



Republic of the Philippines
Province of Sorsogon
CITY OF SORSOGON



Office of the Sangguniang Panlungsod

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SEVENTH CITY COUNCIL HELD AT THE SANGGUNIANG PANLUNGSOD SESSION HALL, CABID AN, EAST DISTRICT, SORSOGON CITY ON APRIL 29, 2022 VIA ZOOM TELECONFERENCING AND FACE-TO-FACE.

PRESENT:

HON. MARK ERIC C. DIONEDA
City Vice Mayor / Presiding Officer

HON. FRANCO ERIC O. RAVANILLA
City Councilor/Temporary Presiding Officer

BACON DISTRICT

Hon. Jo Abegail C. Dioneda
Hon. Danilo A. Deladia

EAST DISTRICT

Hon. Mary Ellen D. Jamisola
Hon. Joven Francis J. Laura

WEST DISTRICT

Hon. Nestor J. Baldon
Hon. Fernando David H. Duran, III
Hon. Rebecca D. Aquino

EX-OFFICIO MEMBERS

Hon. Ma. Teresa D. Perdigon
Hon. Lorenz S. Abenion

ABSENT:

Hon. Hilario D. Dioneda – on official business
Hon. Ralph Walter R. Lubiano – on official business
Hon. Erwin J. Duana – on official business
Hon. Melchor P. Atutubo – sick leave

Resolution No. 181, Series of 2022
(Unanimously Proposed)

RESOLUTION AUTHORIZING THE HON. MA. ESTER E. HAMOR, CITY MAYOR, SORSOGON CITY TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH SM PRIMEHOLDINGS, INC. REPRESENTED BY MR. JEFFREY C. LIM, PRESIDENT, RELATIVE TO THE OPERATION AND MAINTENANCE OF THE SORSOGON INTEGRATED TERMINAL EXCHANGE (SITEX) AT BALOGO, EAST DISTRICT, SORSOGON CITY SUBJECT TO RATIFICATION BY THE 7TH CITY COUNCIL.

WHEREAS, among the items deliberated during the November 16, 2021 Regular Session of the 7th City Council is the letter-request from Hon. Ma. Ester E. Hamor, City Mayor, Sorsogon City, dated November 12, 2021, addressed to Hon. Mark Eric C. Dioneda, City Vice Mayor and the Honorable Members of the Sangguniang Panlungsod thru Mr. Rovon E. Domasian, SP Secretary, respectfully requesting for the passage of a resolution authorizing the City Mayor to enter into a Memorandum of Agreement (MOA) with SM Prime Holdings Inc. represented by Mr. Jeffrey C. Lim, President relative to the operation and maintenance of the Sorsogon Integrated Terminal Exchange (SITEX) at BALOGO, East District, Sorsogon City;

WHEREAS, attached to the letter request was the Draft Memorandum of Agreement by and between the City Government of Sorsogon and SM Prime Holdings Inc. relative to the impending operation of the Sorsogon Integrated Terminal Exchange (SITEX) for perusal of the Sangguniang Panlungsod;

WHEREAS, on November 24, 2021, a committee hearing of the Committee of the Whole was conducted for the purpose wherein the provisions under the said MOA was discussed and deliberated upon;

WHEREAS, during the committee hearing, the responsibilities of each party was defined specifically the visitorial rights of the City Government and the responsibility of SM relative to the management, administration and maintenance of SITEX;

WHEREAS, other comments and suggestions were duly reflected in Committee Report No. 103, series of 2021 of the Committee of the Whole;

WHEREAS, for purposes of this resolution, matters relating to tariff rates to be imposed by SITEX to transport sector utilizing the terminal area same shall be reflected in the ordinance to be introduced later;

WHEREAS, that the Memorandum of Agreement should indicate that SITEX is just a portion of SM Sorsogon City, thus the base computation of Return of Investment for the development and construction of SITEX shall be limited to the area covered by SITEX.

WHEREAS, on April 8, 2022, a new and amended Memorandum of Agreement was submitted in compliance with the recommendations of the Committee of the Whole;

WHEREAS, as manifested by Hon. Joven Francis J. Laura, all the words "shall" contained in Sec.4 (f) of the Memorandum of Agreement (MOA) should be changed to the words " may", so that its exclusionary effect be amended to reflect different options for our local transport sector. Further, the 7th City Council deemed that its powers under the Local Government Code of 1991 should not be usurped by this provision. Lastly, that such amendment be reflected in such MOA, absence of which, however, shall constitute abrogation, revocation and withdrawal of the effect of this Resolution;

NOW THEREFORE, on motion of **Hon. Nestor J. Baldon** duly seconded by **Hon. Joven Francis J. Laura**, resolved as it is hereby resolve to authorize the City Mayor to enter into a Memorandum of Agreement (MOA) with SM Prime Holdings Inc. represented by Mr. Jeffrey C. Lim, President relative to the operation and maintenance of the Sorsogon Integrated Terminal Exchange (SITEX) at Balogo, East District, Sorsogon City subject to ratification by the 7th City Council;

RESOLVED FURTHER, that the Memorandum of Agreement (MOA) entered into by parties herein mentioned shall be an integral part of this resolution and copies of the same be furnished to the Sangguniang Panlungsod for record and archive purposes;

RESOLVED FINALLY, that copies of this resolution be furnished to all concerned for their information and guidance.


DATE APPROVED: April 29, 2022

I HEREBY CERTIFY to the correctness of the foregoing resolution.

NEREO RONIE N. SIPOY

Assistant Secretary to the Sangguniang Panlungsod

Attested:


HON. FRANCO ERIC O. RAVANILLA
City Councilor/Temporary Presiding Officer