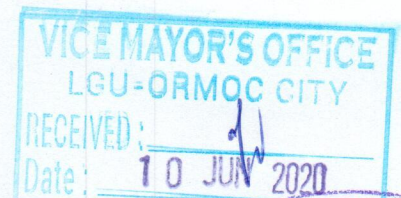


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON JUNE 09, 2020



PRESENT:

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

City Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader
SP Member, 1st Asst. Majority Floor Leader
SP Member, Presiding Officer "Pro-Tempore"
SP Member, 2nd Asst. Majority Floor Leader

SP Member
SP Member
SP Member
SP Member
SP Member
SP Member

Joan Marbie C. Simbajon,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

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

Ex-Officio SP Member, Chapter President,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

RESOLUTION NO. 2020-169

**A RESOLUTION GRANTING AUTHORITY TO THE CITY
TREASURER, MS. DELIA C. VILBAR, TO OPEN
SPECIAL BANK ACCOUNTS WITH LANDBANK -
ORMOC BRANCH TO FACILITATE FUND TRANSFERS
FROM THE DEPARTMENT OF ENERGY (DOE) IN
ACCORDANCE WITH DOE DEPARTMENT CIRCULAR
NO. 2020-04-00080 ENTITLED RATIONALIZING THE
UTILIZATION OF ENERGY REGULATION 1-94 (ER 1-
94) FUNDS TO HOST LOCAL GOVERNMENT UNITS IN
RESPONSE TO CORONAVIRUS DISEASE 2019
(COVID-19) UNDER THE ACCOUNT NAMES, TO WIT:**

ACCOUNT NAMES

- 1) ORMOC CITY-FIRST SOLAR ENERGY CORP-DLF
(ER 1-94)**
- 2) ORMOC CITY-FIRST SOLAR ENERGY CORP-
RWMHEEF (ER 1-94)**

WHEREAS, the Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement Letter from the City Mayor's Office (CMO) dated May 26, 2020, relative to the request of Ms. Delia C. Vilbar, City Treasurer, requesting for an issuance of a resolution granting authority to open two (2) new Interest Bearing Current Accounts (IBCA) in relation to DOE Department Circular No. 2020-04-00080, instructing all Gencos to remit the unremitted funds of Energy Regulations 1-94 (ER 1-94) Fund to the Local Government Unit for utilization to the Coronavirus Diseases 2019 (COVID -19) public emergency response;

WHEREAS, Section 5 of Republic Act No. 7638, otherwise known as the "Department of Energy Act of 1992" mandates the Department of Energy (DOE) to devise ways and means of giving direct benefits to the province, city, or municipality, especially the community and people affected, and equitable preferential benefit to the region that hosts the energy resource and/or the energy-generating-facility;

WHEREAS, the DOE promulgated Energy Regulations No. 1-94 (ER 1-94) on August 1, 1994 to operationalize the implementation of Section 5 of Republic Act No. 7638, which regulation provides for the nature of benefits and scope of benefits the community and people affected, the pertinent host local government unit (LGU) shall be entitled to from the energy resource developer or power producer;

WHEREAS, pursuant to Section 12 of DOE Circular No. 2018-08-0021, the DOE issued Department Order (DO) No. 2019-01-0001 entitled "Providing the Internal Guidelines and Procedures for the Transfer of Existing Funds in Relation to the Financial Benefits Under ER 1-94" to facilitate the transfer of existing ER 1-94 funds to qualified distribution utilities and host communities;

WHEREAS, as home to the solar power plant First Solar Energy Corporation, Ormoc City is considered as a Host LGU as defined by DC2018-08-0021;

WHEREAS, on March 16, 2020, the President issued Proclamation No. 929, Declaring a State of Calamity throughout the Philippines due to the COVID-19;

WHEREAS, the DOE issued Department Order (DO) Circular No. 2020-04-00080 entitled "Rationalizing the Utilization of ER 1-94 Funds by Host Local Government Units in Response to COVID-19 Public Health Emergency" which took effect last April 6, 2020 stating that Host LGUs can now use these funds to undertake their duty to mitigate, if not, contain the COVID-19 and issuing the corresponding framework to utilize ER 1-94 Funds to bolster their efforts to the COVID -19 crisis in their respective areas;

WHEREAS, Section 4 of the aforesaid circular requires that the ER 1-94 Fund upon allocation and compliance of requirement shall be remitted to the DLF and RWMHEEF Trust Account of the respective Host LGUs;

WHEREAS, for this reason, in an email from the First Solar Energy Corporation dated April 17, 2020 to the City Planning and Development Office (CPDO) making a follow up on the LGU application of Trust Accounts for the ER 1-94 Funds in connection with the DOE Department Circular instructing all GenCos to remit the unremitted funds of EF to Host LGU's for utilization to the COVID-19 public emergency response; a copy of said letter shall be attached hereto as Annex "A" and made an integral part hereof;

WHEREAS, this Sanggunian finds the request of the City Mayor's Office to authorize the City Treasurer, Ms. Delia C. Vilbar, to open herein subject bank account as truly beneficial and will immensely be favorable to City of Ormoc and its constituents, and therefore, most deserving of this august Body's utmost and favorable consideration

WHEREFORE, FOREGOING PREMISES CONSIDERED, on motion of SP Member Peter M. Rodriguez, Chairman, Committee on Finance & Appropriation, severally seconded by SP Members Roiland H. Villasencio, Tomas R. Serafica, Nolito M. Quilang, Eusebio Gerardo S. Penserga, Vincent L. Rama, Gregorio G. Yrastorza III, Lalaine A. Marcos, Esteban V. Laurente and Joan Marbie C. Simbajon: be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION GRANTING AUTHORITY TO THE CITY TREASURER, MS. DELIA C. VILBAR, TO OPEN SPECIAL BANK ACCOUNTS WITH THE LANDBANK OF THE PHILIPPINES – ORMOC BRANCH TO FACILITATE FUND TRANSFERS FROM THE DEPARTMENT OF ENERGY (DOE) IN ACCORDANCE WITH DOE DEPARTMENT CIRCULAR NO. 2020-04-0080 UNDER THE ACCOUNT NAMES, TO WIT:

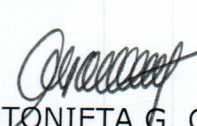
- 1) ORMOC CITY-FIRST SOLAR ENERGY CORP-DLF (ER 1-94)
- 2) ORMOC CITY-FIRST SOLAR ENERGY CORP-RWMHEEF (ER 1-94)

ADOPTED, June 09, 2020.

RESOLVED, FURTHERMORE, to furnish copies of this resolution one each to the City Mayor Richard I. Gomez; the City Administrator, Mr. Vincent L. Ennas; the City Legal Officer, Atty. Josephine M. Romero; the City Budget Officer; the City Accountant; the City Treasurer; the City Auditor; Landbank - Ormoc Branch; the Department of Energy; the City Planning & Development Office; the City Local Government Operations Officer-DILG; and other offices concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.

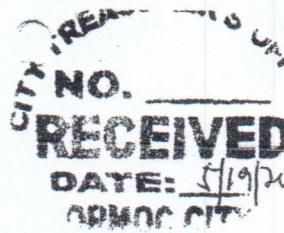

MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


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

Follow-up ER 1 -94 Trust Accounts

Inbox



Res. # 2020-169
"Annex A"

Radja Limosnero <radja.limosnero@venaenergy.com>

Fri, Apr
17, 1:53
PM

to me, Leizette, Tom, Bren

Dear City Planning,

Please see attached, DOE Department Circular, instructing all GenCos to remit the unremitted funds of EF to LGU's for utilization to the covid 19 public emergency response, for your reference. In line with this we would like to follow up on the application of Trust Accounts. Kindly try applying for the Trust Accounts without the MOA if possible. Please contact us at 09177812815 for clarifications.

Also see attachment for the following references:

1. Landbank Letter to DOE – Letter for exemption of Collection of Service Charge
2. Sample of Bank Certification

Regards,

Radja B. Limosnero
Junior Associate
M +63 9177812815

radja.limosnero@venaenergy.com
21F Tower 6789, 6789 Ayala Avenue Bel-air, Makati City 1209
Website: www.venaenergy.com

Radja B. Limosnero
Junior Associate
M +63 9177812815

radja.limosnero@venaenergy.com
21F Tower 6789, 6789 Ayala Avenue Bel-air, Makati City 1209
Website: www.venaenergy.com

Vena Energy – Outbound message scanned for security.

Radja Limosnero

9:54 AM (3
hours ago)

to Tom, Leizette, Bren, me

Dear City Planning,

We would like to follow up below email, this refers to application of your Trust Accounts for ER1-94. Thanks.

External Message - This message came from outside of Vena Energy and scanned for security. Be careful with links and attachments.

Radja Limosnero

9:57 AM (3
hours ago)

to sallydejano@yahoo.com, me, Tom, Leizette, Bren

Dear City Planning,

We would like to follow up below email, this refers to application of your Trust Accounts for ER1-94. Thanks.

Regards,

Radja B. Limosnero
Junior Associate
M +63 9177812815

radja.limosnero@venaenergy.com
21F Tower 6789, 6789 Ayala Avenue Bel-air, Makati City 1209
Website: www.venaenergy.com

From: City Planning & Development Office Ormoc City <planningormoc@gmail.com>
Sent: 17 April 2020 20:44
To: Radja Limosnero <radja.limosnero@venaenergy.com>
Subject: [Ext] Re: Follow-up ER 1-94 Trust Accounts

This is to acknowledge receipt of your email. Thanks.

External Message - This message came from outside of Vena Energy and scanned for security. Be careful with links and attachments.