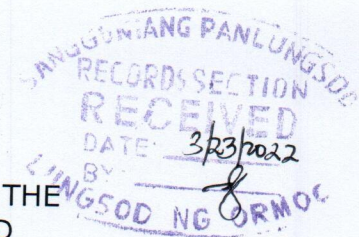


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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, 1st Asst. Majority Floor Leader
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
Ex-Officio SP Member, Chapter President,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON LEAVE:

Leo Carmelo L. Locsin, Jr.

City Vice Mayor & Presiding Officer

RESOLUTION NO. 2022-082

**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 UTILIZED FOR COVID-19
RESPONSE**

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 utilized for COVID-19 Response. 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 LGU's COVID-19 Response 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 Vincent L. Rama, Gregorio G. Yrastorza III, Lalaine A. Marcos, Esteban V. Laurente, Joan Marbie C. Simbajon and Jasper M. Lucero; be it

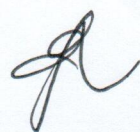
RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) TO BE ENTERED INTO BY AND BETWEEN THE CITY GOVERNMENT OF ORMOC AND THE OFFICE OF THE PRESIDENT, FOR THE RELEASE OF FUNDS BY THE LATTER TO THE CITY OF ORMOC IN THE AMOUNT OF TWENTY MILLION PHILIPPINE PESOS (PHP20,000,000.00) TO BE UTILIZED FOR COVID-19 RESPONSE;

ADOPTED, March 22, 2022.

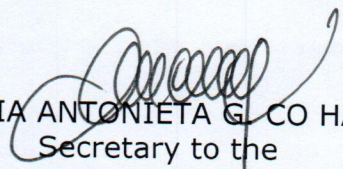
RESOLVED, FURTHER, that a copy of the final notarized Memorandum of Agreement (MOA) be submitted to this Sanggunian for its information and files;

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; Office of the President; CLGOO, Jean Redi T. Briones; the City Budget Officer; the City Accountant; the City Treasurer; the City Auditor; the City Health Department; the CDRRMO; and other offices concerned for their information and guidance;

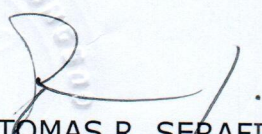
CARRIED UNANIMOUSLY.



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"

Res. # 2022-082
Amex A

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**, affected by the health crisis brought about by the Corona Virus disease (COVID-19);

WHEREAS, the assistance shall be used to cater and address the immediate needs of the people affected by the COVID-19 within the areas of **LGU-Ormoc**;

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

Approved

Separate Opinion

Drafted by

Not contrary to law, policy, moral

Amendments, Revision

EVA CRISTINE G. PAGAL
Attorney-in-Chief, 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 _____:

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) to provide food, medicines, and other basic necessities of the people affected by the COVID-19.

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.

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

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:

SALVADOR C. MEDIALDEA
Executive Secretary

CITY GOVERNMENT OF ORMOC
By:

RICHARD I. GOMEZ
City Mayor

SIGNED IN THE PRESENCE OF:

REVIEWED **RIZALINA N. JUSTOL**
Deputy Executive Secretary
for Finance and Administration
Office of the President
ORMOC CITY LEGAL OFFICE

City Treasurer
City Government of Ormoc

Approved

Separate Opinion

☒ Drafted by CLO

Not contrary to laws, public
policy, moral.

Amendments/Revisions

EVA CRISTINE SPAGAL
Attorney III, Ormoc City Legal Office

MAR 22 2022

BY: _____ DATE: _____

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		

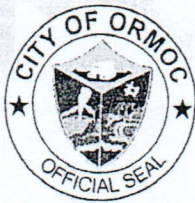
Who is known to me to be the same person who executed the foregoing instrument consisting of three (3) pages including the page where this acknowledgment is written, and who attest that this Agreement is an act of free will and deed.

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!

With the onslaught of the COVID-19 pandemic, Ormoc City is currently implementing measures that regulate the entry of individuals within its boundaries. Border checkpoints are set-up on exit and entry areas manned by members of the PNP and counterparts from the Local Government Unit (LGU) of Ormoc. Ormoc also maintains several facilities that house COVID-19 confirmed patients, for the containment of the spread of the virus. All these are attended to by LGU frontliners at all hours of the day and all days of the week.

With the implementation of health protocols, the LGU expends a significant amount to ensure that these patients, to include our health care workers and other frontliners all assigned to the centers, are provided with the essentials such as food, water and basic health care. With this, meeting the needed budget allocation for the implementation of these measures poses a challenge to the city government.

It is in this light that I respectfully write to your good office to request for financial assistance in the amount of TWENTY MILLION PESOS (P20,000,000.00) to be utilized for the COVID-19 response of the Local Government Unit of Ormoc. I earnestly hope you can in our mandate to uphold and promote the health of all Ormocanons. 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

