant to this agreement, it shall be the role and responsibility of COSE to:

1. Conduct assessment of Older Persons Organizations' (OPO) needs and facilitate capacity building activities on prioritized issues/topics;
2. Facilitate annual assessment and planning of older person federation, exchange of experiences between OPOs and LGU (OSCA, MSWDO);
3. Develop and strengthen Older Persons Organizations' (OPO) monitoring committee on social protection programs and Senior Citizens HelpDesk;
4. Conduct survey in barangay level, develop and pilot-test Senior Citizens Registration Information System (SCRIS);
5. Conduct age and disability sensitization with LGU partners and support groups, and conduct capacity building activities on social accountability with the LGU partners and support groups;
6. Develop/produce Information, Education and Campaign (IEC) materials on older person's rights and relevant social protection programs, Senior Citizens HelpDesk and other project-related IEC materials;
7. Assist OPOs in a dialogue with the legislators, the executive branch and the media; discussion and formulation of legislative initiatives; and
8. Assist OPOs/Federation in designing campaign activities for the Elderly Filipino Week and other local and international observances for older persons.

REVIEWED

Section 3: Responsibility of the Local Government Unit of Ormoc City

Pursuant to this agreement, it shall be the role and responsibility of the Local Government Unit to undertake the following;

Separate Opinion

1. Endorse the project to City/Municipal Social Welfare Office, Office of Senior Citizens Affairs and other related offices;
2. Assist in inviting Older Persons Organization leaders and members to city-level activities;
3. Provide technical support in facilitating the SCRIS survey;
4. Provide existing data on senior citizens and community profile;
5. Provide venue for regular meetings of Older Persons Organizations;
6. Lead/participate in municipal level advocacy activities;
7. Provide technical and logistical support in agreed project activities such as trainings, surveys, field visits, etc.;
8. Attend quarterly feedback sessions, conduct project monitoring and participate during project evaluation;

Drafted by CLO

Not contrary to laws, public

policy, moral.

Amendments/Revisions

Atty. Maria Adina S. Cabrera
City Legal Attorney III

DATE: 10/24/2020

9. Provide space/table for COSE project staff that will serve his/her office during project duration; and
10. When necessary or funds are available, allocate funds/resources as local counterparts to approved project activities.

Section 4: Confidentiality

Pursuant to this agreement and the Republic Act 10173 or also known as "Data Privacy Act of 2012", both parties should implement data privacy and security at all times. Both parties should treat all personal information collected from the staff, stakeholders, partners and older persons as confidential and should not be shared with any third parties without written consent from the subject. Both parties are also liable for any misuse/use not pursuant to the provision of this Memorandum of Agreement (MOA).

Section 5: The project shall commence on **June 1, 2020** and will end on **March 31, 2023**.

Section 6: The parties herein warrant that they have the capacity, power, requisite and authorization to enter into this Agreement.

ARTICLE II – EFFECTIVITY AND AMENDMENTS

- a. This Memorandum of Agreement shall take effect on _____ until _____, unless sooner be terminated by BOTH PARTIES which shall be made in writing.
- b. Any amendments to this Agreement shall be made in writing and must be concurred by BOTH PARTIES.

IN WITNESS THEREOF, the parties have set their hands on this Agreement this _____ day of _____, year _____.

For Coalition of Services of the Elderly:
City:

Local Government Unit of Ormoc

REVIEWED

EMILY N. BERIDICO

ORMOC CITY LEGAL OFFICE
Executive Director, COSE

HON. RICHARD I. GOMEZ

City Mayor, Ormoc City

Approved

Separate Opinion

Drafted by CLO

COSE

Not contrary to laws, public
policy, moral.

WITNESSES

LGU of Ormoc City

Amendments/Revisions **ROLANDO PABIO**

Atty. Maria Adelle Cabrera
City Legal Attorney III

DATE:

NOV 24 2020

DENNIS C. DESTACAMENTO

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES

_____) S.S

BEFORE me, a NOTARY PUBLIC for and in this day of _____, 2020,
personally appeared before me;

NAME	CTC No. / Passport No.	Date/Place Issued
EMILY N. BERIDICO	_____	_____
HON. RICHARD I. GOMEZ	_____	_____

Known to me to be the same persons who executed the foregoing instrument consisting of four (4) pages, including this page wherein this acknowledgement is written, signed by the parties and their instrumental witnesses, which instrument they acknowledge to be their free and voluntary act and deed, as well as that of the juridical persons which they represent.

IN WITNESS WHEREOF, I have hereunto affixed my notary seal and signature this _____ day of _____ at _____.

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

REVIEWED

ORMOC CITY LEGAL OFFICE

Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public policy, moral.

Ammendments/Revisions

Atty. Maria Adelfa S. Cabrera

BY: City Legal Attorney III. DATE: NOV 24 2020

OFFICE OF THE CITY LEGAL OFFICER

Ormoc City, Leyte

July 6, 2020

MAYOR RICHARD I. GOMEZ
Ormoc City



THRU: MA. VICTORIA LYRA P. DELA CERNA
City Govt. Asst. Dept Head I

Re: MOA with COSE

References:

1. Referral dated July 1, 2020;
2. Draft Memorandum of Agreement.

Dear Mayor Gomez:

This Office has reviewed above-stated MOA and renders the following observations, comments, and/or suggestions:

1. Coalition of Services of the Elderly, Inc. (COSE) is not an accredited organization of the Sangguniang Panlungsod of Ormoc;
2. Section 9.1 of Ordinance No. 009 s.2014, otherwise known as the Procedure for the Accreditation of Civil Society provides for the rights and privileges of duly accredited CSOs, including, but not limited to entering into cooperative or collaborative undertaking and arrangements with LGU Ormoc. There is, however, no prohibition from entering into an agreement with a non-accredited CSO;
3. Undertaking covered by MOA involves data collection, it is recommended that provisions over implementation on data privacy and security be included, including liability of misuse not pursuant to the provisions of the MOA.

In view of the foregoing, it is recommended that the implementing office consider the following observations and consult with the appropriate Office on whether or not they will enter into MOA without SP CSO accreditation.

This advice is rendered without prejudice to contrary opinion from competent authorities or ruling of the proper body/court.

For consideration of CMO and implementing offices.

Respectfully,


MARIA ADELFA S. CABRERA
Attorney III

With Conformity


JOSEPHINE A. MEJIA- ROMERO
City Legal Officer

New Ormoc City Hall, Aunubing St., Cogon, Ormoc City
(053)255-7395 loc. 1010 ++ clo.ormoc@gmail.com