

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
THIRTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON OCTOBER 29, 2015

PRESENT:

Hon. Rolando M. Villasencio,	(Acting City Vice Mayor & Presiding Officer),
	SP Member, Majority Floor Leader
Hon. Mario M. Rodriguez	(Acting Majority Floor Leader),
	SP Member, Presiding Officer "Pro-Tempore"
Hon. Ruben R. Capahi,	SP Member, Asst. Minority Floor Leader
Hon. Benjamin S. Pongos, Jr.,	SP Member
Hon. Antonio M. Codilla,	SP Member
Hon. Vincent L. Rama,	SP Member
Hon. Eusebio Gerardo S. Penserga,	SP Member
Hon. John Eulalio Nepomuceno O. Aparis II,	SP Member
Hon. Mariano Y. Corro,	Ex-Officio SP Member
	Chapter President, Liga ng mga Barangay ng Ormoc

ON OFFICIAL BUSINESS:

Hon. Pedro Godiardo P. Ebcas,	(Ormoc City), SP Member
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ON LEAVE:

Hon. Leo Carmelo L. Locsin, Jr.	Vice Mayor & Presiding Officer
Hon. Tomas R. Serafica,	SP Member, Asst. Majority Floor Leader

RESOLUTION NO. 2015-214

A RESOLUTION GRANTING AUTHORITY TO THE HONORABLE CITY MAYOR EDWARD C. CODILLA TO ENTER INTO AND SIGN A MEMORANDUM OF AGREEMENT (MOA) FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC), WITH THE FOLLOWING PARTIES: SAND AND GRAVEL PERMITTEE, CELEDONIA S. CATINGUB, THE MINES AND GEOSCIENCES BUREAU (MGB) REGIONAL OFFICE NO. VIII, REPRESENTED BY ITS REGIONAL DIRECTOR, ENGR. ALILO C. ENSOMO, JR.; THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) REGIONAL OFFICE NO. VIII, REPRESENTED BY ITS REGIONAL DIRECTOR, MR. LEONARDO R. SIBBALUCA; THE ENVIRONMENTAL MANAGEMENT BUREAU (EMB) REGION 08, REPRESENTED BY ITS REGIONAL DIRECTOR, MS. LETECIA R. MACEDA; AND LASTLY, THE POLLUTION CONTROL ASSOCIATION OF THE PHILIPPINES, REPRESENTED BY ITS PRESIDENT, ENGR. ANGELITA N. DIMSON, FOR THE ESTABLISHMENT OF A CONTINGENT LIABILITY AND REHABILITATION FUND (CLRF) COVERING THE SAND AND GRAVEL INDUSTRIAL PROJECT OF CELEDONIA S. CATINGUB IN BARANGAY CAN-UNTOG, THIS CITY.

WHEREAS, this Thirteenth Sanggunian was in receipt of an Indorsement dated September 11, 2015 from the Office of the City Mayor relative to a request for the granting of authority to the Honorable City Mayor to sign and enter into a Memorandum of Agreement (MOA) by and between the Local Government Unit of Ormoc (LGU-ORMOC) with the following: the Mines and GeoSciences Bureau (MGB) Regional Office No. 8, the Department of Environment and Natural Resources (DENR) Regional Office No.8, the Environmental Management Bureau (EMB) Regional Office 8, the Pollution Control Association of the Philippines, and Ms. Celedonia S. Catingub, a photocopy of the final MOA is hereto attached and made an integral part hereof;

WHEREAS, the MOA relates to the need of establishing a Contingent Liability Rehabilitation Fund (CLRF) which will specifically cover the sand and gravel industrial project of Celedonia S. Catingub pursuant to Section 180 of DENR Administrative Order (DAO) No. 2010-21, providing for the Implementing Rules and Regulations of R.A. 7942 otherwise known as the "Philippine Mining Act of 1995";

WHEREAS, Celedonia S. Catingub is a holder of a Sand and Gravel Industrial Permit, IP-21012-017-VIII covering an aggregate area of 12.9053 hectares located along Bagombong and Sumaad Rivers, Brgy. Can-Untog, Ormoc City;

WHEREAS, CLRF is an environmental guarantee fund mechanism to ensure just and timely compensation for damages and progressive and sustainable rehabilitation for any adverse effect a mining operation or activity may cause;

WHEREAS, as provided for in the MOA the CLRF shall be established and maintained by each operating Contractor/Permit Holder as a reasonable environmental deposit to ensure availability of funds for the satisfactory compliance with the commitments and performance of the activities stipulated in the Environmental Protection and Enhancement Program (EPEP)/ Annual Environmental Protection and Enhancement Program (AEPEP) during specific project phase; it shall be deposited as a Trust Fund in a Government depository bank and shall be used for monitoring as well as in the physical and social rehabilitation of areas and communities affected by mining activities and for research on the social, technical and preventive aspects of rehabilitation;

WHEREAS, the parties to the MOA are mutually committed in collaborating for the successful establishment of the Contingent Liability and Rehabilitation Fund in accordance with the provisions of the law, subject to their corresponding specific obligations and responsibilities, as stipulated in the MOA, and this Sanggunian finds, after close and thorough review of the same, that the MOA is not contrary to law, contract, public policy and public morals, and that its goals are indeed beneficial for the City, and so therefore, most deserving of this august Body's full and prompt support and favorable action;

WHEREFORE, on joint motion of the Honorable SP Member Benjamin S. Pongos Jr., Chairman, Committee on Laws and Ordinances and Honorable SP Member Vincent L. Rama, Chairman, Committee on Environment & Natural Resources, severally seconded by the Honorable SP Members Mario M. Rodriguez, Antonio M. Codilla, John Nepomuceno O. Aparis II and Mariano Y. Corro; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a A RESOLUTION GRANTING AUTHORITY TO THE HONORABLE CITY MAYOR EDWARD C. CODILLA TO ENTER INTO AND SIGN A MEMORANDUM OF AGREEMENT (MOA) FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC), WITH THE FOLLOWING PARTIES: SAND AND GRAVEL PERMITTEE, CELEDONIA S. CATINGUB, THE MINES AND GEOSCIENCES BUREAU (MGB) REGIONAL OFFICE NO. VIII, REPRESENTED BY ITS REGIONAL DIRECTOR, ENGR. ALILO C. ENSOMO, JR.; THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) REGIONAL OFFICE NO. VIII, REPRESENTED BY ITS REGIONAL DIRECTOR, MR. LEONARDO R. SIBBALUCA; THE ENVIRONMENTAL MANAGEMENT BUREAU (EMB) REGION 08, REPRESENTED BY ITS REGIONAL DIRECTOR, MS. LETECIA R. MACEDA; AND LASTLY, THE POLLUTION CONTROL ASSOCIATION OF THE PHILIPPINES, REPRESENTED BY ITS PRESIDENT, ENGR. ANGELITA N. DIMSON, FOR THE ESTABLISHMENT OF A CONTINGENT LIABILITY AND REHABILITATION FUND (CLRF) COVERING THE SAND AND GRAVEL INDUSTRIAL PROJECT OF CELEDONIA S. CATINGUB IN BARANGAY CAN-UNTOG, THIS CITY;

ADOPTED, October 29, 2015.


Res. No. 2015-214

RESOLVED, FURTHER, that a copy of the final and notarized Memorandum of Agreement (MOA) be furnished to this Sanggunian for its information and files;

RESOLVED, FINALLY, to furnish copies of this resolution each to His Honor, the City Mayor of Ormoc Edward C. Codilla; the City Administrator; the City Legal Officer; the Regional Director, Mines and GeoSciences Bureau, Engr. Alilo C. Ensomo, Jr.; the Regional Director-DENR, Director Leonardo R. Sibbaluca; the Regional Director-EMB, Dir. Letecia R. Maceda; Ms. Celedonia S. Catingub; the Pollution Control Association Representative, Engr. Angelita N. Dimson; the ENRD; the DILG-City Director, Ms. Lucia C. Ong, and other offices concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


JOEL S. DUERO
Secretary to the
Sangguniang Panlungsod

ATTESTED:


ROLANDO M. VILLASEÑICIO
(Acting City Vice Mayor & Presiding Officer)
Majority Floor Leader
SP Member