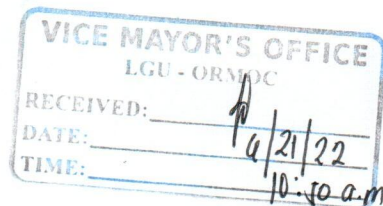
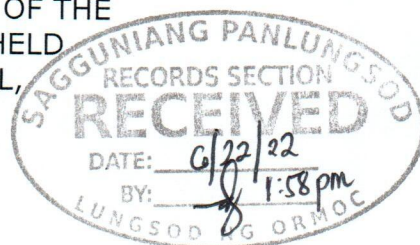


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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 JUNE 20, 2022 IN LIEU OF
JUNE 21, 2022



PRESENT:

Leo Carmelo L. Locsin, Jr.
Roiland H. Villasencio,
Tomas R. Serafica,
Nolito M. Quilang,
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, Presiding Officer "Pro-Tempore"
SP Member, 1st Asst. Majority Floor Leader
SP Member
SP Member
SP Member
SP Member
SP Member

Joan Marbie C. Simbajon,

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:

Eusebio Gerardo S. Penserga,

SP Member, 2nd Asst. Majority Floor Leader

RESOLUTION NO. 2022-155

**A RESOLUTION GRANTING AUTHORITY TO THE CITY
MAYOR, RICHARD I. GOMEZ, OR THE OIC/ACTING
CITY MAYOR, TO ENTER INTO AND SIGN CONTRACT
OF LEASE FOR AND ON BEHALF OF THE LOCAL
GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH
VMB FOODS CORPORATION, REPRESENTED BY MS.
VIOLETA M. BALTONADO, FOR THE LEASE OF THE
FORMER LEGISLATIVE BUILDING LOCATED AT AND
BOUNDED BY IÑAKI LARRAZABAL AVENUE,
NAVARRO STREET, AND BURGOS STREET FOR THE
PURPOSE OF OPERATING A RESTAURANT, PROVIDED
THAT CONDITIONS SETFORTH IN ORDINANCE NO.
169, ORDINANCE NO. 044, AND THE OPINION OF
THE CITY LEGAL OFFICE DATED JUNE 13, 2022 BE
COMPLIED.**

WHEREAS, this august Body was in receipt of an endorsement from the City Mayor's Office, dated June 17, 2022, requesting for an issuance of a resolution granting authority to the City Mayor or his representative to enter into and sign the Contract of Lease with VMB Food Corporation represented by its proprietor, Mrs. Violeta M. Baltonado to lease the Old Legislative Building;

WHEREAS, the City Administrator endorses to the City Mayor, dated June 17, 2022, the letter of intent from VMB Foods signifying its interest to renew the contract of lease pertaining to the Old Legislative Building;

WHEREAS, the aforementioned former Legislative Building has a vacant area which LESSOR intends to lease out and for which the VMB Foods has expressed an interest to renew its lease in;

WHEREAS, the City Government owns a parcel of land located in and bounded by Iñaki Larrazabal Avenue, Navarro Street, and Burgos Street, as well as the improvement and structure erected thereon, commonly known as the Former Executive Building and the former Legislative Building, all of which have been declared as PATRIMONIAL PROPERTIES of the City of Ormoc in the Sangguniang Panlungsod Resolution No. 2011-078 dated April 14, 2011;

WHEREAS, Ordinance No. 169, enacted on October 27, 2011, entitled an "ORDINANCE ESTABLISHING THE POLICIES AND GUIDELINES FOR THE LEASE OF THE FORMER EXECUTIVE AND LEGISLATIVE BUILDINGS OF THE CITY GOVERNMENT OF ORMOC" provides for the mechanism and regulations applicable to the use, occupation and lease of the former Legislative Building;

WHEREAS, pursuant to Section 6.1 of Ordinance No. 169, enacted on October 27, 2011, provides that upon expiration of the CONTRACT OF LEASE, the same may be renewed for the same duration between the LESSOR and the existing LESSEE subject to mutual agreement of the PARTIES. Therefore, there is no need for BAC to declare VMB Food corporation as the bidder with the highest responsive bid and recommend award thereto for lease of the former Legislative Building of the Local government Unit of Ormoc;

WHEREAS, LGU-Ormoc has been duly authorized and empowered under and by virtue of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, to perform various governmental and corporate functions such as, but not limited to, the leasing out of properties of the City of Ormoc which are patrimonial in character for the purpose of generating revenues for the use of the City of Ormoc;

WHEREAS, LGU-Ormoc and VMB Foods Corporation have agreed to execute the corresponding contract and agreement of lease to formalize the terms and condition that will govern the respective rights and obligations between the parties for the lease of the subject property;

WHEREAS, in a legal opinion, dated June 13, 2022, the City Legal Office opined that: (1) the draft contract must contain the provisions set forth in Ordinance No. 169 (enacted October 27, 2022); (2) issuance of a resolution granting authority to the City Mayor or his representative to enter into and sign the Contract of Lease with VMB Food Corporation; (3) the lessee must present proof of authority of its signatory to execute the contract; and (4) Ordinance No. 044 which disqualifies lessees whose rights have been terminated for cause to bid or be awarded from the use of any government property within three (3) years from termination, observed;

WHEREAS, upon close and thorough examination of the Contract of Lease appended as ANNEX "A" and made an integral part of this Resolution, this Sanggunian finds that it is not contrary to law, contract, public safety and morals, that its aims are advantageous to LGU-Ormoc as it will generate revenues through its operation in line with the Local Government's thrust of good governance, proper fiscal management and the effective mobilization of its resources;

WHEREFORE, on joint motion of SP Member Jasper Lucero, Chairperson, Committee on Public Properties and SP Member Nolito M. Quilang, Chairperson, Committee on Laws and Ordinances, severally seconded by SP Members Roiland H. Villasencio, Tomas R. Serafica, Gregorio G. Yrastorza III, 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 OIC/ ACTING CITY MAYOR, TO ENTER INTO AND SIGN CONTRACT OF LEASE FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH VMB FOODS CORPORATION, REPRESENTED BY MS. VIOLETA M. BALTONADO, FOR THE LEASE OF THE FORMER LEGISLATIVE BUILDING LOCATED AT AND BOUNDED BY IÑAKI LARRAZABAL AVENUE, NAVARRO STREET, AND BURGOS STREET FOR THE PURPOSE OF OPERATING A RESTAURANT, PROVIDED THAT CONDITIONS SETFORTH IN ORDINANCE NO. 169, ORDINANCE NO. 044, AND THE OPINION OF THE CITY LEGAL OFFICE DATED JUNE 13, 2022 BE COMPLIED;

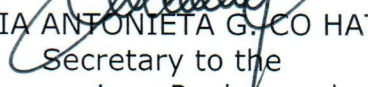
ADOPTED, June 20, 2022.

RESOLVED FURTHER, that a copy of the final and notarized Contract of Lease be furnished to this Sanggunian for its information and files;

RESOLVED FINALLY, to furnish copies of this resolution each to the City Mayor of Ormoc, Mayor Richard I. Gomez, the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer; the City Budget Officer; the City Treasurer's Office; the City Accountant; the City Auditor; the CPDO; the City Engineer; the City General Services Office; the Office of the Building Official; VMB Food Corporation; 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:


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