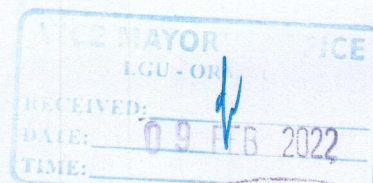
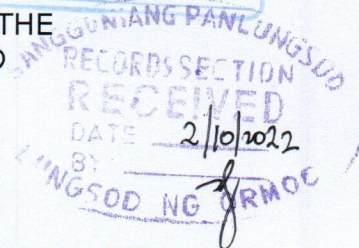


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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 FEBRUARY 08, 2022



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, 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

ON LEAVE:

Joan Marbie C. Simbajon, Ex-Officio SP Member, Chapter President,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

RESOLUTION NO. 2022-036

A RESOLUTION GRANTING AUTHORITY TO CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY GOVERNMENT OF ORMOC AND THE ARMED FORCES OF THE PHILIPPINES, FOR THE IMPLEMENTATION OF THE "PROJECT"-CONSTRUCTION OF EVACUATION CENTER AT THE CAMP DOWNES MILITARY RESERVATION.

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of and Indorsement dated February 04, 2022 from the Office of the City Mayor, endorsing a request for the issuance of a Resolution granting authority to the City Mayor or his representative to enter into and sign the Memorandum of Agreement (MOA) with the Armed Forces of the Philippines, for the implementation of the "PROJECT" - construction of Evacuation Center at the Camp Downes Military Reservation. Further requesting that this matter be treated as EXTREMELY URGENT, copy of the MOA is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, Section 16 of the Local Government Code states, that "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants";

WHEREAS, Section 11 of Republic Act 10121 or the Philippine Disaster Risk Reduction and Management Act of 2010 mandates the organization of Local Disaster Risk Reduction and Management Councils for it to "ensure the integration of disaster risk reduction and climate change adaptation into local development plans, programs, and budgets as strategy in sustainable development and poverty reduction" and "recommend the implementation of forced or preemptive evacuation of local residents if necessary;

WHEREAS, the construction and maintenance by the City of evacuation centers are necessary to provide immediate relief and shelter to residents whose safety and security are threatened and are in imminent danger due to calamity of whatever nature and cause;

WHEREAS, the Sangguniang Barangay of Barangay Camp Downes has issued a Resolution No. 4, series of 2022 and requesting the City Mayor to allocate funds for the construction of an evacuation center;

WHEREAS, an evacuation in Barangay Camp Downes (hereinafter referred to as the "PROJECT") is deemed a strategic location for responders and frontliners to efficiently respond to emergencies;

WHEREAS, the funds for the construction of an evacuation center in Barangay Camp Downes will be considered out of the City's appropriations for the Fiscal Year 2022;

WHEREAS, the proposed location for the evacuation center in Barangay Camp Downes is within the premises of a military reservation as determined by Proclamation No. 502 signed by President Ferdinand E. Marcos on December 23, 1968;

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 to promote people's interest, thereby, serving 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 Benjamin S. Pongos Jr., Chairman, Committee on Laws and Ordinances and SP Member Eusebio Gerardo S. Penserga, Chairman, Committee on Public Safety & Disaster Management, severally seconded by SP Members Vincent L. Rama, Nolito M. Quilang, Tomas R. Serafica, Esteban V. Laurente, Gregorio G. Yrastorza III, Peter M. Rodriguez and Lalaine A. Marcos; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION GRANTING AUTHORITY TO CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY GOVERNMENT OF ORMOC AND THE ARMED FORCES OF THE PHILIPPINES, FOR THE IMPLEMENTATION OF THE "PROJECT"-CONSTRUCTION OF EVACUATION CENTER AT THE CAMP DOWNES MILITARY RESERVATION;

ADOPTED, February 08, 2022.



RESOLVED FURTHER, to furnish copies of this resolution one each to the City Mayor Richard I. Gomez; the City Administrator; the City Legal Officer; the City Planning & Development Office; the CDRMO; the City Health Department; the CSWD; the Sangguniang Barangay of Camp Downes; the City Local Government Operations Officer-DILG; and 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:


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

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

THIS Memorandum of Agreement ("Agreement") is made and executed on this _____ day of _____, 2022 at Ormoc City, by and between:

The **CITY GOVERNMENT OF ORMOC (CGO)**, a government political subdivision, created under the laws of the Republic of the Philippines, with office address at the Ormoc City Hall, Aunubing St., Brgy. Cogon, Ormoc City, is represented in this instance by its City Mayor **HON. RICHARD I. GOMEZ** hereinafter referred to as the "**FIRST PARTY**";

-and-

The **ARMED FORCES OF THE PHILIPPINES**, an agency of the national government with principal office address at Camp Gen Emilio Aguinaldo, Quezon City, represented herein by its Chief of Staff, **GEN ANDRES C CENTINO PA**, hereinafter referred to as the "**SECOND PARTY**"

WITNESSETH, that:

WHEREAS, Section 16 of the Local Government Code states, that *"Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public works, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants";*

WHEREAS, Section 11 of Republic Act 10121 or the Philippine Disaster Risk Reduction and Management Act of 2010 mandates the organization of Local Disaster Risk Reduction and Management Councils for it to *"ensure the integration of disaster risk reduction and climate change adaptation into local development plans, programs, and budgets as a strategy in sustainable development and poverty reduction;"* and *"recommend the implementation of forced or preemptive evacuation of local residents, if necessary;"*

REVIEWED

ORMOC CITY LEGAL OFFICER

Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public

policy, moral

Amendments/Revisions

Atty. Josephine A. Mejia-Romero
City Legal Officer

BY: _____ DATE: _____

FEB 03 2022

For sr authority

WHEREAS, the construction and maintenance by the CITY of evacuation centers are necessary to provide immediate relief and shelter to residents whose safety and security are threatened and are in imminent danger due to calamity of whatever nature and cause;

WHEREAS, the Sangguniang Barangay of Barangay Camp Downes has issued a Resolution No. 4, series of 2022 and requesting the City Mayor to allocate funds for the construction of an evacuation center;

WHEREAS, an evacuation center in Barangay Camp Downes (hereinafter referred to as the "PROJECT") is deemed a strategic location for responders and front liners to efficiently respond to emergencies;

WHEREAS, the funds for the construction of an evacuation center in Barangay Camp Downes will be considered out of the city's appropriations for the FY 2022;

WHEREAS, the proposed location for the evacuation center in Barangay Camp Downes is within the premises of a military reservation as determined by Proclamation No. 502 signed by President Ferdinand E. Marcos on December 23, 1968;

WHEREAS, the parties herein agree that the evacuation center will be beneficial to the residents of Barangay Camp Downes, the whole of Ormoc and the officers and personnel of the SECOND PARTY;

WHEREAS, the parties herein further agree that the structures of the evacuation center will remain as property of the CITY but will be subject to use by the SECOND PARTY;

NOW, THEREFORE, for and in consideration of the foregoing premises and the terms and conditions set forth, the parties herein agree as follows:

REVIEWED

A. LOCATION/PROJECT SITE

ORMOC CITY LEGAL OFFICE

Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public policy, moral.

Amendments/Revisions

Atty. Josephine A. Majis/Romano
City Legal Officer

BY: DATE:

The project shall be constructed at the Camp Downes Military Reservation in Barangay Camp Downes, Ormoc.

B. RESPONSIBILITIES OF THE FIRST PARTY:

1. Prepare the Plan, Design, and Program of Works of and for the PROJECT;

2. Provide the funds for the PROJECT and ensure its prompt and timely implementation in accordance with the approved Plans and Program of Works;

3. Conduct the procurement, award, and enter into a contract with the winning contractor for the PROJECT pursuant to the Revised Implementing Rules and Regulations of Republic Act No. 9184

- and relevant laws, rules, regulations, and issuances of appropriate government offices;
4. Implement and provide construction management and supervision;
 5. Facilitate/process the application of necessary permits and clearances necessary for the implementation of the PROJECT;
 6. In accordance with accounting principles, provide and undertake the necessary maintenance of the evacuation center;
 7. Prohibit the storage of hazardous, highly flammable, or illegal goods or materials in the evacuation center; and
 8. Manage, operate, utilize or appropriate the evacuation center and allow the SECOND PARTY to jointly use the same.

C. RESPONSIBILITIES OF THE SECOND PARTY:

1. Provide an area for PROJECT and the CITY's temporary field office within the project site for the duration of the PROJECT;
2. Allow entry to the evacuation center by CITY representatives and all users of the evacuation center;
3. Designate a focal person who will act on its behalf, on matters relative to the PROJECT and the use of the evacuation center; and
4. Use the evacuation center, in coordination with the FIRST PARTY and/ or the representatives of Barangay Camp Downes;

D. REPAIRS AND IMPROVEMENTS

1. The FIRST PARTY shall not introduce additional improvement/s or extension/s on the premises without prior written notice to and express approval of the SECOND PARTY; and
2. Any fixed and immovable construction/improvements on the premises shall be retained in favor of the SECOND PARTY, without any cost, once this Agreement is terminated.

E. EFFECTIVITY

ORMOC CITY LEGAL OFFICE

Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public policy/moral.

Amendments/Revisions

Atty. Josephine A. Maria-Romero
City Legal Officer

BY:

DATE:

FEB 03 2022

This agreement is effective for a period of ten (10) years upon approval of the Secretary of National Defense, renewable at the option of the Parties. After the Term has lapsed and no renewal or Termination has been issued by either party, as applicable, this Agreement shall automatically be renewed on a month-to-month basis.

IN WITNESS WHEREOF, the parties hereto have hereunto caused these presents to be signed on the date and at places first above written.

for SP anthony

CITY GOVERNMENT OF ORMOC

8th INFANTRY (STORMTROOPER)
DIVISION

BY:

BY:

RICHARD I. GOMEZ, DPA
City Mayor

MGEN EDGARDO Y DE LEON PA
Commander, 8ID, PA

Signed in the presence of:

BGEN PHILIP S LAPINID PA
Commander, IMCOM

LTGEN ROMEO S BRAWNER JR PA
Commanding General, PA

RECOMMEND APPROVAL:

ANDRES C CENTINO PA
Chief of Staff, Armed Forces of the Philippines

REVIEWED

ORMOC CITY LEGAL OFFICE

☐ Approved

☐ Separate Opinion

☐ Drafted by CLO

☐ Not contrary to laws, public
policy, moral.

☐ Amendments/Revisions

Atty. Josephine A. Mejia-Romero
City Legal Officer

BY: _____ DATE: **FEB 03 2022**

APPROVED BY:

HON. DELFIN N. LORENZANA
Secretary, Department of National Defense

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
CITY OF MAKATI) S.S.

BEFORE ME, a Notary Public, for and in this Makati City, Philippines,
this_____ day of _____, 2022, personally appeared:

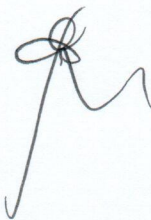
Name	Government ID No.	Issued on:	Issued at:
Edgardo Y De Leon			
Richard I. Gomez			Ormoc City

All known to me to be the same persons who executed the foregoing Memorandum of Agreement consisting of five (5) pages including this page on which the Acknowledgment is written and signed by the parties and their instrumental witnesses on each and every page thereof and acknowledged the same to be their free and voluntary act and deed as well as the entities represented.

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

Notary Public

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2022.



REVIEWED

ORMOC CITY LEGAL OFFICE

Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public policy, moral.

Amendments/Revisions

Atty. Josephine A. Mejia-Romero
City Legal Officer

BY: _____ DATE: FEB 03 2022.

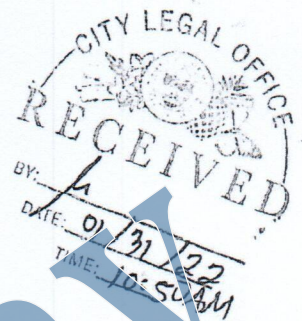
for sp authority

"Annex B"

Republic of the Philippines
BARANGAY CAMP DOWNES
Ormoc City

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BARANGAY OF BRGY. CAMP DOWNES, ORMOC CITY HELD ON THE 17th DAY OF JANUARY 2022 AT 9:00 O'CLOCK IN THE MORNING

PRESENT:	Hon. JASON M. GESTOSO	- Punong Barangay
	Hon. DOMINGO O SANORJO.	- Brgy. Kagawad
	Hon. JUANITA F DICDICAN	-
	Hon. VIRGINIA A MOQUIA	-
	Hon. NOEL P PALMITOS.	-
	Hon. TRECIA C GERALDEZ	-
	Hon. PEDRO P USTAN JR	-
	Hon. HELEN G CABRERA	-
	Ms. NIKKI S. GOLES	- Ingatyanan
	Ms. MARICEL S. ALCARAZ	- Kalihim



RESOLUTION NO. 04 SERIES OF 2022

A RESOLUTION HUMBLY REQUESTING THE HONORABLE CITY MAYOR RICHARD I GOMEZ TO ALLOCATE FUNDS FOR THE CONSTRUCTION OF EVACUATION CENTER OF BARANGAY CAMP DOWNES, ORMOC CITY

WHEREAS, due to the fact that the barangay is situated within the Military Reservation, in the construction of Infrastructures the necessity to seek clearance is being required by the administrator of the military reservation.

WHEREAS, during the previous administration sometimes in the year 2012 a Memorandum of Agreement has been made between the Barangay Council, DEPED, Military and the City Government of Ormoc in which it was favorably approved by the Secretary of National Defense, however, the project was not push through due to some legal aspects that the legal council of the city finds it hard to implement because it may affect the barangay.

WHEREAS, the barangay council of Camp Downes through its continues effort and coordination with the brigade, on January 15, 2022 BRIGADIER GENERAL ZOSIMO A. OLIVEROS (AFP) Commanding General of 802nd Brigade verbally encouraged the council to implement the construction of Evacuation Center within the premises of Camp Downes Elementary School.

WHEREAS, the construction of Evacuation Center is deemed necessary and appropriate considering that it is one of the mandatory requirement of the Disaster Risk Reduction Management Council of the city in order that the barangay barangay could deliver the needed services to the people in times of calamities.

WHEREAS, the construction of Evacuation Center of the barangay would surely enhance the morale of the constituents and of great help during time of calamities considering that the presence of this structure, brings a lot of advantages to the people.

WHEREAS, the Council believes that the office of City Mayor Richard I Gomez is very much capable of providing assistance to realize this very important need of the constituents.

NOW THEREFORE, on the motion of Kagawad NOEL P. PALMITOS, duly seconded by all the members of the council present, BE IT:

RESOLVED AS IT IS HEREBY RESOLVED TO REQUEST THE HONORABLE CITY MAYOR RICHARD I GOMEZ TO ALLOCATE FUNDS INTENDED FOR THE CONSTRUCTION OF EVACUATION CENTER, CAMP DOWNES, ORMOC CITY.

RESOLVED FURTHER to furnish copies of this resolution each to the Office of City Mayor, DPWH, DILG and Barangay Secretary, all in Ormoc City

CARRIED UNANIMOUSLY.


ATTESTED BY:

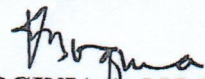
MARICEL S. ALCARAZ
Barangay Secretary

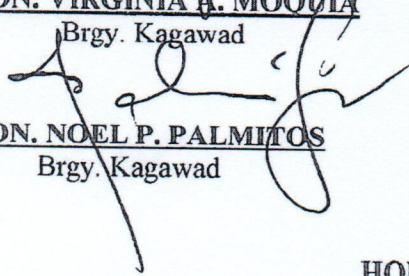
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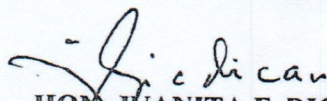
HON JASON M GESTOSO
Punong Barangay

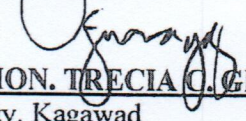
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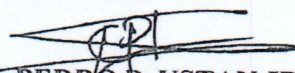

HON. DOMINGO O. SANORJO.
Brgy. Kagawad

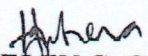

HON. VIRGINIA A. MOOUIA
Brgy. Kagawad


HON. NOEL P. PALMITOS
Brgy. Kagawad


HON. JUANITA F. DICDICAN
Brgy. Kagawad


HON. TRECIA C. GERALDEZ
Brgy. Kagawad


HON. PEDRO P. USTAN JR
Brgy. Kagawad


HON. HELEN G. CABRERA
Brgy. Kagawad


HON. ACE B. MATUGUINA
SK Chairman

