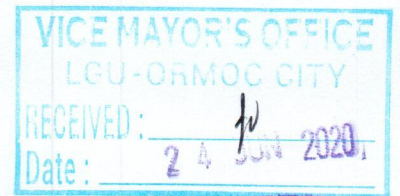
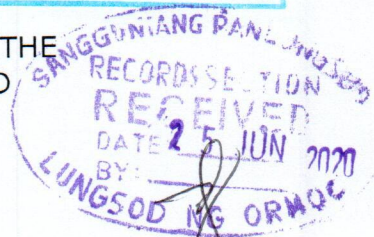


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON JUNE 23, 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,

RESOLUTION NO. 2020-184

A RESOLUTION GRANTING AUTHORITY TO THE CITY TREASURER, MS. DELIA VILBAR AND THE CITY ADMINISTRATOR, MR. VINCENT L. EMNAS, AS AUTHORIZED SIGNATORIES, TO OPEN A SPECIAL BANK ACCOUNT WITH LANDBANK – ORMOC BRANCH TO FACILITATE FUND TRANSFERS FROM THE DEPARTMENT OF ENERGY (DOE) IN ACCORDANCE WITH DOE DEPARTMENT CIRCULAR NO. 2020-04-00080 UNDER THE ACCOUNT NAMES ORMOC CITY-FIRST SOLAR ENERGY CORP-DLF (ER 1-94) AND ORMOC CITY-FIRST SOLAR ENERGY CORP-RWMHEEF (ER 1-94) THEREBY SUPERSEDING SP RESOLUTION NO. 2020-169 AND FURTHER REQUESTING THE AFOREMENTIONED BANK TO FORGO ITS MINIMUM INITIAL DEPOSIT REQUIREMENT.

WHEREAS, the Fifteenth Sangguniang Panlungsod was in receipt of an urgent Indorsement Letter from the City Mayor's Office (CMO) dated June 19, 2020, requesting for an issuance of a resolution granting Mr. Vincent L. Emnas and Ms. Delia C. Vilbar the authority to open Special Bank Accounts with Landbank-Ormoc Branch and to sign checks relative to the said accounts 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: ORMOC CITY-FIRST SOLAR ENERGY CORP-DLF (ER 1-94) and ORMOC CITY-FIRST SOLAR ENERGY CORP-RWMHEEF (ER 1-94) and further requesting that in the same resolution be stated, a request to Landbank-Ormoc Branch to waive initial deposits upon opening of the above accounts;

WHEREAS, to recall, this Sanggunian previously approved SP Resolution No. 2020-169 authorizing the City Treasurer Ms. Delia C. Vilbar to open special bank accounts in accordance with DOE Department Circular No. 2020-04-00080 under the account names Ormoc City-First Solar Energy Corp-DLF (ER 1-94) and Ormoc City-First Solar Energy Corp-RWMHEEF (ER 1-94);

WHEREAS, a new request was endorsed by the CMO requesting for authority to be granted not only to the City Treasurer but also to the City Administrator as authorized signatories to open the aforementioned accounts thereby superseding SP Resolution No. 2020-169;

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. Section 4 of the aforesaid circular also provided 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, an email from the First Solar Energy Corporation dated April 17, 2020 to the City Planning Development Office making a follow up on the application of Trust accounts for the ER 1-94 Funds in connection to the DOE Department Circular instruction all GenCos to remit the unremitted funds of EF to 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, Landbank requires a minimum initial deposit every time an account is opened hence they recommended that for this requirement to be forgone the request must be stipulated in the resolution;

WHEREAS, this Sanggunian finds the request of the City Mayor's Office to authorize the City Treasurer, Ms. Delia C. Vilbar and the City Administrator Vincent L. Emnas, as authorized signatories, 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 especially in times of pandemic;

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

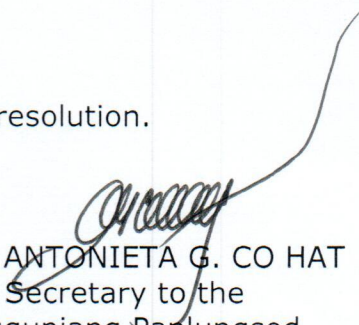
RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION GRANTING AUTHORITY TO THE CITY TREASURER, MS. DELIA VILBAR AND THE CITY ADMINISTRATOR, MR. VINCENT L. EMNAS, AS AUTHORIZED SIGNATORIES, TO OPEN A NEW SPECIAL BANK ACCOUNT WITH LANDBANK - ORMOC BRANCH TO FACILITATE FUND TRANSFERS FROM THE DEPARTMENT 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 ORMOC CITY-FIRST SOLAR ENERGY CORP-DLF (ER 1-94) AND ORMOC CITY-FIRST SOLAR ENERGY CORP-RWMHEEF (ER 1-94) THEREBY SUPERSEDING SP RESOLUTION NO 2020-169 AND FURTHER REQUESTING THE AFOREMENTIONED BANK TO WAIVE ITS INITIAL DEPOSIT REQUIREMENT;

ADOPTED, June 23, 2020.

RESOLVED, FURTHERMORE, to furnish copies of this resolution, one each to the City Mayor Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Josephine M. Romero; the City Budget Officer; the City Accountant; the City Treasurer; the City Auditor; the LandBank-Ormoc Branch; the CPDO; the First Solar Energy Corporation; the City Local Government Operations Officer, DILG; and other offices concerned;

CARRIED UNANIMOUSLY.

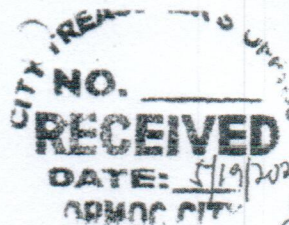
I HEREBY CERTIFY to the correctness of the above resolution.


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"

Res. # 2020-184

"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

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Website: www.venaenergy.com

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Vena Energy - outbound message scanned for security.