

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 APRIL 17, 2008

PRESENT:

Hon. Claudio P. Larrazabal,	Temporary Presiding Officer (City Councilor, Floor Leader)
Hon. Sotero M. Pepito,	City Councilor, Assist. Floor Leader
Hon. Mariano Y. Corro,	City Councilor
Hon. Fe S. Lladoc,	City Councilor
Hon. Filomeno P. Maglasang,	City Councilor
Hon. Rafael C. Omega, Jr.,	City Councilor
Hon. Fernando P. Parrilla,	City Councilor
Hon. Lea Doris C. Villar,	Ex-Officio City Councilor, Chapter President, Liga ng mga Barangay ng Ormoc
Hon. Corinne M. Corro,	Ex-Officio City Councilor, SK Federation President

ABSENT:

Hon. Nepomuceno P. Aparis I,	(O.B. - Manila),	Vice Mayor & Presiding Officer
Hon. Demosthenes F. Tugonon,	(Acting City Mayor),	City Councilor
Hon. Ruben R. Capahi,	(On Leave),	City Councilor
Hon. Jose C. Alfaro, Jr.,	(O.B. - Subic),	City Councilor

RESOLUTION NO. 2008-067

A RESOLUTION RESPECTFULLY REQUESTING THE SECRETARY OF THE DEPARTMENT OF ENERGY (DOE), HON. ANGELO REYES, AND THE SECRETARY OF BUDGET AND MANAGEMENT (DBM), HON. ROLANDO ANDAYA TO RELEASE ON A QUARTERLY BASIS THE SHARE OF LGU ORMOC CITY IN THE NATIONAL WEALTH.

WHEREAS, LGU Ormoc City is a Host City being the site of a producing geothermal reservoir;

WHEREAS, the Local Government Code of 1991 (RA No. 7160) Sec. 289 thereof gives LGU's an equitable share in the proceeds derived from the utilization and development of the national wealth within their respective areas;

WHEREAS, Ormoc City has been receiving royalty fees from PNOC-EDC on a quarterly basis;

WHEREAS, PNOC-EDC has been recently privatized, and the procedure in the allocation and release of the LGU's share in the national wealth from private companies is outlined in Circular No. 92-09-03, in the following manner, to wit:

- 1) DOE collects the total government share from the private company on a quarterly basis;
- 2) DOE allocates the LGU, share on the government share collected for the year;
- 3) DOE submits to the Department of Budget and Management (DBM) the allocated LGU share on or before March 15 of the following year;
- 4) DBM releases the respective shares of the LGU's.



WHEREAS, the foregoing procedure clearly shows that the share of the LGU in the national wealth will now be released on a yearly basis, instead of on a quarterly basis as was the procedure before;

WHEREAS, the change in the frequency of releases of LGU's share in the national wealth, from quarterly to yearly, is patently disadvantageous to the concerned LGU, and moreover, is contrary to the provision of Art 398, par. (b) of the RRILGC which states:

"(b) The allotment representing the share of each LGU shall be released without need of any further action, directly to the provincial, city, municipal or barangay treasurers, as the case maybe on a quarterly basis within five (5) days after the end of each quarter, and which shall not be subject to any lien or holdback that may be imposed by the National Government" (Underscoring supplied for emphasis)

FOREGOING PREMISES CONSIDERED, on MASS MOTION of the Body; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution RESPECTFULLY REQUESTING THE SECRETARY OF THE DEPARTMENT OF ENERGY (DOE), HON. ANGELO REYES, AND THE SECRETARY OF BUDGET AND MANAGEMENT (DBM), HON. ROLANDO ANDAYA TO RELEASE ON A QUARTERLY BASIS THE SHARE OF LGU ORMOC CITY IN THE NATIONAL WEALTH;


ADOPTED, April 17, 2008.


RESOLVED, FURTHER, to furnish copies of this resolution to - The President of the Philippine Senate, Hon. Manuel Villar, The Speaker of the House of Representative, Hon. Prospero Nograles, The Secretary of the Department of Energy (DOE), Hon. Angelo Reyes, The Secretary of the Department of Budget and Management, Hon. Rolando Andaya, The Secretary of Interior and Local Government, Hon. Rolando Puno, The Congressman 4th District of Leyte, Hon. Eufrocino M. Codilla, The City Mayor Eric C. Codilla, The City Director of DILG, Mr. Jesus Horca, The City Administrator, Dr. Dennis Y. Capuyan, The City Treasurer, Mr. Angelo I. Roman, and others concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

ATTESTED:

  
Claudio P. Larrazabal  
Temporary Presiding Officer  
(City Councilor, Floor Leader)

  
JOEL S. DUERO  
Secretary to the  
Sangguniang Panlungsod