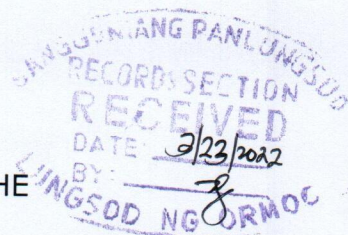


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



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 MARCH 22, 2022

PRESENT:

Tomas R. Serafica,  
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,

SP Member, Presiding Officer "Pro-Tempore"  
SP Member, Majority Floor Leader  
SP Member, 1<sup>st</sup> Asst. Majority Floor Leader  
SP Member, 2<sup>nd</sup> Asst. Majority Floor Leader  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member

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

Ex-Officio SP Member, Chapter President,  
Liga ng mga Barangay ng Ormoc  
Ex-Officio SP Member, Chapter President,  
Ormoc City Vice Mayor & Presiding Officer

ON LEAVE:

Leo Carmelo L. Locsin, Jr.

City Vice Mayor & Presiding Officer

**RESOLUTION NO. 2022-081**

**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 CITY  
GOVERNMENT OF ORMOC AND THE OFFICE OF THE  
PRESIDENT, FOR THE RELEASE OF FUNDS BY THE  
LATTER TO THE CITY OF ORMOC IN THE AMOUNT OF  
TWENTY MILLION PHILIPPINE PESOS  
(PHP20,000,000.00) TO BE USED FOR THE  
DEVELOPMENT OF BARANGAY DOLORES HOUSING**

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated March 22, 2022 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 City Government of Ormoc and the Office of the President, for the release of funds by the latter to the City of Ormoc in the amount of Twenty Million Philippine Pesos (PHP20,000,000.00) to be used for the development of Barangay Dolores Housing. Further requesting that this matter be treated as EXTREMELY URGENT, a copy of the MOA is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, in an Annotation dated March 22, 2022, the City Legal Office finds nothing legally objectionable in the said MOA and that the same is not contrary to law, morals, public order, or public policy much less detrimental to the best interests of Ormoc City;



WHEREAS, in a Letter dated March 21, 2022, City Mayor Richard I. Gomez respectfully wrote to President Rodrigo R. Duterte to fund the concreting of access roads of NHA Dolores in the amount of Twenty Million Philippine Pesos (Php20,000,000.00), a copy of the Letter is hereto attached as ANNEX "B" and made an integral part hereof;

WHEREAS, Article I, Section 25 (c) of LGC provides that "The President may, upon request of the local government unit concerned, direct the appropriate national agency to provide financial, technical, or other forms of assistance to the local government unit. Such assistance shall be extended at no extra cost to the local government unit concerned";

WHEREAS, Section 17 (f) of the same states that "The national government or the next higher level of local government unit may provide or augment the basic services and facilities assigned to a lower level of local government unit when such services or facilities are not made available or, if made available, are inadequate to meet the requirements of its inhabitants";

WHEREAS, the City, on its part, is required to return the grant not utilized or remaining after the project's completion and to submit reports of the progress of the projects or its completion;

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, after thorough examination of the aforementioned request by the City Mayor, finds that the same is entered into for the best interests of the City and its constituents;

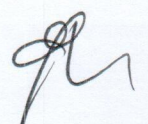
WHEREFORE, on joint motion of SP Member Nolito M. Quilang, Vice Chairperson, Committee on Laws and Ordinances and SP Member Peter M. Rodriguez, Chairperson, Committee on Finance and Appropriation, severally seconded by SP Members Roiland H. Villasencio, Vincent L. Rama, Gregorio G. Yrastorza III, Lalaine A. Marcos, Esteban V. Laurente 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 CITY GOVERNMENT OF ORMOC AND THE OFFICE OF THE PRESIDENT, FOR THE RELEASE OF FUNDS BY THE LATTER TO THE CITY OF ORMOC IN THE AMOUNT OF TWENTY MILLION PHILIPPINE PESOS (PHP20,000,000.00) TO BE USED FOR THE DEVELOPMENT OF BARANGAY DOLORES HOUSING;

ADOPTED, March 22, 2022.

RESOLVED FURTHER, that a copy of the final and notarized Memorandum of Agreement (MOA) be submitted to this Sanggunian for its information and files;

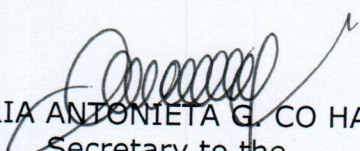
RESOLVED FINALLY, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Josephine Mejia-Romero; CPDO; City Budget Officer; the City Accountant; the City Treasurer; CLGOO, Jean Redi T. Briones; Office of the President; and other offices concerned for their information and guidance;



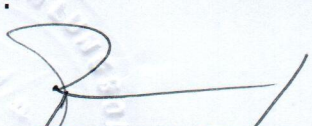


CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

  
MARIA ANTONIETA G. CO HAT  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

  
TOMAS R. SERAFICA  
SP Member  
Presiding Officer "Pro-Tempore"



**MEMORANDUM OF AGREEMENT**

KNOW ALL MEN BY THESE PRESENTS:

This **MEMORANDUM OF AGREEMENT** made and executed by and between:

The **OFFICE OF THE PRESIDENT**, with office address at Malacañang Palace, J.P Laurel St. , San Miguel, Manila, represented herein by the Executive Secretary **SALVADOR C. MEDIALDEA**, and hereinafter referred to as the **OP**;

-and-

The **CITY GOVERNMENT OF ORMOC**, a local government unit of the Republic of the Philippines, with principal address at New Ormoc City Hall, Aunubing Street, Barangay Cogon, Ormoc City, Leyte, represented herein by the City Mayor **RICHARD I. GOMEZ**, herein referred to as the **LGU-Ormoc**;

**WITNESSETH, that:**

**WHEREAS**, Article I, Section 25 (c) of Republic Act No. 7160 (R.A. No. 7160) otherwise known as the "Local Government Code of 1991" so provides that:

The President may, upon request of the local government unit concerned, direct the appropriate national agency to provide financial, technical, or other forms of assistance to the local government unit. Such assistance shall be extended at no extra cost to the local government unit concerned."

**WHEREAS**, Section 17 (f) of the same R.A. No. 7160 states that:

"The national government or the next higher level of local government unit may provide or augment the basic services and facilities assigned to a lower level of local government unit when such services or facilities are not made available or, if made available, are inadequate to meet the requirements of its inhabitants."

**WHEREAS**, President Rodrigo Roa Duterte sees the need to provide financial assistance to the **LGU-Ormoc** for the concreting of Barangay Dolores Housing;

**NOW THEREFORE**, for and in consideration of the foregoing premises, the Parties have hereunto undertake and agree to the following terms and conditions:

REVIEWED

ORMOC CITY LEGAL OFFICE

1. **GRANT.** The Office of the President (OP) shall release to the City Government Ormoc the amount of Twenty Million Pesos (P20,000,000.00) as assistance charged to \_\_\_\_\_:

Approved \_\_\_\_\_

Separate Opinion \_\_\_\_\_

✓ Drafted by CLO

2. **PROJECT/PURPOSE OF THE GRANT.** The Grant shall be utilized in accordance with pertinent and existing laws, guidelines, and regulations issued by the Commission on Audit (COA).

3. **The LGU-Ormoc** shall return to the OP the portions of the Grant not utilized to complete the Project and/or portions of the Grant remaining after the completion of the Project.

Amendments/Revisions \_\_\_\_\_

4. **The LGU-Ormoc** shall submit to the OP a Completion Project Report with all the necessary and supporting documents of the completed Project

DATE: MAR 25, 2022

BY: \_\_\_\_\_

EVA CRISTINE G. PAGAL  
Attorney in Charge, Ormoc City Legal Office



together with a Liquidation Report showing the expenses incurred and the disbursement of the Grant.

- All reports such as: project reports, disbursement and liquidation reports covering all the expenses incurred and the refund of excess, if there is any, upon completion of the project shall be audited and verified by the COA Resident Auditor of the **LGU-Ormoc**.
5. If any provisions hereof is prohibited or made unenforceable under any applicable laws or by competent court of authority, the same shall not affect any provisions which are otherwise valid and enforceable.
6. No terms and conditions of this MOA shall be deemed waived and no breach or default be excused unless such waiver of excuse shall be in writing and signed by the party affected.

**IN WITNESS WHEREOF**, the parties hereof through their duly authorized representatives have hereunto entered into this Agreement and affixed their signatures on the date and place herein above-mentioned.

**OFFICE OF THE PRESIDENT**

By:

**CITY GOVERNMENT OF ORMOC**

By:

**SALVADOR C. MEDIALDEA**  
Executive Secretary

**RICHARD I. GOMEZ**  
City Mayor

**SIGNED IN THE PRESENCE OF:**

**RIZALINA N. JUSTOL**  
Deputy Executive Secretary  
for Finance and Administration  
Office of the President

REVIEWED  
ORMOC CITY LEGAL OFFICE

☐ Approved

☐ Separate Opinion


☒ Drafted by CLO

☐ Not contrary to laws, public policy, moral.

Amendments/Revisions  
**EVA CRISTINA G. PAGAL**  
Attorney III, Ormoc City Legal Office

BY: \_\_\_\_\_ DATE: **MAR 22 2022**

City Treasurer  
City Government of Ormoc



Republic of the Philippines )  
Province of Leyte ) s.s.  
City of Ormoc )

A C K N O W L E D G M E N T

BEFORE ME, a Notary Public for and in the \_\_\_\_\_, this day of \_\_\_\_\_ at Ormoc City, Personally appeared:

NAME	VALID I.D., No.	DATE/PLACE ISSUED
RICHARD I. GOMEZ		

Who is known to me to be the same person who executed the foregoing instrument consisting of three (3) pages including the page where this acknowledgment is written, and who attest that this Agreement is an act of free will and deed.

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

Doc No. \_\_\_\_\_  
Page No. \_\_\_\_\_  
Book No. \_\_\_\_\_  
SERIES OF 2022.



REVIEWED

ORMOC CITY LEGAL OFFICE

\_\_\_\_ Approved

\_\_\_\_ Separate Opinion

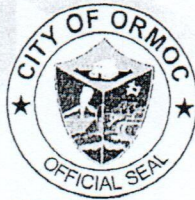
☒ Drafted by CLO

\_\_\_\_ Not contrary to laws, public  
policy, moral.

\_\_\_\_ Amendments/Revisions  
EVA CRISTINA S. PAGAL  
Attorney III, Ormoc City Legal Office

BY: \_\_\_\_\_ DATE: MAR 22 2022





Republic of the Philippines  
**OFFICE OF THE CITY MAYOR**  
Ormoc City

Annex B

March 21, 2022

**PRESIDENT RODRIGO ROA DUTERTE**

Malacañang Complex, J.P. Laurel St.  
San Miguel, Manila 1005

Dear President Duterte:

Greetings!

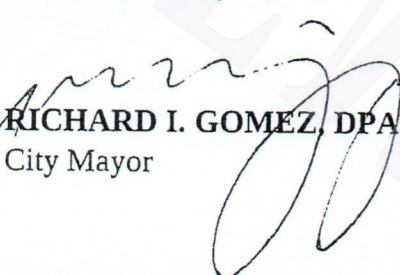
On July 6, 2017, Ormoc was struck by a magnitude 6.5 earthquake which left hundreds of families homeless. In response, the National Housing Authority built houses for these families and provided for a permanent housing program designed to provide suitable and acceptable housing for qualified informal settler families most of whom are, if not unemployed, come from the informal sector. One of the two NHA resettlements in the City is located at Barangay Dolores where the houses of which have been completed but the access road towards the area and within its premises have yet to be concreted.

Given its sizeable area with a total of 17,037.20 sq. m, the concreting of these roads will need substantial funding. It is this light that the Local Government Unit of Ormoc seeks the assistance of your good office in securing the needed funds to finance the project. The city hopes to be able to source the sum of TWENTY MILLION PESOS (Php 20,000,000.00) for the development of roads at the Barangay Dolores housing with your assistance and through the auspices of your office. I hope you can help us in our mandate to provide basic services and facilities which includes roads. I undertake to submit all pertinent attachments under DBM Local Budget Circular No. 142 and/or other pertinent issuances.

I look forward to your usual prompt attention and action on this request. I am available, at a time and place convenient to you or your representative, to explain in more detail the specifics of this communication and may be reached through Atty. Josephine Mejia-Romero 0917-301-4636 or jamromero.ormoc@gmail.com.

Thank you very much for your kind consideration.

Most respectfully,

  
**RICHARD I. GOMEZ, DPA**  
City Mayor



ORMOC CITY

