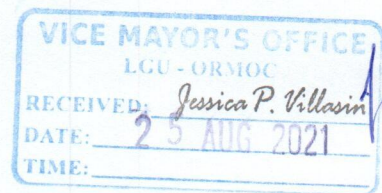
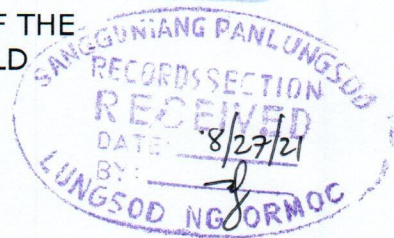


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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 24, 2021



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,
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

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 LEAVE:

Lalaine A. Marcos,

SP Member

RESOLUTION NO. 2021-240

A RESOLUTION GRANTING AUTHORITY TO RUEL G. CANETE, MARKET ADMINISTRATOR, TO ENTER INTO AND SIGN A COMPROMISE AGREEMENT, AMICABLE SETTLEMENT AND THERETO SUBMIT TO ALTERNATIVE DISPUTE RESOLUTION REGARDING THE CASE FILED BY THE OFFICE OF THE CITY PROSECUTOR AGAINST THE ACCUSED SEDRICK NULASCO AND ERWIN GUERERO OF THE CRIME OF THEFT OF DILAPIDATED METAL TABLE COMMITTED AT THE ORMOC PUBLIC MARKET LAST MARCH 10, 2021.

WHEREAS, this august Body was in receipt of an Indorsement from the Office of the City Mayor dated July 29, 2021 regarding a request for the approval of the recommendation of Mr. Vincent L. Emnas, City Administrator, to authorize Ruel G. Cañete, Market Administrator, to enter into and sign the Compromise Agreement, Amicable Settlement, and thereto submit alternative mode of Dispute resolution regarding the case filed by the Office of the City Prosecutor against the accused Sedrick Nulasco and Erwin Guerero;

WHEREAS, the Committee on Good Government finds merit in the request to submit the case to alternative dispute resolution considering that the parties mutually realized and deem it best and convenient to resolve the matter to avoid clogging of dockets in Court;

WHEREAS, the Committee on Good Government supports the assertion of the City Legal Officer that this authority granted to settle the civil aspect of the case taking note of its surrounding circumstances and should not be interpreted to mean that the city adopts condonation as a strategy and it should be emphasized that the City Government will continue to strictly enforce the laws and aggressively apprehend and prosecute criminals and violators;

WHEREAS, the Committee on Good Government, upon motion of SP Member Lalaine A. Marcos, and without any objection approved the request at the Committee level and endorses the matter to the plenary session;

WHEREAS, upon close and thorough discussion, this Sanggunian, finds the grant of authority to Ruel G. Cañete, Market Administrator, to enter into and sign the compromise agreement proper and not contrary to existing laws, morals and public order;

WHEREFORE, on motion of SP Member Jasper M. Lucero, Chairman, Committee on Good Government and Oversight, severally seconded by SP Members Roiland H. Villasencio, Joan Marbie C. Simbajon, Vincent L. Rama, Esteban V. Laurente, Gregorio G. Yrastorza III, Tomas R. Serafica and Nolito M. Quilang; be it

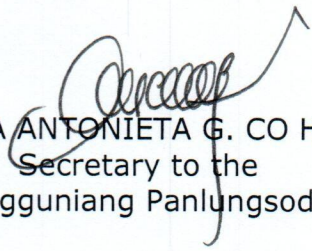
RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION GRANTING AUTHORITY TO RUEL G. CAÑETE, MARKET ADMINISTRATOR, TO ENTER INTO AND SIGN A COMPROMISE AGREEMENT, AMICABLE SETTLEMENT AND THERETO SUBMIT TO ALTERNATIVE DISPUTE RESOLUTION REGARDING THE CASE FILED BY THE OFFICE OF THE CITY PROSECUTOR AGAINST THE ACCUSED SEDRICK NULASCO AND ERWIN GUERERO OF THE CRIME OF THEFT OF DILAPIDATED METAL TABLE COMMITTED AT THE ORMOC PUBLIC MARKET LAST MARCH 10, 2021;

ADOPTED, August 24, 2021.


RESOLVED FURTHER, to furnish copies of this resolution each to the City Mayor Richard I. Gomez; the City Administrator; the City Legal Officer; the Market Administrator, Mr. Ruel G. Cañete; the City Local Government Operations Officer-DILG; and other Offices concerned for their information and guide;

CARRIED UNANIMOUSLY.

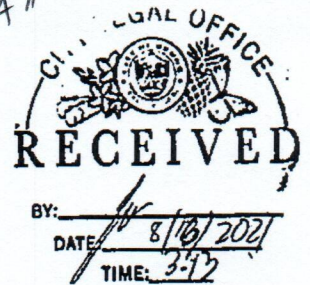
I HEREBY CERTIFY to the correctness of the above resolution.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


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

Republic of the Philippines
SUPREME COURT
MUNICIPAL TRIAL COURT IN CITIES
8th Judicial Region
Ormoc City



PEOPLE OF THE PHILIPPINES
Plaintiff

CC No. M-ORM-21-00267-CR
BPS No. VIII-04-INQ-21C-00098

-versus-

For: THEFT

SEDRICK NULASCO y Delima and
ERWIN GUERERO
Respondent

X-----X

COMPROMISE AGREEMENT

This Agreement is entered into by and between:

CITY GOVERNMENT OF ORMOC represented by RUEL G. CANETE, of legal age, Filipino and Officer-in-Charge of Ormoc City Public Market Administrator, hereinafter referred to as the FIRST PARTY and;

SEDRICK NULASCO y Delima and ERWIN GUERERO, of legal ages, both single, Filipinos and residing at Brgy. Ipil and Gaas Ormoc City, Philippines, respectively, hereinafter referred to as the SECOND PARTY.

WITNESSETH THAT:

WHEREAS, FIRST PARTY and SECOND PARTY are the private complainant and accused in Criminal Case No. M-ORM-21-00267-CR for Theft pending before the Municipal Trial Court in Cities, Ormoc City;

WHEREAS, during the pendency of the case, discussions and negotiation of a possible compromise agreement on matters allowed by existing law was made by the SECOND PARTY to the FIRST PARTY;

WHEREAS, after such negotiations and discussions, the parties mutually realized and deem it best and convenient to resolve the matter to avoid filing of the case to court;

NOW THEREFORE, for and in consideration of the mutual covenants and agreements herein established, the parties hereto agreed as follows:

1. The SECOND PARTY agrees to pay the FIRST PARTY the total amount of ONE THOUSAND SIX HUNDRED SIXTY (P 1660.00) detailed as P1160 the amount covering the two metal kitchen tables allegedly taken by the accused which are owned by the Ormoc City Government and P500 for the mediation fee to be paid by the SECOND PARTY on the day of the schedule trial of the case:
2. That the FIRST PARTY will pursue in filing a criminal case against the respondent if the latter fails to fulfill the obligation stated-above to the FIRST PARTY.

Both parties have executed this agreement by their own and voluntary act and deed and in their mutually agreed terms. Both parties warrant further, that the contents of this agreement were explained to them in local vernacular and signed the same with full understanding of its nature and consequences.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures this _____ in the City of Ormoc, Province of Leyte.

RUEL G. CANETE
Complainant

SEDRICK D. NULASCO
Accused

ERWIN DELIMA
Accused

Assisted by:

Public Attorney's Office
Ormoc District Office

