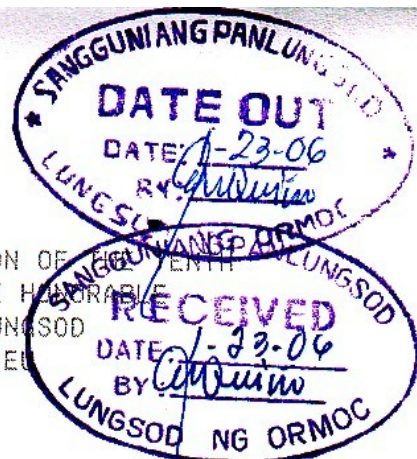


VICE MAYOR'S OFFICE  
**RECEIVED**  
DATE: JAN 23 2006

REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE  
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE  
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD  
BUILDING ON JANUARY 20, 2006 IN LIEU  
OF JANUARY 19, 2006

**PRESENT:**

Hon. Nepomuceno P. Aparis I, Vice Mayor & Presiding Officer  
Hon. Jose S. Serafica, City Councilor, Minority Floor Leader  
Hon. Manuel T. Fiel, City Councilor, Assist. Minority Floor Leader  
Hon. Claudio P. Larrazabal, City Councilor, Majority Floor Leader  
Hon. Mariano Y. Corro, City Councilor  
Hon. Fe S. Lladoc, City Councilor  
Hon. Gregorio A. Yrastorza, Jr., City Councilor  
Hon. Jose C. Alfaro, Jr., City Councilor  
Hon. Ruben R. Capahi, City Councilor  
Hon. Cheryl A. Arcuino, Ex-Officio City Councilor,  
SK Federation President

**ABSENT:**

Hon. Eduardo P. Tan, (On Leave), City Councilor  
Hon. Sotero M. Pepito, (Special Leave), City Councilor  
Hon. Emeterio Y. Larrazabal, Jr., (On Leave), Ex-Officio  
City Councilor, Chapter President, Liga ng mga Barangay ng Ormoc

**RESOLUTION NO. 2006-009**

A RESOLUTION AUTHORIZING THE HONORABLE CITY MAYOR ERIC C. CODILLA TO FILE A PETITION FOR CERTIORARI, PROHIBITION AND MANDAMUS WITH PRAYER FOR A PRELIMINARY INJUNCTION/RESTRAINING ORDER WITH THE COURT OF APPEALS AGAINST LIDE MANAGEMENT CORPORATION, EXECUTIVE DIRECTOR RAMON B. ALIKPALA, NATIONAL WATER RESOURCES BOARD (NWRB) AND ATTORNEY ELENITO M. BAGALIHOG, CHIEF OF WATER RIGHTS DIVISION, NWRB.

WHEREAS, this Sangguniang is in receipt of 1st Indorsement dated 13 January 2006 from the Office of the City Mayor requesting for the passage of a resolution authorizing Hon. Eric C. Codilla, City Mayor, to file a Petition for Certiorari, Prohibition and Mandamus with Prayer for a Preliminary Injunction/Restraining Order with the Court of Appeals against LIDE Management Corporation, Executive Director Ramon B. Alikpala of NWRB and Atty. Elenito M. Bagalihog, Chief of Water Rights Division NWRB;

WHEREAS, of significance to state in here is the letter of Atty. James Clinton C. Nuevo, City Prosecutor and Acting City Legal Officer which states that:

Republic of the Philippines  
DEPARTMENT OF JUSTICE  
CITY PROSECUTOR OFFICE  
Ormoc City



OFFICE OF THE CITY PROSECUTOR

January 11, 2006

HON. ERIC C. CODILLA  
Mayor  
Ormoc City

Dear Mayor Codilla:

Relative to the recently filed Petition for Certiorari, Prohibition and Mandamus with Prayer for a Preliminary Injunction/Restraining Order with the Court of Appeals, Manila (a copy is hereto attached for your reference), may I request for your indorsement to the Sangguniang Panlungsod for the issuance by that august Body of a Resolution authorizing the City Mayor to file the same with the Honorable Court of Appeals.

The requested Resolution is on top of Resolutions Nos. 2003-111 dated 03 July 2003 and 2005-082 dated 12 May 2005 on the subject of Ormoc City's opposition to additional Water Permit Applications filed by LIDE Management Corporation (LMC) with the National Water Resources Board (NWRB). Its early passage by the Sanggunian confirming or affirming the authority of the City Mayor in the filing of said Petition with the Court of Appeals will obviate any technical legal problem which may be raised by LMC in the future.

Hoping for your favorable and immediate action on this matter.

Very truly yours,

(SGD) JAMES CLINTON C. NUEVO  
City Prosecutor &  
Acting City Legal Officer

WHEREAS, finding said request meritorious, this august Body believes that the same be given due course of action;

WHEREFORE, on MASS MOTION of the Body; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution AUTHORIZING THE HONORABLE CITY MAYOR ERIC C. CODILLA TO FILE A PETITION FOR CERTIORARI, PROHIBITION AND MANDAMUS WITH PRAYER FOR A PRELIMINARY INJUNCTION /RESTRAINING ORDER WITH THE COURT OF APPEALS AGAINST LIDE MANAGEMENT CORPORATION, EXECUTIVE DIRECTOR RAMON B. ALIKPALA, NATIONAL WATER RESOURCES BOARD (NWRB) AND ATTORNEY ELENITO M. BAGALIHOG, CHIEF OF WATER RIGHTS DIVISION, NWRB;

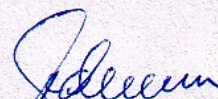
ADOPTED, January 20, 2006.

RESOLVED, FURTHER, to furnish copies of this resolution each to His Honor, the City Mayor, the City Administrator, the City Legal Officer, and others concerned, -in Ormoc City;



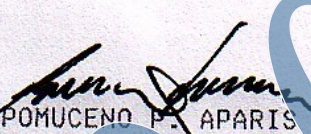
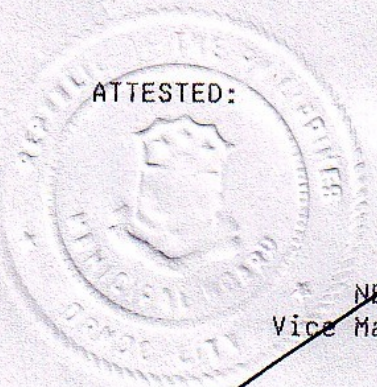
CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.



JOEL S. DUERO  
OIC - Secretary to the SP  
(Log. Leg. Staff Officer V)

ATTESTED:



NEPOMUCENO P. APARISI  
Vice Mayor & Presiding Officer