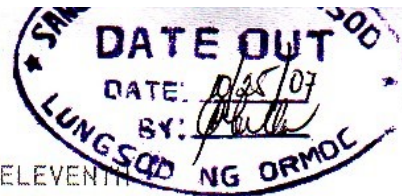
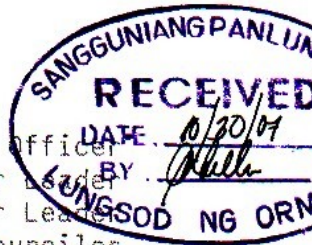


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE ELEVENTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON OCTOBER 24, 2007 IN LIEU OF
OCTOBER 25, 2007



PRESENT:

Hon. Nepomuceno P. Aparis I,
Hon. Claudio P. Larrazabal,
Hon. Sotero M. Pepito,
Hon. Demosthenes F. Tugonon,
Hon. Ruben R. Capahi,
Hon. Mariano Y. Corro,
Hon. Fe S. Lladoc,
Hon. Filomeno P. Maglasang,
Hon. Rafael C. Omega, Jr.,
Hon. Fernando P. Parrilla,
Hon. Jose C. Alfaro, Jr.,

Vice Mayor & Presiding Officer
City Councilor, Floor Leader
City Councilor, Assist. Floor Leader
City Councilor
City Councilor
City Councilor
City Councilor
City Councilor
City Councilor
City Councilor
City Councilor

ABSENT:

Hon. Cheryl A. Arcuino, (O.B.- China), Ex-Officio
City Councilor, SK Federation President

RESOLUTION NO. 2007-098

A RESOLUTION URGING THE CITY TREASURER OF ORMOC TO
INTENSIFY THE COLLECTION OF TAXES, SPECIFICALLY THE
FRANCHISE TAX DUE FROM THE NATIONAL POWER CORPORATION
(NAPOCOR), AND THE NATIONAL TRANSMISSION CORPORATION
(TRANSCO), AND TO SUBMIT A REPORT TO THIS SANGGUNIANG ON
THE ACTION TAKEN HEREON, BEFORE THE YEAR'S END.

WHEREAS, Section 470, par. (d) of the LGC, provides:

"The treasurer shall take charge of the treasury office, perform
the duties provided for under Book II (Local Taxation and Fiscal
Matters), of this Code, and shall:

(1) x x x

(5) Maintain and update the tax information system of the
local government unit;

(6) x x x;"

WHEREAS, Section 194 of the LGC, in part provides:

(a) Local taxes, fees, or charges shall be assessed within five
(5) years from the date they became due. No action for the
Collection of such taxes, fees or charges, whether
administrative or judicial, shall be instituted after the
expiration of such period: x x x;" (Underscoring supplied)

WHEREAS, Section 137 of the LGC, first paragraph thereof, provides:

"Notwithstanding any exemption granted by any law or other special law, the province may impose tax on business enjoying a franchise, at a rate not exceeding fifty percent (50%) of one percent (1%) of the gross annual receipts for the preceding calendar year based on the incoming receipt, or realized, within its territorial jurisdiction."

WHEREAS, Section 151 of the LGC, First Paragraph thereof, in part provides:

"Except as otherwise provided in this Code, the city may levy the taxes, fees, and charges which the province or municipality may impose: x x x"

WHEREAS, National Power Corporation (NAPOCOR), and National Transmission Corporation (TRANSCO) which are operating within the territorial jurisdiction of Ormoc City are liable to pay franchise tax in the light of the rulings of the Supreme Court, in the cases of NATIONAL POWER CORP. vs. CITY OF CABANATUAN, G.R. No. 149110, and NATIONAL POWER CORP. vs. PROVINCE OF ISABELA, G.R. No. 165827;

WHEREAS, it is imperative to collect the franchise tax due from NAPOCOR and TRANSCO on time, lest they shall be lost by prescription.

FOREGOING PREMISES CONSIDERED, on motion of City Councilor Mariano Y. Corro, Chairman, Committee on Ways and Means, duly seconded by City Councilor Claudio P. Larrazabal and Ruben R. Capani; be it


RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION URGING THE CITY TREASURER OF ORMOC TO INTENSIFY THE COLLECTION OF TAXES, SPECIFICALLY THE FRANCHISE TAX DUE FROM THE NATIONAL POWER CORPORATION (NAPOCOR), AND THE NATIONAL TRANSMISSION CORPORATION (TRANSCO), AND TO SUBMIT A REPORT TO THIS SANGGUNIAN ON THE ACTION TAKEN HEREON, BEFORE THE YEAR'S END.

ADOPTED: October 24, 2007

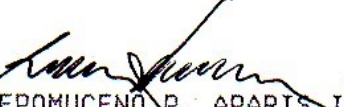
RESOLVED, FURTHER, to furnish copies of the Resolution, each to the Honorable City Mayor Eric C. Codilla, City Treasurer of Ormoc, Mr. Angelo Roman, the City Administrator, and all others concerned- all in Ormoc City.

CARRIED, UNANIMOUSLY

I HEREBY CERTIFY to the correctness of the foregoing resolution.


JOEL S. DUERO
Secretary to the
Sangguniang Panlungsod

ATTESTED:


NEPOMUCENO P. APARIS I
Vice Mayor & Presiding Officer