

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 JANUARY 12, 2021

PRESENT:

Peter M. Rodriguez,	SP Member, Temporary Presiding Officer
Benjamin S. Pongos, Jr.,	SP Member, Majority Floor Leader
Roiland H. Villasencio,	SP Member
Tomas R. Serafica,	SP Member
Nolito M. Quilang,	SP Member
Eusebio Gerardo S. Penserga,	SP Member, Asst. Majority Floor Leader
Jasper M. Lucero,	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

ON OFFICIAL BUSINESS:

Leo Carmelo L. Locsin, Jr. (Acting City Mayor)

**RESOLUTION NO. 2021-008**

**A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR TO ACCEPT AND SIGN THE DEED OF DONATION (DOD) TO BE ENTERED BY AND BETWEEN THE PHILIPPINE RICE RESEARCH INSTITUTE (PHILRICE-BICOL) AND THE LOCAL GOVERNMENT UNIT OF ORMOC, FOR THE DONATION OF FOUR HUNDRED TWENTY-THREE (423) BAGS (20 KGS EACH) OF PALAY SEEDS THAT ARE NO LONGER SUITABLE FOR PLANTING THAT COULD BE USED FOR ANY FEEDING PROGRAM OR FOR ANY PURPOSE BY THE CITY SOCIAL WELFARE AND DEVELOPMENT OFFICE (CSWDO).**

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated January 5, 2021 from the Office of the City Mayor, endorsing a request for the issuance of an authority for the City Mayor to accept and sign the Deed of Donation (DOD) to be entered by and between the Philippine Rice Research Institute (PhilRice-Bicol) and the Local Government Unit of Ormoc, for the donation of four hundred twenty three (423) bags (20 kgs each) of palay seeds that are no longer suitable for planting that could be used for any feeding program or for any purpose by the City Social Welfare And Development Office (CSWDO), a copy of the DOD is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, in an Opinion dated December 21, 2020, the City Legal Office finds nothing legally objectionable in the said DOD 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 Deed of Donation is hereto attached as "ANNEX B" and made an integral part hereof;



WHEREAS, the donor is mandated to implement the development, propagation, and promotion on inbred rice quality seeds under the Rice Competitiveness Enhancement Fund (RCEF), in particular, provide certified inbred seeds to help improve the competitiveness of the Filipino rice farmers, increase their income, and sustain the resilience and responsiveness of the rice industry;

WHEREAS, the donee thru its City Social Welfare and Development Office (CSWDO) is mandated to address poverty-related concerns, and implement different social welfare and development programs such as relief operations and feeding programs, and is committed to the care, protection, and rehabilitation of individuals, families, groups, and communities;

WHEREAS, the donor has undistributed seeds after farmers in certain municipalities opted to plant early or were catered to by the National Rice Program of the Department of Agriculture (DA), and these seeds are no longer suitable as planting materials as shown by appropriate testing procedures;

WHEREAS, the donee thru its CSWDO is very much willing to receive said undistributed rice seeds and mill in support of their program;

WHEREAS, this Sanggunian, after thorough examination of the aforementioned request by the City Mayor, finds that: the same is not contrary to law, existing contract, public policy, customs and morals: is reasonable and in order; the same is entered into for the best interests of the City; and, finally, that the granting of the authority to sign and accept the Deed of Donation, among other lawful purposes, facilitates the ongoing developmental progress of the City and henceforth, deserving of this august Body's prompt and favorable consideration;

WHEREFORE, on motion of SP Member Benjamin S. Pongos, Jr., Chairperson, Committee on Laws and Ordinances, severally seconded by SP Members Vincent L. Rama, Esteban V. Laurente and Tomas R. Serafica; 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 ACCEPT AND SIGN THE DEED OF DONATION (DOD) TO BE ENTERED BY AND BETWEEN THE PHILIPPINE RICE RESEARCH INSTITUTE (PHILRICE-BICOL) AND THE LOCAL GOVERNMENT UNIT OF ORMOC, FOR THE DONATION OF FOUR HUNDRED TWENTY-THREE (423) BAGS (20 KGS EACH) OF PALAY SEEDS THAT ARE NO LONGER SUITABLE FOR PLANTING THAT COULD BE USED FOR ANY FEEDING PROGRAM OR FOR ANY PURPOSE BY THE CITY SOCIAL WELFARE AND DEVELOPMENT OFFICE (CSWDO);

ADOPTED, January 12, 2021.

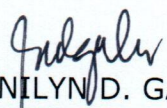
RESOLVED, FURTHER, that a copy of the final notarized Deed of Donation (DOD) be submitted to this Sanggunian for its information and files;

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; City Agriculture Office; PhilRice-Bicol; DSWDO; the City Local Government Operations Officer-DILG; and other offices concerned for their information and guidance;

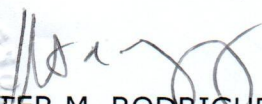
CARRIED UNANIMOUSLY.



I HEREBY CERTIFY to the correctness of the above resolution.

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

ATTESTED:

  
PETER M. RODRIGUEZ  
Temporary Presiding Officer

## DEED OF DONATION

## KNOW ALL MEN BY THESE PRESENTS:

This Deed of Donation is entered into by and between:

The **Philippine Rice Research Institute (PhilRice-Bicol)**, a chartered government corporate entity under the Department of Agriculture (DA), with office address at **Purok 6, Brgy. Batang, Ligao City, Albay** and represented herein by its **Branch Director, VICTORIA C. LAPITAN**, and hereinafter referred to as "**DONOR**";

-and-

The **Local Government Unit (LGU) of Ormoc City, Leyte**, with office address at **Brgy. Cogon, Ormoc City, Leyte**, represented herein by its **Mayor, Hon. RICHARD I. GOMEZ**, and hereinafter referred to as "**DONEE**".

## WITNESSETH:

WHEREAS, the **DONOR** is mandated to implement the development, propagation, and promotion of inbred rice quality seeds (seeds) under the **Rice Competitiveness Enhancement Fund (RCEF)**, in particular, provide certified inbred seeds to help improve the competitiveness of the Filipino rice farmers, increase their income, and sustain the resilience and responsiveness of the rice industry;

WHEREAS, the **DONEE** thru its **Community Social Welfare Development Office (CSWDO)** is mandated to address poverty-related concerns, and implement different social welfare and development programs such as relief operations and feeding programs; and is committed to the care, protection, and rehabilitation of individuals, families, groups, and communities;

WHEREAS, the **DONOR** has undistributed seeds after farmers in certain municipalities opted to plant early or were catered to by the **National Rice Program** of the **DA**, and these seeds are no longer suitable as planting materials as shown by appropriate testing procedures; and

WHEREAS, the **DONEE** thru its **CSWDO** is very much willing to receive said undistributed rice seeds and mill the same in support of their program.

NOW, THEREFORE, in consideration of the aforementioned premises and their mutual covenants hereinafter set forth, the parties have agreed as follows:

1. That, for and in consideration of the aforesaid programs of the **DONEE**, the **DONOR**, by these presents, transfers, conveys, by way of donation, unto said **DONEE**, **423 bags (20 kg each)** of seeds that are no longer suitable for planting, free from all liens and encumbrances, as detailed in **Annex A**;



2. That the DONEE does hereby accept this donation of 423 bags (20 kg each) of seeds for the official use of CSWDO, and hereby expresses gratitude for the kindness and generosity of the DONOR.
3. That the DONEE will arrange and shoulder the hauling and milling costs of the donated seeds.

IN WITNESS WHEREOF, the DONOR and the DONEE have hereunder set their hands this \_\_\_\_\_, 2020 at Ligao City, Albay.

PHILIPPINE RICE RESEARCH  
INSTITUTE (PhilRice Bicol)

COMMUNITY SOCIAL WELFARE  
AND DEVELOPMENT OFFICE – LGU OF  
ORMOC CITY, LEYTE

VICTORIA C. LAPITAN  
Branch Director

RICHARD I. GOMEZ  
City Mayor

SIGNED IN THE PRESENCE OF:

GLENN C. DE PERALTA  
Branch RCEF Focal Person

DELIA D. CORBO  
In-charge, Community Social Welfare  
and Development Office

ACKNOWLEDGEMENT

Republic of the Philippines)  
Province of Albay)s.s.

BEFORE ME, a Notary Public, this \_\_\_\_\_ at \_\_\_\_\_ appeared  
the following:

Name	Valid ID	Date/Place of issue
<u>VICTORIA C. LAPITAN</u>	<u>PhilRice ID #: 96-0107</u>	<u>January 1996/ Mufioz, Nueva Ecija</u>
<u>RICHARD I. GOMEZ</u>	_____	_____

both known to me to be the same persons who executed the foregoing Deed of Donation with Annex consisting of four (4) pages including this page on which the acknowledgement is written, signed by the parties and their instrumental witnesses on each and every page hereof and they acknowledged the same to be their free and voluntary act and deed, as well as those of the entities represented.

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

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



Annex for the Deed of Donation

Variety	Laboratory No.	Lot No.	Date of Re-certification	Germination Rate (%)	No. of bags	Name of Seed Grower	Seed Cooperative
NSIC Rc160	RSC-127433	NMF-10	Oct 6, 2020	80	129	Namer M. Fernandez	South NESGMPC
NSIC Rc222	RSC-127086	AP-17	Oct 6, 2020	81	200	Angelita P. Pestaño	South NESGMPC

# DAMAGE/INCIDENT REPORT

Date of notification: November 16, 2020

Location of RCEF seed stock: Ormoc City Warehouse

Description of incident:

70 bags of seeds were infested with rice weevils in the storage making the weight of the seeds insufficient. In addition, damage caused by rats were visible in the sacks.

Details of Seed Stock Affected

Variety	No. of Bags	Issue/Concern	Remarks/ Recommendation
NSIC Rc160	49	Damaged/insufficient weight	For donation
NSIC Rc222	21	Damaged/insufficient weight	For donation

Attached are the photos documenting the incident.

Prepared by:

MICHELLE L. MANABAT

Signature over printed name

PC

Position and affiliation

Witness:

MARIA ELENA R. MENDOZA

Signature over printed name

CITY AGRICULTURIST

Position and affiliation

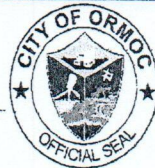


Cnr

Annex "B"

# OFFICE OF THE CITY LEGAL OFFICER

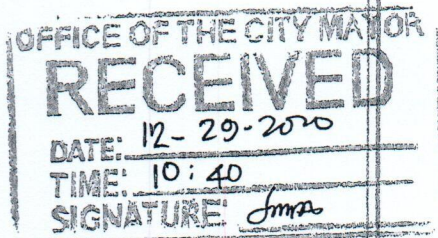
Ormoc City, Leyte



21 December 2020

MAYOR RICHARD I. GOMEZ  
Ormoc City

Thru: MA. VICTORIA LYRA P. DELA CERNA  
City Gov't, Asst. Dept. Head I



Dear Ms. Dela Cerna:

This is relative to your letter requesting for review of the draft Deed of Donation to be entered into by LGU Ormoc and the Philippine Rice Research Institute (PhilRice- Bicol), concerning the undistributed seeds which are no longer suitable as planting materials and could be used for a feeding program or other social welfare plans.

The undersigned, upon further inquiries with the agriculture office, learned that some of the seeds subject of the contract were already milled and is already under the disposal of the CSWDO and the Office of the City Agriculture. From the foregoing, and after review of the draft Deed of Donation, this Office 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 then recommended that the Deed of Donation be endorsed to the SP for the issuance of the resolution granting the City Mayor the authority to sign the same.

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,

  
ATTY. ANNE VERNADICE A. AREÑA  
Attorney III

WITH CONFORMITY:

  
ATTY. 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