

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 MARCH 01, 2018

PRESENT:

Vincent L. Rama,	(OIC-City Vice Mayor & Temporary Presiding Officer),
	SP Member, Asst. Majority Floor Leader
Rolando M. Villasencio,	SP Member, Majority Floor Leader
Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
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 OFFICIAL BUSINESS:

Leo Carmelo L. Locsin, Jr.,	(OIC – City Mayor),
	Vice Mayor & Presiding Officer

ON LEAVE:

Tomas R. Serafica,	SP Member
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RESOLUTION NO. 2018-060

A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA), FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) THROUGH THE ENVIRONMENTAL MANAGEMENT BUREAU-REGION VIII (EMB-8) FOR THE ESTABLISHMENT OF A NATIONAL ECOSAVERS PROGRAM.

WHEREAS, this august Body was in receipt of an Indorsement (3rd Indorsement) from the Office of the City Mayor dated February 19, 2018, and was referred to the Office of SP Member Gregorio G. Yrastorza, III, as Chairman of the Committee on Environment and Natural Resources, and SP Member Benjamin S. Pongos, Jr., as Chairman of the Committee on Public Properties, through an Indorsement (4th Indorsement) dated February 22, 2018, requesting therein for the passage of a resolution granting the City Mayor Richard I. Gomez, authority to enter into and sign the Memorandum of Agreement (MOA), for and on behalf of the Local Government Unit of Ormoc (SECOND PARTY), with the Department of Environment and Natural Resources (DENR) through the Environmental Management Bureau – Region VIII (FIRST PARTY) for the establishment of a National Ecosavers Program in public Elementary and High Schools, a photocopy of the final Memorandum of Agreement (MOA) is hereto attached and made an integral part hereof;

WHEREAS, the Ecological Solid Waste Management Act of 2000 (RA 9003), provides the legal framework for promoting the systematic, comprehensive and ecological measures for avoiding the generation of solid waste, reducing wastes and the final safe disposing of waste in order to protect public health and the environment;

WHEREAS, Section 8 of Republic Act No. 9003, known as the Ecological Solid Waste Management Act of 2000 states mandates the Department of Environment and Natural Resources (DENR) to, among others, provide technical and other capability building assistance and support to the Local Government Units (LGUs) in the development and implementation of local solid waste management plans and programs;

WHEREAS, Article I, Section 2, Paragraph (g) of the Ecological Solid Waste Management Act of 2000 (RA 9003) states that the Local Government Units (LGUs) have the primary enforcement and responsibility of solid waste management while establishing a cooperative effort among the national government, other local government units, non-governmental organizations, and the private sector;

WHEREAS, the Ecological Solid Waste Management Act of 2000 (RA 9003) mandates the Local Government Units (LGUs) to provide efficient, reliable and universal collection services and environmentally safe disposal of wastes;

WHEREAS, the Department of Environment and Natural Resources (DENR) fosters the strategy of partnerships among stakeholders such as government agencies, non-governmental organizations (NGOs), youth in the private and public sector in the promotion of Ecological Solid Waste Management;

WHEREAS, the existing public school system within the Local Government Unit (LGU) is a valuable resource that can be tapped in the implementation of a local ecological management program;

WHEREAS, there is a need for the Local Government Unit of Ormoc (LGU-Ormoc) and the Department of Environment and Natural Resources (DENR) through the Environmental Management Bureau - Region VIII (EMB-VIII) to collaborate through execution of a Memorandum of Agreement (MOA) for the purpose in order to establish a National Ecosavers Program in public Elementary and High Schools within Ormoc City;

WHEREAS, upon close and thorough review, this Sanggunian finds that the Memorandum of Agreement (MOA) is not contrary to law, public policy, public morals and existing contracts, and that the aim of this project is highly noble in that together the City and the DENR EMB-8 will be undertaking a program that will greatly benefit the inhabitants of the City and its environment, so therefore, most deserving of this august Body's full support and affirmative action;

WHEREFORE, on joint motion of SP Member Gregorio G. Yrastorza III, Chairman, Committee on Environment and Natural Resources and SP Member Benjamin S. Pongos, Jr., Chairman on Public Properties, severally seconded by SP Members Lea Doris C. Villar, Mariano Y. Corro and John Eulalio Nepomuceno O. Aparis II; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA), FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) THROUGH THE ENVIRONMENTAL MANAGEMENT BUREAU-REGION VIII (EMB-8) FOR THE ESTABLISHMENT OF A NATIONAL ECOSAVERS PROGRAM;

ADOPTED, March 01, 2018.



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 the City Mayor of Ormoc Richard I. Gomez, the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Jasper M. Lucero; the OIC of the Environment and Natural Resources Office (ENRO) of LGU Ormoc, Engr. Domardoni C. Cayanong; the Department of Environment and Natural Resources Region VIII (DENR VIII); the Environmental Management Bureau Region VIII (EMB-VIII); Ipil Central School; the OIC-City Director, DILG; and all other offices concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


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

ATTESTED:


VINCENT L. RAMA
(OIC-City Vice Mayor & Temporary Presiding Officer)
Asst. Majority Floor Leader
SP Member



Republic of the Philippines
OFFICE OF THE CITY LEGAL OFFICER
Ormoc City, Leyte

OFFICE OF THE CITY MAYOR
RECEIVED
DATE: 2-14-18
TIME: 1:55
SIGNATURE: [Signature]

14 February 2018

MA. VICTORIA LYRA P. DELA CERNA
City Govt. Asst. Dept. Head I
City Mayor's Office
LGU-Ormoc City

Re: Draft MOA between LGU Ormoc and DENR through EMB VIII for the National Ecosavers Program

Dear Ms. Dela Cerna:

The undersigned has reviewed the terms and conditions of the above draft MOA against the appropriate provisions of RA 9003 (the Ecological Solid Waste Management Act) as well as the aims of the National Ecosavers Program, and finds nothing legally objectionable to the basis, substance and purposes thereof. The same is likewise found to be in order, not detrimental to the interests of the City, not contrary to law, morals and public policy.

The undersigned therefore recommends approval of the aforementioned MOA, and further recommends that an SP Resolution be secured for the Authority of the Mayor to sign the same.

Thank you.

For the City Legal Officer:

Respectfully Yours,

ATTY. JESUS MANUEL A. HORCA III
City Govt. Asst. Dept. Head I
Assistant City Legal Officer

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This **AGREEMENT** made and entered into by and between:

The **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**, through the **ENVIRONMENTAL MANAGEMENT BUREAU REGION VIII** with principal office at DENR Compound, Jones St. Ext., Brgy.02, Tacloban City, represented by its Regional Director, **LETECIA R. MACEDA**, hereinafter referred to as **EMB**;

-And-

The **LOCAL GOVERNMENT UNIT OF ORMOC CITY** located at Ormoc City, Leyte represented by its City Mayor, **HON. RICHARD I. GOMEZ**, hereinafter referred to as **LGU ORMOC CITY**.

WITNESSETH:

WHEREAS, the Ecological Solid Waste Management Act (RA 9003) provides the legal framework for promoting the systematic, comprehensive and ecological measures for avoiding the generation of solid waste, reducing wastes and the final safe disposing of waste in order to protect public health and the environment;

WHEREAS, Section 8 of RA 9003, mandates the DENR to, among others, *provide technical and other capability building assistance and support to the Local Government Units (LGUs) in the development and implementation of local solid waste management plans and programs*;

WHEREAS, the DENR fosters the strategy of partnerships among stakeholders such as government agencies, non-governmental organizations (NGOs), the youth in the private and public sector in the promotion of Ecological Solid Waste Management.

WHEREAS, Article 1 Section 2g of RA 9003 states that Local Government Units (LGUs) have the primary enforcement and responsibility of solid waste management while establishing a cooperative effort among the national government, other local government units, non-government organizations, and the private sector;

WHEREAS, RA 9003 mandates the LGUs to provide efficient, reliable, and universal collection services and environmentally safe disposal of wastes;

WHEREAS, the existing public school system within the LGU is a valuable resource that can be tapped in the implementation of a local ecological solid waste management program;

NOW, THEREFORE, for and in consideration of these premises and the mutual covenants herein contained, the Parties do hereby agree as follows:

Section 1. Objectives

The Parties agree to collaborate in the establishment of a National Ecosavers Program (NEP) in public Elementary and High Schools in cooperation with concerned local City/Municipal governments with the following general objectives:

1. Reduce the amount of solid waste generated by schools and/or houses through the collection of recyclable materials by elementary and high school students;
2. Encourage students even at a young age to practice waste segregation at source and collection of recyclable materials;
3. Establish the NEP in Public Elementary and High Schools with the following components:
- Collection of recyclable materials from students;
 - Segregation of collected recyclable materials;
 - Establishment of a School Materials Recovery Facility (MRF);
 - Establishment of an incentive system (waste exchange) for the students who have collected the recyclable materials;
 - Establishment of other SWM activities that shall be income-generating for the school and the students in a prolonged scheme,
4. Establish a market for recyclables (*or a recycle exchange system*) by the implementing school; and
5. Document experiences / lessons learned and recommendations for implementation of the program in other urban centers of the country.

Section 2. Role of the DENR through the Environmental Management Bureau (EMB):

1. Provide technical and funding support to facilitate assistance to the Public Elementary and High Schools amounting to **Forty Five Thousand Pesos (Php 45,000.00)**:
- a. In enabling the schools to implement the NEP covered by this Agreement;
 - b. In formulating and implementing the NEP, establishment of Materials Recovery Facility (MRF), linking with junkshops for the marketing of recyclable wastes and determination of waste diversion as a result of the systems introduced; and
2. Provide the over-all coordination, monitoring with the implementing school to this Agreement to ensure the attainment of the objectives of the Agreement; and
3. Submit Quarterly Accomplishment/Progress and Final Reports, as well as Financial/Liquidation Report of the NEP implementation.

Section 3. Role of the LGU:

1. In collaboration with the selected implementing school, shall develop and submit a Work and Financial Plan for the activities that will be conducted which shall form part of this agreement;
2. Provide counterpart resources to assist/augment the implementation of this Agreement as follows:
- Designate a Project Officer to facilitate coordination and implementation of the project; and
 - Provide financial or other forms of support for the project as covered by this Agreement, subject to availability of resources.
3. Shall be responsible of handling the fund and its liquidation directly to EMB Region VIII.

Section 4. Role of the Selected Implementing School:

1. Provide overall supervision in the implementation of the NEP;
2. Conduct information, education and communication campaigns among the students, School officials, faculty and other support staff; and
3. Document the experiences in implementing the program focusing on lessons learned, best practices and recommendations in implementing the NEP with the assistance of the partner organization.

Section 5. Joint Monitoring and Evaluation of Activities

The EMB Region VIII, partner LGU, **ORMOC CITY**, and the implementing school, **IPIL CENTRAL SCHOOL**, shall jointly monitor and evaluate activities conducted under this Agreement to ensure attainment of the set objectives.

Section 6. Auditing Procedures

The Parties shall be subject to the usual accounting and auditing rules and regulations.

Section 7. Amendments

By mutual consent, this Agreement or part hereof may be modified, repealed, altered, extended, revised, amended or supplemented by the Parties to ensure that the objectives of this Agreement are achieved.

Section 8. Effectivity

This MOA shall take effect upon signing hereof by the Parties and shall continue to be in full force and effect until the completion of the agreements mentioned herein.

IN WITNESS WHEREOF, the Parties hereby affix their signature on this _____ day of _____ at _____.

LGU Ormoc

Environmental Management
Bureau (EMB) Region VIII

By:

By:

HON. RICHARD I. GOMEZ

LETECIA R. MACEDA

WITNESSES:

MARIBEL B. MUNSAYAC

Chief, FAD/Regional Coordinator, SWM
EMB VIII

Republic of the Philippines)
City of _____) S.S

ACKNOWLEDGEMENT

BEFORE ME, this _____ day of _____ at _____ personally appeared the following:

NAME	CTC NUMBER	DATE/PLACE ISSUED
LETECIA R. MACEDA		
HON. RICHARD I. GOMEZ		

Known to me to be the same person who executed the foregoing instrument and they acknowledge to me the same is their free and voluntary act of deed.

WITNESS MY HAND AND SEAL on the date and place first above written.

Doc. No. _____
Page No. _____
Book No. _____
Series of 2018

Notary Public