

Republic of the Philippines
Province of Davao del Norte
CITY OF TAGUM

BEFORE THE 4TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 60TH REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON SEPTEMBER 8, 2008 AT THE SP SESSION HALL.

PRESENT:

| | |
|-----------------------------------|-------------------------------------|
| Hon. ALLAN L. RELLON, MPA, | City Vice Mayor (Presiding Officer) |
| Hon. MARIA LINA F. BAURA, | Member |
| Hon. ROBERT L. SO, | Member |
| Hon. DE CARLO L. UY, | Member |
| Hon. RAYMOND JOEY D. MILLAN, | Member |
| Hon. VICENTE C. ELIOT, SR., | Member |
| Hon. JOEDEL T. CAASI, | Member |
| Hon. NICANDRO T. SUAYBAGUIO, JR., | Member |
| Hon. REYNALDO T. SALVE, | Member |
| Hon. FRANCISCO C. REMITAR, | Member |
| Hon. CYRIL LEONARD L. MURING, | Member (SKF Representative) |

ON OFFICIAL BUSINESS:

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| Hon. ALAN D. ZULUETA, | Member |
| Hon. ALFREDO R. PAGDILAO, | Member (ABC Representative) |

RESOLUTION NO. 468, s-2008

A RESOLUTION AUTHORIZING THE CITY MAYOR, HON. REY T. UY, TO SIGN FOR AND IN BEHALF OF THE CITY GOVERNMENT OF TAGUM A MEMORANDUM OF AGREEMENT (MOA) WITH THE TAGUM WATER DISTRICT REPRESENTED BY MR. HENRIETTO Q. CASTRENCE, GENERAL MANAGER AND THE LOCAL GOVERNMENT UNIT OF BARANGAY APOKON REPRESENTED BY HON. SAMMY U. ANGOY, PUNONG BARANGAY, FOR THE REFORESTATION OF ACCRETION AREAS ALONG HIJO RIVER.

WHEREAS, it is the policy of the state to implement community-based forestry projects as well as to protect, rehabilitate and develop the environment;

WHEREAS, the banks along Hijo River has been eroding due to floods and the heavy downpour of rain;

WHEREAS, to protect the environment and the inhabitants from imminent danger, a reforestation along the banks of the Hijo River must be established;

WHEREAS, the City Government of Tagum is promoting an intensive campaign for the protection and conservation of our environment;

WHEREAS, the City Government of Tagum encourages and welcomes the community through other Government Agencies as well as the Non Government Organizations (NGOs) in restoring the natural state of the environment;

WHEREAS, the Tagum City Water District responded to the environmental advocacy of the City Government and will provide for the financial aspect for the reforestation of accretion areas along Hijo River;

WHEREAS, Barangay Apokon through the leadership of their Punong Barangay is likewise willing to support the reforestation project;

NOW THEREFORE, be it resolved by the 4th City Council of Tagum to authorize the City Mayor, Hon. Rey T. Uy, to sign for and in behalf of the City Government of Tagum a Memorandum of Agreement (MOA) with the Tagum Water District represented by Mr. Henrietto Q. Castrence, General Manager and the Local Government Unit of Barangay Apokon represented by Hon. Sammy U. Angoy, Punong Barangay for the reforestation of accretion areas along Hijo River;

RESOLVED FURTHER, that the full text of the Memorandum of Agreement shall be as follows:

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENT:

This Memorandum of Agreement is made and entered into by and among:

The **City Government of Tagum**, a Local Government Unit created by virtue of the laws of the Republic of the Philippines with principal office located at Rizal Street, Tagum City, Davao del Norte, represented in this act by its **Honorable Mayor REY T. UY**, through Resolution No. _____, hereinafter referred to as the First Party;

-and-

The **Tagum Water District**, a government owned and controlled corporation represented by its **General Manager MR. HENRIETTO Q. CASTRENCE**, through Board Resolution No. _____ hereinafter referred to as the Second Party;

-and-

The **Barangay Apokon** is a smallest Local Government Unit of Tagum City represented by the **Punong Barangay Honorable SAMMY U. ANGOY**, through a Resolution No. _____, s-2008, hereunder referred to as the Third Party.

WITNESSETH:

Whereas, a project known or called as Reforestation of Accretion Areas along Hijo River Project is a joint Program of the City Government of Tagum and the Tagum Water District.

Whereas, to hasten the environmental protection and speedy economic development, the First Party has decided to engage the services of the Second Party in the establishment of forest plantation on accretion areas along the stretch of the Hijo River and or support the production of forest tree seedlings for the said project.

Whereas, the First Party through the City Agriculturist Office and the City Environment and Natural Resources Office (Task Force Reforestation) shall assist in the implementation of the forest plantation along Hijo River.

Whereas, the Second Party is the primary agency responsible in the budgetary requirements for labor and material costs of the nursery and forest plantation.

Whereas, the Second Party shall also provide protection, care and maintenance of the established forest plantation project.

Whereas, the Second Party will likewise provide technical personnel and laborer to assist in the production of quality stock planting materials and implementation of the project.

Whereas, the Third Party as its social responsibility is committed to fully support the program and shall lead in the protection of the project.

Now Therefore, for and in consideration of the foregoing premises, and mutual covenants, terms and condition hereinafter set forth, the parties hereby agree as follows;

A. On the part of the First Party

1. Shall program the scheduling of planting operation for the accretion area 1 to 6 along Hijo River consisting of more or less 61.53 hectares;
2. Shall conduct briefing and orientation on the Second Party;
3. Shall provide training and workshop on proper planting, care and maintenance to the Second Party;

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RESOLUTION NO. 468, s-2008, cont'd:

- 4. Shall be responsible for monitoring/supervision of site preparation, planting, protection in the establishment of the project;
- 5. Shall be responsible to identify and supply planting species.

B. On the part of the Second Party

- 1. Shall provide financial requirement for the project based on the Approved Program of Works;
- 2. Shall abide with Terms and Conditions stipulated in this agreement;
- 3. Shall provide manpower requirement based on the Program of Works;

C. On the Third Party

- 1. Shall provide Barangay support to the Second Party such as the Barangay Laws, Ordinances, and Barangay Resolutions giving support and assistance to the project;
- 2. Shall provide support to the First Party on the protection of forest plantation;
- 3. Shall abide with the terms and conditions stipulated in this agreement.

IN WITNESS WHEREOF, that parties hereto have set their hands and affixed hereunder their signature this _____ day of _____ 2008, at Tagum City, Davao del Norte.

CITY GOVERNMENT OF TAGUM

Represented By:

REY T. UY
City Mayor
First Party

TAGUM WATER DISTRICT

Represented By:

HENRIETTO Q. CASTRENCE
General Manager
Second Party

BARANGAY APOKON

Represented By:

SAMMY U. ANGOY
Punong Barangay
Third Party

Signed in the presence of:

DR. EUGENIO S. GUHAO, JR.

TWD-BOD Chairman

FRANCISCO C. REMITAR

SP Chairman, Committee on Environmental
Protection and Ecology

ACKNOWLEDGMENT

Republic of the Philippines)
Province of Davao del Norte)
CITY OF TAGUM)

Before me this, _____ day of _____, 2008 at Tagum City personally appeared the following persons to with:

| | | | |
|------------------------|---------------|-----------------|----------------|
| Name: | Tax Cert. No. | Place of issue: | Date of issue: |
| REY T. UY | _____ | _____ | _____ |
| HENRIETTO Q. CASTRENCE | _____ | _____ | _____ |
| SAMMY U. ANGOY | _____ | _____ | _____ |

Known to me be the same persons who executed the foregoing instrument and that they acknowledge to me and that the same is their true act and deed.

-over-

This instrument consisting of Three (3) pages including this pages in which the acknowledgment is written, duly signed on every page by the first, second and third parties and sealed with my Notary seal.

In witness my hand and seal on the date and place above stated.

NOTARY PUBLIC

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Book No. _____
Series of 2008

CARRIED AND APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing.

(Sgd) **FEBLUTZ FELIPE-MANANGAN**
Local Legislative Staff Officer V
Officer-In-Charge

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

(Sgd) **ALLAN L. RELLON, MPA**
City Vice Mayor
(Presiding Officer)

fname: RN46808
febz