

4th SP

Republic of the Philippines
Province of Cebu
SANGGUNIANG PANLUNGSOD
City of Naga



Atong Garbo

108th Session

EXCERPT FROM THE MINUTES OF THE 100TH REGULAR SESSION OF THE 4TH SANGGUNIANG PANLUNGSOD (SP) HELD AT THE SP SESSION HALL, LEGISLATIVE BUILDING, EAST POBLACION, CITY OF NAGA, CEBU ON JULY 01, 2021.

PRESENT:

- HON. VIRGILIO M. CHIONG
- HON. JUSTINO L. DAKAY
- HON. AURELIO B. ALINSONORIN
- HON. AFSHIN MARK K. SEÑOR
- HON. CHARMAINE R. NAVARRO
- HON. PORFERIO V. RESABA, JR.
- HON. DOMINADOR A. LIBOR
- HON. LUZMINDA R. LAPITAN
- HON. LETECIA F. ABANGAN
- HON. RAY A. MANABAT
- HON. CLINT ISIDRO A. CHIONG
- HON. JHUN MARK T. SISMAR

- Vice Mayor /Presiding Officer
- Majority Floor Leader
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- SK Federation President

ON OFFICIAL BUSINESS:

- HON. SCOTT JUVENAL A. CHIONG

- Assistant Majority Floor Leader/Liga ng mga Barangay President

ORDINANCE NO. 2021-66

Hon. Aurelio B. Alinsonorin - Sponsor

Chairperson, Committee on Franchises, Utilities and Facilities

GRANTING TAX CREDIT TO QUIRANTE CONSTRUCTION (OPERATING OSTING'S RESTOBAR AND GRILL) AND 0712 AD FOODS (OPERATING AVENTINO'S PIZZA AND PASTA) FOR THE REPAIR AND RETROFITTING OF A CITY-OWNED TWO-STOREY COMMERCIAL BUILDING IN BARANGAY POBLACION, CITY OF NAGA, CEBU

EXPLANATORY NOTE

On June 09, 2021, this Sanggunian passed Resolution No. 857-2021 authorizing the Honorable City Mayor Kristine Vanessa T. Chiong to enter into a Memorandum of Agreement (MOA) with Quirante Construction and 0712 AD Foods which operate Osting's Restobar and Grill, and Aventino's Pizza and Pasta, respectively, for the repair and retrofitting of a city-owned two-storey commercial building located at the scenic Baywalk area, Barangay East Poblacion, City of Naga, Cebu.

The City Government leased the ground floor of the building with an area of 54-square meter (sq.m.) to Mr. Artemio IV M. Panganiban for him to operate Aventino's Pizza Pasta for ten (10) years from December 27, 2017 to December 31, 2027.

The second floor, which has a total area of 206.22 sq.m., is likewise leased to Quirante Construction, through its CEO, Engr. Jonathan Quirante, to operate Osting's Restobar and Grill for fifteen (15) years from November 15, 2017 to December 31, 2032.

The terms and conditions set forth in the MOA is for the two establishments to shoulder the expenses for the repair and retrofitting of the building provided that the amount spent be credited to their respective tax payments due to the City Government.

This developed after the Office of the Building Official reported notable structural defacement of the property apparently due to the continuing settlement of the reclaimed land where the building currently stands.

Both the City Engineering Office and City Planning and Development Coordinator recommended the immediate repair and retrofitting of the commercial building with a total estimated cost of One Million Eight Hundred Twenty-Five Thousand Pesos (P1,825,000.00).

[Handwritten signatures and initials]

As stated in the proposed MOA, Quirante Construction shall finance 64% of the project cost amounting to One Million One Hundred Sixty-Eight Thousand Pesos (P1,168,000.00), while 0712 AD Foods shall share the remaining 36% of the cost equivalent to Six Hundred Fifty-Seven Thousand Pesos (P657,000.00) to complete the repair and retrofitting.

This Sanggunian recognizes that the terms and conditions provided in the MOA for the immediate repair and retrofitting of the building are advantageous to the City Government and will eventually redound to the benefit and safety of the public.

BE IT ORDAINED, as it is hereby **ORDAINED** by the Sangguniang Panlungsod of the City of Naga, Cebu, in session assembled, that:

SECTION 1. TITLE. – This Ordinance shall be known as **“GRANTING TAX CREDIT TO QUIRANTE CONSTRUCTION (OPERATING OSTING’S RESTOBAR AND GRILL) AND 0712 AD FOODS (OPERATING AVENTINO’S PIZZA AND PASTA) FOR THE REPAIR AND RETROFITTING OF A CITY-OWNED TWO-STOREY COMMERCIAL BUILDING IN BARANGAY POBLACION, CITY OF NAGA, CEBU**

SECTION 2. SCOPE. – This ordinance shall apply and cover only these two establishments – Quirante Construction and 0712 AD Foods, which operate Ousting’s Restobar and Grill, and Aventinos Pizza and Pasta, respectively, and both lessees/occupants of the city-owned two-storey commercial building at Baywalk area, Barangay East Poblacion, City of Naga, Cebu.

SECTION 3. APPROVAL OF THE MEMORANDUM OF AGREEMENT. – This Ordinance affirms and approves the Memorandum of Agreement (MOA) entered into, by and between, the City Government on the one hand, and Quirante Construction and 0712 AD Foods on the other hand, for the full rehabilitation of this city-owned property.

SECTION 4. APPROVAL OF THE TERMS AND CONDITIONS. – In view of the terms and conditions set forth in the MOA, the parties mutually agreed that Quirante Construction shall finance sixty-four percent (64%) of the project cost amounting to One Million One Hundred Sixty-Eight Thousand Pesos (P1,168,000.00), while 0712 AD Foods shall share the remaining 36% of the cost equivalent to Six Hundred Fifty-Seven Thousand Pesos (P657,000.00) to complete the repair and retrofitting of the building.

SECTION 5. GRANT OF TAX CREDIT. – In consideration of the cash funding given for the cost of the repair and retrofitting of the commercial building and Quirante Construction and 0712 AD Foods full payment of business tax, rental fee and any other regulatory fees and charges applicable, in the next fiscal years, the City Government grants tax credit certificate to Quirante Construction and 0712 AD Foods of 50% of such business tax, rental fee and any other regulatory fees and charges, until cash funded for the Project, is fully refunded or credited.

SECTION 6. COMPLIANCE AND IMPLEMENTATION. – The above amounts shall be exclusively, directly and actually used for the project, and for this purpose, Quirante Construction and 0712 AD Foods shall strictly comply with the approved detailed engineering and cost estimates prepared by the City Planning and Development Coordinator.

The City Engineer is tasked for the monitoring and supervision of the implementation of the project and shall notify the City Mayor for the completion thereof.

The City Treasurer is likewise tasked to notify the City Mayor, every first quarter of the year, for the amount credited to Quirante Construction and 0712 AD Foods.

SECTION 7. SEPARABILITY CLAUSE. – If any provision of this Ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, the other provisions unaffected thereby shall remain valid and subsisting.

SECTION 8. REPEALING CLAUSE. – All ordinances, resolutions, orders, issuances, rules, regulations, or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.


SECTION 9. COPIES FURNISHED CLAUSE. – Let copies of this Ordinance be furnished to City Government offices and parties concerned for their information, reference and guidance.

SECTION 10. EFFECTIVITY. – This Ordinance shall take effect immediately upon its approval.

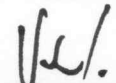
ENACTED BY THE SANGGUNIANG PANLUNGSOD, CITY OF NAGA, CEBU, in its Regular Session held on the 1st day of July 2021.

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CERTIFIED TRUE AND CORRECT:


GARRY A. CABOTAJE
Secretary to the Sanggunian

ATTESTED BY:


VIRGILIO M. CHIONG
Vice Mayor/Presiding Officer

APPROVED BY:


KRISTINE VANESSA T. CHIONG
City Mayor

Date _____

