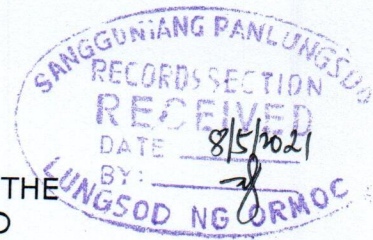


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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 AUGUST 03, 2021

PRESENT:

Tomas R. Serafica,

Benjamin S. Pongos, Jr.,
Roiland H. Villasencio,
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,

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

(Temporary Presiding Officer)
SP Member, Presiding Officer "Pro-Tempore"
SP Member, Majority Floor Leader
SP Member, 1st Asst. Majority Floor Leader
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

ON OFFICIAL BUSINESS:

Leo Carmelo L. Locsin, Jr.

(Acting City Mayor)
City Vice Mayor & Presiding Officer

RESOLUTION NO. 2021-218

**AN OMNIBUS RESOLUTION AUTHORIZING THE CITY
MAYOR RICHARD I. GOMEZ/OIC CITY MAYOR/
ACTING CITY MAYOR, TO DISPOSE THROUGH
DEMOLITION THE FOLLOWING UNSERVICEABLE
PROPERTIES OF THE LOCAL GOVERNMENT UNIT OF
ORMOC CITY, THAT ARE LOCATED AT BARANGAY
DISTRICT 12, TO WIT:**

- 1. ORMOC CITY PARK AND PLAZA OFFICE; AND**
- 2. CSWDO SENIOR CITIZENS BUILDING,**

**INCLUDING THE AUTHORITY TO PERFORM ALL
NECESSARY ACTS FOR THE ACCOMPLISHMENT OF
THE SAME, SUBJECT TO THE COMMISSION ON
AUDIT (COA) AND OTHER RULES AND
REGULATIONS.**

WHEREAS, the Fifteenth Sanggunian was in receipt of a 2nd Endorsement Letter dated 7 July 2021 from the Office of the City Mayor requesting for the passage of a Resolution granting him or his representative the authority to dispose of the abovementioned unserviceable properties of the Local Government Unit of Ormoc City, and further requesting that this matter be treated as URGENT;

WHEREAS, Section 379 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, explicitly provides that when property of any local government unit has become unserviceable for any cause or is no longer needed, it shall, upon application of the officer accountable therefore, be inspected and appraised by the provincial, city or municipal auditor, as the case may be, or his duly authorized representative or that of the Commission on Audit and, if found valueless or unusable, shall be destroyed in the presence of the inspecting officer;

WHEREAS, the City Disposal Committee on 30 June 2021 endorsed a Report pertinent to the City's proposed disposal of unserviceable properties by way of demolition of the structures that are located at Barangay District 12, this City, copy of the report is attached as Annex "A" and made an integral part hereof;

WHEREAS, in a communication from the City General Services Office dated 2 August 2019, it stated therein that the Office Building (former Regional Trial Court Building) currently used as Parks and Plaza Office and the Office Building (DSWD Office) are very old, very dilapidated and are hazardous as parts of the building are already rotten and falling;

WHEREAS, in an Inventory and Inspection Report of Unserviceable Property (IIRUP) certified by the same office, it stated therein that the structure of the Office Buildings after inventory and inspection is proposed to be disposed through demolition, copy of the IIRUP is attached as Annex "B" and made an integral part hereof;

WHEREAS, in two (2) Certifications of Appraised Value issued by the Office of the City Accountant dated 31 July 2019, it certified therein that the Parks and Plaza Office has a Net Book Value of TWO THOUSAND SIX HUNDRED FORTY PHILIPPINE PESOS (Php2,640.00) and that the DSWD (CSWDO Senior Citizen Building) has a Net Book Value of THREE THOUSAND TWENTY-FOUR PHILIPPINE PESOS (Php3,024.00), copies of the said Certifications are attached as Annexes "C" and "D", respectively, and made an integral part hereof;

WHEREAS, in a communication dated August 03, 2021 from the City Legal Office, it stated therein that the subject properties for disposal fall within the definition of being beyond economic repair or are already obsolete, junk and unserviceable, and further finds nothing legally objectionable to the proposed disposal and that the same is not inconsistent with the law and public policy;

WHEREAS, upon close and thorough review, this Sanggunian finds, that the requested authorization to the City Mayor will further facilitate the expeditious disposal of unserviceable property and aid the disposal committee to undertake the disposition of said properties by demolition, subject to COA and Other Rules and Regulations, and that the same is most beneficial to the City, therefore, meriting this august Body's full support and favorable action;

WHEREFORE, on motion of SP Member Roiland H. Villasencio, Chairman, Committee on Public Properties, severally seconded by SP Members Peter M. Rodriguez, Jasper M. Lucero, Joan Marbie C. Simbajon, Esteban V. Laurente, Nolito M. Quilang, Lalaine A. Marcos and Eusebio Gerardo S. Penserga; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass AN OMNIBUS RESOLUTION AUTHORIZING THE CITY MAYOR RICHARD I. GOMEZ/ OIC CITY MAYOR/ ACTING CITY MAYOR, TO DISPOSE THROUGH DEMOLITION THE FOLLOWING UNSERVICEABLE PROPERTIES OF THE LOCAL GOVERNMENT UNIT OF ORMOC CITY, THAT ARE LOCATED AT BARANGAY DISTRICT 12, TO WIT:

1. ORMOC CITY PARK AND PLAZA OFFICE; AND
2. CSWDO SENIOR CITIZENS BUILDING,

INCLUDING THE AUTHORITY TO PERFORM ALL NECESSARY ACTS FOR THE ACCOMPLISHMENT OF THE SAME, SUBJECT TO THE COMMISSION ON AUDIT (COA) AND OTHER RULES AND REGULATIONS

ADOPTED, August 03, 2021.


RESOLVED FURTHER, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez; the City Administrator; the City Legal Officer; the City General Services Officer; the City Accountant; the Commission on Audit; the City Local Government Operations Officer-DILG; and all other offices concerned.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.

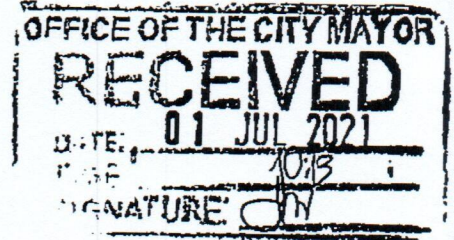

MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


TOMAS P. SERAFICA
(Temporary Presiding Officer)
SP Member
Presiding Officer "Pro-Tempore"



Republic of the Philippines
Local Government of Ormoc City
CITY DISPOSAL COMMITTEE
Province of Leyte



June 30, 2021

HON. RICHARD I. GOMEZ
City Mayor
LGU-Ormoc City

Dear Mayor:

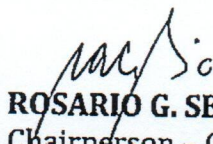
Respectfully endorsing the herewith documents (1 copy for SP) pertinent to the City's proposal for the **disposal through demolition** of the **Ormoc City Park and Plaza Office and DSWD Building (former UPAO)** located at Brgy. District 12, Ormoc City, for re-endorsement to the **Office of the Sangguniang Panlungsod** for the latter's grant of authority for the City Mayor to dispose of unserviceable properties of the City:

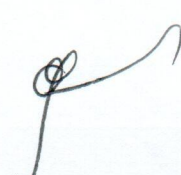
1. COA return letter dated March 18, 2021;
2. City Mayor's endorsement to the Commission on Audit for approval of the proposed disposal dated March 8, 2021;
3. Sangguniang Panlungsod Resolution No. 2020-181 adopted in June 23, 2020;
4. City Disposal Committee's endorsement to the City Mayor dated January 28, 2020;
5. Notarized Demolition Permit (PP No. D-20191007-102);
 1. Sketch Plan;
 2. CGSO letter request for City Mayor's approval of the proposed demolition dated August 2, 2019
3. Inspection and Inventory Report of Unserviceable Property as of July 31, 2019;
4. Accountant's Certification as to Net Book Value dated July 31, 2019 (2);
5. Property Plant and Equipment (PPE) Ledger Card as of July 31, 201;
6. Photos of the two (2) buildings;

As stated in Item 13 of COA's return letter dated March 18, 2021, Sangguniang Panlungsod Resolution No. 2020-181 granted authority to the Mayor for the disposal of the Public Library only, and further requiring for an SP Resolution authorizing the Mayor for the disposal of the DSWD and Park and Plaza buildings. The exclusion of the Park and Plaza Office and the DSWD Building in SP Resolution 2020-181 was by reason of a notation that these buildings were subject to a usufruct with the DOJ. However, it was found out in recent meetings with the Disposal Committee on Appraisal that the usufruct only pertains to the building currently being used by the Trial Courts, which do not include the two buildings above-stated (see sketch plan). Hence, this re-endorsement.

Thank you and Godspeed.

Sincerely


ROSARIO G. SERAFICA
Chairperson - City Disposal Committee



"Annex B"

INVENTORY AND INSPECTION REPORT OF UNSERVICEABLE PROPERTY

Fund: LGU, Ormoc City July 31, 2019

INVENTORY						INSPECTION				
Date Acquired	Particulars	Property No.	Quantity	Unit Cost	Total Cost	Accumulated Depreciation	Net Book Value	Remarks	Appraised Value	Disposition
12/23/88	Office Building (former DSWD Office)	001-155-04-010-21-070	1 unit		60,480.00	57,456.00	3,024.00			Demolition
12/29/88	Office Building (Library)	001-155-04-010-21-073	1 unit		45,120.00	42,864.00	2,256.00			Demolition
12/22/88	Office Building (former RTC Office) ***NOTHING FOLLOWS***	001-155-04-010-21-071	1 unit		52,800.00	50,160.00	2,640.00			Demolition

CERTIFIED BY:

ENGR. DOMARDONI C. CAYANONG

Name and Signature

City General Services Officer

Position and Designation

07/31/2019

Date

VERIFIED BY:

ROSARIO B. SERAFICA

Name/Signature-Head of the Accounting Unit

City Accountant

Position and Designation

8-2-2019

Date

I CERTIFY that I have inspected each and every article enumerated in this report.

RANUNJO D. OLIVEROS

Name and Signature of Inspector

City Engineer

Position and Designation

I CERTIFY that I have witnessed the inspection of the articles enumerated in this report.

FELICISMA C. ORAIS

Name and Signature

Adm. Alde III, GSO

Position and Designation

07/31/2019

Date

APPROVED BY:

MAYOR RICHARD I. GOMEZ

Authorized Official

DATE

11 Annex C



Republic of the Philippines
OFFICE OF THE CITY ACCOUNTANT
Ormoc City, Leyte

CERTIFICATION

THIS IS TO CERTIFY that, per records in the City's books of accounts, the **Office Building (former RTC Building)** currently used as the Parks and Plaza Office, which property is owned by the Local Government of Ormoc City (LGU-Ormoc), has a **Net Book Value** of **TWO THOUSAND SIX HUNDRED FORTY PESOS (Php2,640.00)** as of July 31, 2019, with breakdown as follows:

Cost of PPE	Php 52,800.00
Less: Accumulated Depreciation	(50,160.00)
Net Book Value	Php 2,640.00

Issued, per request by the General Services Office for demolition purposes, this 31st of July 2019 at the New Ormoc City Hall, Aunubing Street, Brgy. Cogon, Ormoc City.

RGS
ROSARIO G. SERAFICA
City Accountant *g*

g



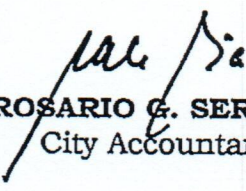
Republic of the Philippines
OFFICE OF THE CITY ACCOUNTANT
Ormoc City, Leyte

CERTIFICATION

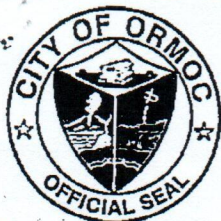
THIS IS TO CERTIFY that, per records in the City's books of accounts, the **Office Building (DSWD)** located at the back of the RTC Building of Ormoc City, which property is owned by the Local Government of Ormoc City (LGU-Ormoc), has a **Net Book Value** of **THREE THOUSAND TWENTY FOUR PESOS (Php3,024.00)** as of July 31, 2019, with breakdown as follows:

Cost of PPE	Php 60,480.00
<i>Less: Accumulated Depreciation</i>	(57,456.00)
Net Book Value	Php 3,024.00

Issued, per request by the General Services Office for demolition purposes, this 31st of July 2019 at the New Ormoc City Hall, Aunubing Street, Brgy. Cogon, Ormoc City.


ROSARIO G. SERAFICA
City Accountant





City Legal Office

2nd Floor New Ormoc City Hall
Aunubing St., Cogon, Ormoc City
(053) 255 2054 / 560 8050 loc. 1017

August 3, 2021

SP MEMBER ROILAND H. VILLASENCIO

15th Sangguniang Panlungsod
Ormoc City

Dear SP Member Villasencio:

1. In reply to your letter dated July 29, 2021, please find below the opinion of this office:

a. The Local Government Code states:

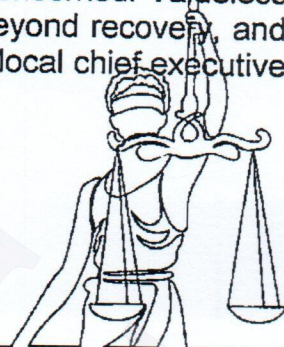
"Section 379. Property Disposal. - When property of any local government unit has become unserviceable for any cause or is no longer needed, it shall upon application of the officer accountable therefor, be inspected and appraised by the provincial, city or municipal auditor, as the case may be, or his duly authorized representative or that of the Commission on Audit and, if found valueless or unusable, shall be destroyed in the presence of the inspecting officer.

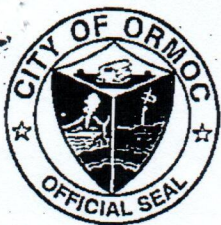
If found valuable, the same shall be sold at public auction to the highest bidder under the supervision of the committee on awards and in the presence of the provincial, city or municipal auditor or his duly authorized representative. Notice of the public auction shall be posted in at least three (3) publicly accessible and conspicuous places, and if the acquisition cost exceeds One hundred thousand pesos (P100,000.00) in the case of provinces and cities, and Fifty thousand pesos (P50,000.00) in the case of municipalities, notice of auction shall be published at least two (2) times within a reasonable period in a newspaper of general circulation in the locality."

b. The disposal of government property that is unserviceable, obsolete, forfeited, abandoned, excess or surplus to the needs of the government or junk or scrap materials, also finds basis in the "Manual on Disposal of Government Property" issued by the Department of Budget of Management.

c. COA Circular No. 89- 296 provides for the modes by which assets and property of national government agencies, local government units and government-owned or controlled corporations and their subsidiaries, may be disposed of, aside from other such modes as may be provided for by law, i.e. public auction, sale through negotiation, barter, transfer to other government agencies and destruction or condemnation.

d. Upon showing that the structures subject of your communication all fall within the definition of being beyond economic repair or are already obsolete or are already junk and unserviceable, this office finds nothing legally objectionable to the proposed disposal. As such, the issuance of a Resolution authorizing the City Mayor to proceed with the disposal, subject to Commission on Audit policies, is not inconsistent with the law and public policy. This, as per COA Circular that defines "Destruction or Condemnation" as that mode to be resorted to when the unserviceable property has no commercial value, or is beyond economic repair, or there is no willing receiver, and/or the appraised value is less than the administrative cost of sale, subject to prior inspection by the Auditor concerned. Valueless property shall be condemned either by burning, pounding, throwing beyond recovery, and the like. The head of the department, agency and corporation and the local chief executive shall approve the disposition.






City Legal Office

2nd Floor New Ormoc City Hall
Aunubing St., Cogon, Ormoc City
(053) 255 2054 / 560 8050 loc. 1017

- e. Further, reference must be made to COA Circular 2019- 003 dated June 25, 2019, such that, when applicable, the Resolution must indicate the authority of the Local Chief Executive to enter into negotiated sale, and approving the minimum negotiated price of the property to be sold/ disposed of.
- f. This opinion is predicated on the premise that documents supporting that the personal properties are longer needed or used for any project or program of the LGU.
- g. This opinion refers to the planned disposal of the (a) Ormoc City Park and Plaza Office; and (b) CSWDO Senior Citizens Building, both located at Brgy. District 12, Ormoc city.
2. This opinion is rendered without prejudice to contrary opinion from competent authorities and/or ruling of proper court and/ or supervening event(s) or circumstances.
3. For your consideration.

Most Respectfully,


JOSEPHINE A. MEJIA- ROMERO
City Legal Officer

