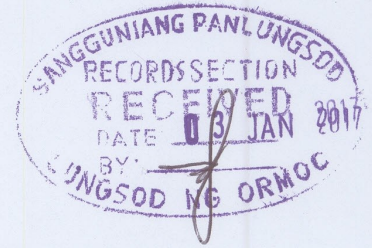


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON DECEMBER 28, 2016 IN LIEU OF
DECEMBER 29, 2016

PRESENT:

Rolando M. Villasencio,	(Acting City Vice-Mayor & Temporary Presiding Officer),
	SP Member, Majority Floor Leader
Vincent L. Rama,	SP Member, Asst. Majority Floor Leader
Mario M. Rodriguez	SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica,	SP Member
Benjamin S. Pongos, Jr.,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Gregorio G. Yrastorza III	SP Member
Nolito M. Quilang	SP Member
John Eulalio Nepomuceno O. Aparis II,	SP Member
	Minority Floor Leader
Lea Doris C. Villar	SP Member, Asst. Minority Floor Leader
Mariano Y. Corro,	Ex-Officio SP Member
	Chapter President, Liga ng mga Barangay ng Ormoc

ON LEAVE:

Leo Carmelo L. Locsin, Jr.	Vice Mayor & Presiding Officer
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RESOLUTION NO. 2016-166

A RESOLUTION ENDORSING AND APPROVING THE FLOOD MITIGATION COMMITTEE'S RESOLUTION NO. 1 SERIES OF 2016 ENTITLED, "A RESOLUTION INTERPOSING NO OBJECTION TO THE SM CENTER ORMOC'S PROPOSED CONSTRUCTION OF SECONDARY OUTFALL DIRECT TO THE ANILAO RIVER" SUBJECT TO THE COMPLIANCE OF THE APPLICABLE LAWS AND REGULATIONS.

WHEREAS, the City Mayor Richard I. Gomez through an Indorsement dated December 27, 2016 forwarded to this august Body for consideration the request of Ms. Sherry A. Tuvilla, Regional Operations Manager, Visayas 1, SM City Cebu, for the passage of resolution from this august Body endorsing and approving the construction by SM Center Ormoc of a secondary outfall directly connecting to the Anilao River, this City, based on the recommended specifications from the Department of Public Works and Highways (DPWH) and concurred by the Flood Mitigation Committee (FMC) of the City of Ormoc;

WHEREAS, the said request by SM Center-Ormoc is made for the purpose of complying with its application for Discharge of Water Approval with the concerned government agencies;

WHEREAS, in the aforementioned request of Ms. Sherry A. Tuvilla of SM Supermalls, it was mentioned that SM Center - Ormoc will also build a septic tank plant which should be of sufficient size and quality to treat waste water before discharge directly to the Anilao River;

Res. No. 2016-166

WHEREAS, for said purpose, the FMC passed on December 14, 2016 Resolution No. 1 Series of 2016, entitled "A Resolution Interposing No Objection to SM Center Ormoc's Proposed Construction of Secondary Outfall Direct to the Anilao River," a photocopy of which is attached hereto and made an integral part hereof;

WHEREAS, SM Group of Companies is the largest retailer in the Philippines with various affiliations in retail, malls, banking and finance, property and corporate social responsibility, and the said conglomerate is constructing soon a mall in the City to be known as SM Center Ormoc, scheduled to start construction mobilization by the end of this year and to open sometime on the last quarter of 2017;

WHEREAS, the FMC Resolution observed that the provision of the National Building Code on Easements Along Water Bodies or Way by Location has been satisfied with the construction of the City through JICA of the existing access paved road passable by light vehicles;

WHEREAS, the FMC Resolution further stated that based on the topographic survey conducted by SM, a portion of the existing open canal built by the City occupied a portion of the property owned by SM Center Ormoc with an approximate area of 297.45 sq.m.;

WHEREAS, SM Center Ormoc will not require the City to remove or relocate the existing canal and that in order to mitigate the increase in water volume, SM Center Ormoc will build a second outfall direct to the Anilao River by adopting the JICA standard of structural stability and the drainage diameter will not be less than 1.2 meters;

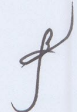
WHEREAS, to reiterate, for the finalization of its construction plans and the processing of the necessary building permits, the SM Center Ormoc is requesting for the passage of the said Sanggunian Resolution endorsing and approving the aforementioned FMC Resolution;

WHEREAS, this Sanggunian, upon thorough review of the same, finds that the request of the SM Center Ormoc is meritorious for it aims to address potential flooding risk and other environmental concerns that may arise from the construction of its mall and therefore, is most deserving of this august Body's prompt and favorable consideration;

WHEREFORE, on motion of SP Member Benjamin S. Pongos, Jr. Chairman, Committee Laws and Ordinances, severally seconded by SP Members Vincent L. Rama, Tomas R. Serafica, Nolito M. Quilang, John Eulalio Nepomuceno O. Aparis II, Lea Doris C. Villar and Mariano Y. Corro; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION ENDORSING AND APPROVING THE FLOOD MITIGATION COMMITTEE'S RESOLUTION NO. 1 SERIES OF 2016 ENTITLED, "A RESOLUTION INTERPOSING NO OBJECTION TO THE SM CENTER ORMOC'S PROPOSED CONSTRUCTION OF SECONDARY OUTFALL DIRECT TO THE ANILAO RIVER" SUBJECT TO THE COMPLIANCE OF THE APPLICABLE LAWS AND REGULATIONS;

ADOPTED, December 28, 2016.



Res. No. 2016-166

RESOLVED, FINALLY, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez, the City Administrator, Mr. Vincent L. Emnas; the Acting City Legal Officer, Atty. Marcelo C. Oñate; the City Engineer, Engr. Ranulfo D. Oliveros; the City Planning and Development Officer, Engr. Raoul E. Cam, the District Engineer 4th LED, Engr. Lino Francisco C. Gonzales, the OIC-City Director, DILG, Engr. Jeremy Jesus D. Bagares, and other concerned offices for their information and guidance.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


MARIA ANTONIETA G. CO HAT
(OIC - SP Secretary)
Supervising Administrative Officer

ATTESTED:


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



Republic of the Philippines
Ormoc City

Flood Mitigation Committee Meeting
December 14, 2016, 2:00 PM

MEMBERS PRESENT:

Engr. Lino Francisco C. Gonzales
District Engineer 4th LED, DPWH

Engr. Irwin L. Antonio
Asst. Dist. Engr., 4th LED, DPWH

Engr. Ranulfo D. Oliveros
City Engineer, CEO

Engr. Raoul E. Cam
City Planning & Dev't Coordinator, CPDO

Engr. Virginia E. Matuguina
CEO

Engr. Yvonne Fe De Los Santos
CEO

Engr. Brenda R. Arradaza
CEO

Co-Chairman
In-Charge Of Technical Matters
Assistant District Engineer

In-Charge Of Maintenance/Operation

In-Charge For Evaluation/Technical Support/
Secretariat

Assistant City Engineer

Maintenance Engineer

Monitoring Engineer

MEMBERS ABSENT:

Hon. Richard I. Gomez
City Mayor

Engr. Renato V. Frlas
DPWH

Engr. Margarita C. Bacier
DPWH

Chairman

Construction Engineer

Planning & Design Engineer

OTHERS PRESENT:

Engr. Josephine L. Dosdos

Mr. Billy Sayre

Arch. Roland de Cara

Ms. Louelle Mae Araneta

FMC Acting Secretary

Represented Mr. Lydio Z. Sison

SM-ABCEDE

City Admin Office

FMC Res. No. 1
Series of 2016

**A RESOLUTION INTERPOSING NO OBJECTION TO THE SM CENTER ORMOC PROPOSED
CONSTRUCTION OF SECONDARY OUTFALL DIRECT TO THE ANILAO RIVER.**

WHEREAS, SM Center Ormoc will construct a secondary outfall directly connecting to the river that will serve and accommodate Storm drainage system;

WHEREAS, the provision of the National Building Code on Easement Along Water Bodies/Way by Location has been satisfied by SM Center Ormoc;

WHEREAS, based on the topographic survey conducted by SM, a portion of the existing open canal built by the City occupied a portion with the property owned by SM Center Ormoc with an approximate area of 297.45 sq.m.;

WHEREAS, SM Center Ormoc will not require the City to remove or relocate the existing canal;

WHEREAS, SM Center Ormoc will adopt the JICA standard of structural stability and the diameter of drainage will not be less than 1.2 meter;

WHEREAS, SM Center Ormoc will restore any damaged flood mitigation structure at no cost to the government;

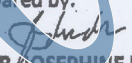
WHEREAS, SM Center Ormoc, shall inform the 4th LED, DPWH and the City Engineering Office of Ormoc City upon the implementation of the said project;

WHEREFORE FOREGOING PREMISES CONSIDERED, Engr. Raoul E. Cam and duly seconded by Engr. Irwin Antonio, moved to pass a Resolution interposing no objection to the SM Center Ormoc proposed construction of secondary outfall direct to the Anilao River;

ENACTED December 14, 2016;

CARRIED UNANIMOUSLY.

Prepared by:


ENGR. JOSEPHINE L. DOSDOS
Project Dev't Officer II
Acting FMC Secretary

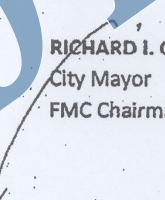
Attested by:

ENGR. RAOUL E. CAM
City Planning & Dev't Coordinator
FMC In-Charge for Evaluation/
Technical Support/Secretariat

Approved by:

ENGR. LINO FRANCISCO C. GONZALES
District Engineer 4th LED
FMC Co-Chairman

Noted by:


RICHARD I. GOMEZ
City Mayor
FMC Chairman

ENGR. RANULFO D. OLIVEROS

City Engineer
In-Charge of Maintenance/Operation