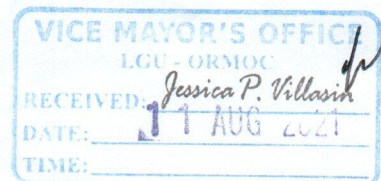
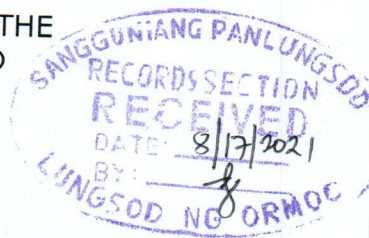


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON AUGUST 10, 2021



PRESENT:

Leo Carmelo L. Locsin, Jr.
Benjamin S. Pongos, Jr.,
Roiland H. Villasencio,
Tomas R. Serafica,
Eusebio Gerardo S. Penserga,
Jasper M. Lucero,
Vincent L. Rama,
Gregorio G. Yrastorza III,
Lalaine A. Marcos,
Joan Marbie C. Simbajon,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

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

ON OFFICIAL BUSINESS:

Nolito M. Quilang,
Peter M. Rodriguez,
Esteban V. Laurente,

SP Member, 2nd Asst. Majority Floor Leader
SP Member
Ex-Officio SP Member, Chapter President,
Liga ng mga Barangay ng Ormoc

PREFATORY STATEMENT

WHEREAS, Several parcels of land identified as: (a) Lots Nos. 7466, 7464, 7467, 7465 covered by Transfer Certificate of Title (TCT) No. 121- 2020000764 (formerly by TCT No. 21708) located in Barangay Dolores; and (b) Lot No. 7452-A-1-B covered by TCT No. 121- 2020000765 (formerly by TCT No. 21709), located in Barangay Milagro, Ormoc City, the PROPERTIES for brevity, are presently classified as agricultural, as per the existing and applicable Comprehensive Land Use Plan (CLUP) of the city as shown by the Certification dated July 16, 2020 by the Ormoc City Planning and Development Officer;

WHEREAS, the total area of the parcels of land is 72,556 square meters;

WHEREAS, an application for the reclassification of the PROPERTIES from agricultural to industrial has been filed by the Universal Power Solutions, Inc. (UPSI) in a letter request dated February 11, 2021 signed by Rodolfo H. Labarda, Jr. and Diosdado L. Saluague;

WHEREAS, the PROPERTIES, which are presently idle, are proposed to be developed as a renewable integrated power facility, which is an economic activity that's primarily industrial in nature;

WHEREAS, the PROPERTIES were transferred to other parties as shown by the Deed of Absolute Sale dated September 2020 showing conveyance by the registered owners of the parcel of land covered by TCT No. 121- 2020000765 in favor of John Ronald Palentinos Santos; and the Deed of Absolute Sale dated September 2020 showing conveyance by the registered owners of the parcel of land covered by TCT No. 121- 2020000764 in favor of Vilma C. Cuizon;

WHEREAS, the personality and interest of the UPSI to seek reclassification are established by the Special Power of Attorney dated November 16, 2020 executed by Vilma C. Cuizon and John Ronald P. Santos appointing Rodolfo H. Labarda, Jr. and Diosdado L. Saluague as representatives of the UPSI;

WHEREAS, public hearing was conducted in relation to the application in the Barangay Milagro on October 22, 2020, for which no significant opposition to the proposed reclassification was lodged and expressed;

WHEREAS, the records on file indicate the following documents expressing either support or, at the very least, non-opposition to the subject application for reclassification:

- a. Environmental Compliance Certificate (ECC) for the proposed project, dated July 3, 2020;
- b. Certification dated July 7, 2020 issued by Barangay Milagro, Ormoc;
- c. Certification dated July 7, 2020 issued by Barangay Dolores, Ormoc;
- d. Resolution No. 012- 2020 issued by the Sangguniang Barangay of Barangay Milagro, Ormoc;
- e. Resolution No. 014- 2020 issued by the Sangguniang Barangay of Barangay Milagro, Ormoc;
- f. Resolution No. 2020- 21 issued by the Sangguniang Barangay of Barangay Dolores, Ormoc;
- g. Certification dated July 16, 2020 by the Ormoc City Planning and Development Office (OCPDO) attesting that the proposed project is that as reflected in the General Land Use Map of Ormoc;
- h. OCPDO letter dated February 22, 2021 expressing the favorable recommendation for reclassification from agricultural to light industrial zone;
- i. Department of Agriculture (DA) letter certification dated May 6, 2021 stating that properties are not subject to land conversion process;
- j. DAR Certification dated June 15, 2021 stating that the properties subject of the same have not been issued Certificates of Land Ownership (CLOAs) or Emancipation Patents (EPs);
- k. OCPDO Certification letter dated August 2, 2021 stating that the reclassification application, if granted, does not exceed the 15% limitation on reclassification of Agricultural lands to be utilized for non-agricultural purposes as required by Section 20 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 (LGC); and,
- l. City Legal Office opinion dated July 9, 2021 stating that upon examination of the reclassification application with all its pertinent documents it recommends for the enactment of the reclassification ordinance applied for subject to compliance of pertinent LGC provision, which is already satisfied under the immediately foregoing sub-section.

WHEREAS, Section 20 of the Local Government Code states, that "A city or municipality may, through an ordinance passed by the sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases: (1) when the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the sanggunian concerned: Provided, That such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinance:

- (1) For highly urbanized and independent component cities, fifteen percent (15%); xxx.”

WHEREAS, a meticulous consideration of all the documents establishes compliance with applicable laws and regulations, and thorough examination of the subject application clearly shows the practicality, wisdom and worthiness of the reclassification of the PROPERTIES from agricultural to industrial as it will give the following benefits: make the land more productive; spur economic growth to the concerned Barangay and the City; generate much-needed employment, and lastly, convey the important message to investors of the business-friendliness and enthusiasm of the current City Administration to entice more investments into the City;

WHEREAS, lastly, it is shown from the public hearings conducted that the concerned Barangay warmly welcomes the Project of the reclassification applied for, and the type of activity involved does not contribute to significant pollution or adverse effects on the environment, this fact being attested to by the mentioned ECC already obtained by the applicant;

WHEREFORE, on motion of SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Zoning, Housing & Land Use, severally seconded by SP Members Peter M. Rodriguez, Gregorio G. Yrastorza III, Laine A. Marcos, Vincent L. Rama, Joan Marbie C. Simbajon, Esteban V. Laurente, Roiland H. Villasencio and Nolito M. Quilang; be it

RESOLVED, to enact:

ORDINANCE NO. 067
(Series of 2021)

AN ORDINANCE RECLASSIFYING CERTAIN PARCELS OF LAND, NAMELY, LOT NO. 7452-A-1-B IN BARANGAY MILAGRO, AND LOT NOS. 7466, 7464, 7467 AND 7465 IN BARANGAY DOLORES, FROM AGRICULTURAL CLASSIFICATION TO INDUSTRIAL CLASSIFICATION.

BE IT ENACTED by the Sangguniang Panlungsod in its session duly assembled, that:

SECTION 1. This Ordinance reclassifies (a) Lots Nos. 7466, 7464, 7467, 7465 covered by Transfer Certificate of Title (TCT) No. 121- 2020000764 (formerly by TCT No. 21708) located in Barangay Dolores; and (b) Lot No. 7452-A-1-B covered by TCT No. 121- 2020000765 (formerly by TCT No. 21709), located in Barangay Milagro, Ormoc, from agricultural to industrial.

SECTION 2. SEPARABILITY CLAUSE. If for any reason, any provision, portion or part of this Ordinance is found to be inconsistent with any law, other provisions or part or parts thereof not so affected thereby shall remain in full force and effect.

SECTION 3. REPEALING CLAUSE. Any ordinance, rules and regulations, resolutions or part thereof inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 4. EFFECTIVITY. This Ordinance shall take effect upon approval thereof.

ENACTED, August 10, 2021.




RESOLVED FURTHER, to furnish copies of this Ordinance each to the City Mayor Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Josephine Mejia-Romero; the City Assessor's Office; the City Planning & Development Office; the City Local Government Operations Officer-DILG; and other offices concerned, all in Ormoc City.

CARRIED UNANIMOUSLY.

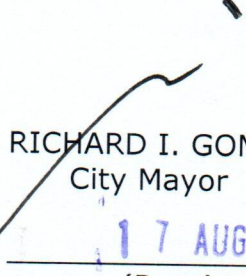
I HEREBY CERTIFY to the correctness of the above Ordinance.

Indygal
NONILYN D. GALANO
(OIC - SP Secretary)
Supervising Administrative Officer

ATTESTED:


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

APPROVED:


RICHARD I. GOMEZ
City Mayor

17 AUG 2021
(Date)