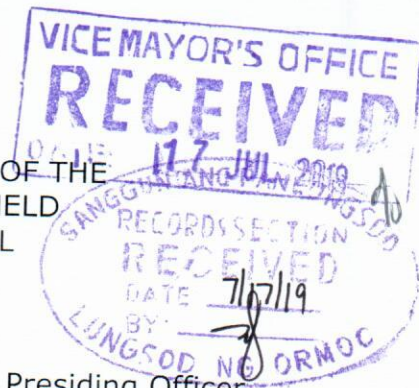


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON JULY 16, 2019



PRESENT:

Leo Carmelo L. Locsin, Jr.
Benjamin S. Pongos, Jr.,
Roiland H. Villasencio,
Tomas R. Serafica,
Nolito M. Quilang,
Eusebio Gerardo S. Penserga,
Peter M. Rodriguez,
Vincent L. Rama,
Gregorio G. Yrastorza III,
Lalaine A. Marcos,
Jasper C. Yerro,

City Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader
SP Member, Asst. Majority Floor Leader
SP Member, Presiding Officer "Pro-Tempore"
SP Member
SP Member
SP Member
SP Member
SP Member
SP Member
Ex-Officio SP Member, Chapter President,
Panlungsod Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON LEAVE:

Jasper M. Lucero,
Esteban V. Laurente,

SP Member
Ex-Officio SP Member, Chapter President,
Liga ng mga Barangay ng Ormoc

RESOLUTION NO. 2019-015

A RESOLUTION INTERPOSING AN OBJECTION TO THE APPLICATION FOR RENEWAL OF CERTIFICATE OF PUBLIC CONVENIENCE FILED BY THE LIDE MANAGEMENT CORPORATION AND PURSUANT THERETO, GRANTING THE CITY MAYOR OR HIS AUTHORIZED REPRESENTATIVE/S TO FILE A VERIFIED OPPOSITION TO THE APPLICATION AND TO APPEAR FOR THE CITY AND MAKE REPRESENTATIONS WITH THE NATIONAL WATER RESOURCES BOARD (NWRB) AND RELATED OFFICES.

WHEREAS, on 11 July 2019, this august Body was in receipt of an "Application for Renewal of CPC" filed by the LIDE Management Corporation (LMC for brevity) with the National Water Resources Board;

WHEREAS, in the said Application, the LMC seeks to renew the Certificate of Public Convenience (CPC) for the installation, operation and maintenance of its waterworks system in Ormoc City (Barangays Salvacion, Sto. Niño, Airport, Libertad, Lilo-an, Curva, Margen and San Juan), and in the municipalities of Merida and Isabel;

WHEREAS, the LMC appended to said application the following documents: (a) Application Form; (b) Articles of Incorporation; (c) Copies of Approved Water Permits issued to LMC and Philippine Phosphate Fertilizer Corp.; (d) Copies of official receipts issued to LMC and Philippine Phosphate Fertilizer Corp.; (e) Copy of Certificate of Potability issued by the Municipal Health Officer of Isabel, Leyte; (f) Plan of Distribution of Water System; (g) Plan Elevation of Cross- Sectional Views of Tank/ Reservoir; (h) Plan Elevation of Cross- Sectional Views of Pump House, Machinery and Equipment; (i) Copy of Annual Report; and (j) CPC Diploma valid until September 23, 2019;

WHEREAS, a thorough examination of the Water Permit Nos. 9585/ 9586/ 10206/ 10207/ 10208/ 10209/ 10210/ 10293/ 10294/attached to the Application shows that these were issued to the Philippine Phosphate Fertilizer Corp. in 1983/ 1985, some for diversion points in Isabel, Leyte, and years prior to the incorporation of applicant LMC on November 29, 1993, all of which indicate the irrelevance thereof to the application;

WHEREAS, a scrutiny of the Potability report and related documents demonstrate that the same pertains only to that in Isabel, Leyte and that there were no such bacteriological, physico-chemical tests conducted in Ormoc City which is the location of the source, contrary to that required by the NWRB that the Certificate of Potability must be issued by the City/Municipal Health Officer where the source is located;

WHEREAS, Ormoc City Ordinance No. 149, which took effect in 2009, regulates the mechanized extraction of water in any surface and subsurface sources of the city, and imposes fees on water extraction using pumps and other equipment, beyond 40 cubic meters;

WHEREAS, records will show that said regulatory fees remain unpaid and unsettled by the LMC with the City from time Ordinance No. 149 was effected;

WHEREAS, the City Government expressly requested the LMC for assistance in providing water to its residents affected by the July 6, 2017 earthquake, which applicant did not heed and neither was such support provided, to the prejudice of the City and the inconvenience of the Ormocanons;

WHEREAS, the foregoing provides adequate grounds to protest the pending application filed by the LMC and reveal that the applicant was unable to show that it is entitled to the renewal of its CPC due to the its willful non-compliance with the provisions of applicable Ordinances rules and regulations;

WHEREAS, the filing of a verified opposition is necessary for the City to register its objection pursuant to rules of procedure of the National Water Resources Board (NWRB);

WHEREAS, upon thorough examination by this august Body, the best interest of the City and her inhabitants is best protected through the lodging of an opposition to the LMC application thru this resolution;

WHEREFORE, on MASS MOTION of the Body; be it

RESOLVE, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION INTERPOSING AN OBJECTION TO THE APPLICATION FOR RENEWAL OF CERTIFICATE OF PUBLIC CONVENIENCE FILED BY THE LIDE MANAGEMENT CORPORATION AND PURSUANT THERETO, GRANTING THE CITY MAYOR OR HIS AUHTORIZED REPRESENTATIVE/S TO FILE A VERIFIED OPPOSITION TO THE APPLICATION AND TO APPEAR FOR THE CITY AND MAKE REPRESENTATIONS WITH THE NATIONAL WATER RESOURCES BOARD (NWRB) AND RELATED OFFICES;


ADOPTED, July 16, 2019.

RESOLVED FURTHER, to authorize the Honorable City Mayor or his representative/s to file a verified opposition to application and to appear in all stages of the hearings attendant to the application;

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. Josephine A. Mejia-Romero; the National Water Resources Board (NWRB); Environment and Natural Resources Office (ENRO) of LGU Ormoc; the Department of Environment and Natural Resources Region VIII (DENR VIII); the LIDE Management Corporation (LMC); the ORWASA Office; the City Local Government Operations Officer – 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:


LEO CARMELO L. LOCSIN, JR.
City Vice Mayor & Presiding Officer