

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

**BEFORE THE 4<sup>TH</sup> CITY COUNCIL**

**EXCERPT FROM THE MINUTES OF THE 127<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON JANUARY 18, 2010 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. ALAN D. ZULUETA,	Member
Hon. NICANDRO T. SUAYBAGUIO, JR.,	Member
Hon. REYNALDO T. SALVE,	Member
Hon. FRANCISCO C. REMITAR,	Member
Hon. ALFREDO R. PAGDILAO,	Member (ABC Representative)
Hon. CYRIL LEONARD L. MURING,	Member (SKF Representative)

**RESOLUTION NO. 1025, s-2010**

**“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 NCCC CARES, INC., REPRESENTED BY ITS PRESIDENT, MR. LAFAYETTE A. LIM AND BARANGAY SAN AGUSTIN, REPRESENTED BY PUNONG BARANGAY, HON. VICENTE A. CHATTO FOR THE ECO-TOURISM PROJECT AT BARANGAY SAN AGUSTIN, TAGUM CITY.”**

**WHEREAS**, pursuant to Section 16 of the Local Government Code of 1991, every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

**WHEREAS**, it is the policy of the state, within their respective territorial jurisdictions, to ensure and support, among other things, promote health and safety, enhance the right of the people to a balanced ecology and ensure the quality of the environment to preserve the comfort and convenience of their inhabitants;

**WHEREAS**, under the Local Government Code, the City Government of Tagum, as a local government unit, either acting on its own or in partnership with other agencies or entities is provided with legal basis to initiate and institutionalize their governance on resources arrangement;

**WHEREAS**, the City Government of Tagum encourages and welcomes the community like other Government Agencies and Non-Government Organizations in preserving and restoring the natural state of the environment as well as exploring other ideas on how to cope with the challenges of global warming;

**WHEREAS**, one of the ways that could lessen the congestion of the greenhouse gases is reforestation;

**WHEREAS**, the NCCC Cares, Inc., a corporate foundation of the New City Commercial Center (NCCC) is dedicated to provide social responsibility for the establishment of the Seven (7) hectares forest plantation at Barangay San Agustin purposely for the Eco-tourism project of the city;

**WHEREAS**, Barangay San Agustin, through the leadership of their Punong Barangay is as well dedicated in supporting the Eco-tourism project of the city;

**NOW THEREFORE**, be it resolved by the Sangguniang Panlungsod 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 NCCC Cares, Inc., represented by its President, Mr. Lafayette A. Lim and Barangay San Agustin, represented by Punong Barangay, Hon. Vicente A. Chatto for the Eco-tourism Project at Barangay San Agustin, Tagum City.

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

**MEMORANDUM OF AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

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

The **CITY GOVERNMENT OF TAGUM**, located at Rizal Street, Magugpo Poblacion, Tagum City, duly represented herein by the **City Mayor, REY T. UY**, through Sangguniang Panlungsod Resolution No. \_\_\_\_\_, hereinafter referred to as the **First Party**;

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-and-

**NCCC CARES, INC.**, a charitable institution duly organized and existing under the laws of the Republic of the Philippines, with office address at LTS Building, R. Magsaysay St., Davao City, represented in this Memorandum by its **President, LAFAYETTE A. LIM**, hereinafter referred to as the **Second Party**;

-and-

The **BARANGAY SAN AGUSTIN**, is among the Barangay in the City of Tagum with identified area for Eco-tourism project, represented by **Punong Barangay, VICENTE A. CHATTO**, through Resolution No.\_\_\_\_\_, s-2009, hereinafter referred to as the **Third Party**.

**WITNESSETH:**

**WHEREAS**, Pursuant to Local Government Code of 1991, the City Government of Tagum, either acting on their own or in partnership with other agencies is provided with legal basis to initiate and institutionalize their own resource governance arrangements;

**WHEREAS**, NCCC Cares, Inc., a corporate foundation of New City Commercial Center (NCCC), a business establishment center in Tagum City that will provide social responsibility for the establishment of forest plantation and will provide protection of the mother earth;

**WHEREAS**, parties are jointly and severally concerned of their roles and responsibilities in the protection of forest plantation for the Eco-tourism Project at Barangay San Agustin, Tagum City and acknowledge the need to properly manage the same not only of its ecological and environmental functions but also for its economic, social, aesthetic, educational and scientific importance as well;

**WHEREAS**, parties recognize that by harnessing collaborative effort, projects can be established more efficiently, and hereby declare to jointly develop the seven (7) hectares of land area purposely for Eco-Tourism project;

**NOW THEREFORE**, for and in consideration of the foregoing premises and by way of formalizing their commitments, the parties hereby agree as follows;

**A. On the part of the First Party:**

1. Shall provide the Seven (7) hectares land area for the establishment of forest plantation for the Eco-Tourism Project of the city;
2. Shall conduct Information Education Campaign as well as to provide Trainings and Seminars as may be needed for the development of the said project in the establishment of the Seven (7) hectares Forest Plantation;
3. Shall provide technical assistance by assigning a Technical Personnel coming from the City Environment and Natural Resources Office or a Professional Forester as a Focal Person to work with the representatives of the parties in the implementation of all program activities;
4. Shall gather data on the growth performance of the planted forest tree species;
5. Shall provide the Second Party the Annual Progress Report of the project, not later than January 31 of the succeeding year.

**B. On the part of the Second Party:**

1. Shall assist on the Information Education Campaign of the First Party and provide support for the Trainings and Seminars for the welfare of the constituents, within the Barangay San Agustin, and for a better development of the project;
2. Shall adopt Community Based Management Program approach for the sustainability of environmental resources;
3. Shall provide Annual Financial Support to the First Party in the amount of Fifty Two Thousand Eight Hundred (P 52,800.00) Pesos for the maintenance of the seven (7) hectares Forest Plantation for the Eco-Tourism project within the period of three (3) years commencing January 1, 2010. The said amount, which will constitute as a Trust Fund, shall be released to the First Party within the first quarter of the current year.

**C. On the part of the Third Party:**

1. Shall provide assistance to the Second Party in the proper implementation of the existing National Laws and Local Ordinances for its Environmental and Forest protection;
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**, the parties hereto have affixed their signatures this \_\_\_\_ day of \_\_\_\_\_, 2010 at Tagum City, Philippines.

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**RESOLUTION NO. 1025, s-2010**, cont'd:

**City Government of Tagum**

Represented by:

**NCCC Cares, Incorporated**

Represented by:

**Barangay San Agustin**

Represented by:

**REY T. UY**

City Mayor

**LAFAYETTE A. LIM**

President

**VICENTE A. CHATTO**

Punong Barangay

**Signed in the presence of:**

**RAFAEL E. ABRENICA**

City Administrator /  
Executive Chairman – CTFAPA

**FRANCISCO C. REMITAR**

SP Member / Chair, Comm. On  
Environmental Protection and  
Ecology and Member – CTFAPA

**ACKNOWLEDGMENT**

Republic of the Philippines )  
Province of Davao del Norte )  
City of Tagum )S.S.  
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Before me this, \_\_\_\_\_ day of \_\_\_\_\_, 2010 at Tagum City, personally appeared the following persons to wit:

<b>Name</b>	<b>Tax Cert. No.</b>	<b>Place of Issue</b>	<b>Date Issued</b>
REY T. UY	_____	_____	_____
LAFAYETTE A. LIM	_____	_____	_____
VICENTE A. CHATTO	_____	_____	_____

Known to me to be the same persons who executed the foregoing instrument and that same is their true act and deed. This instrument consisting of three (3) pages including this page in which the acknowledgment is written, duly signed by the parties and sealed with my notarial seal. Witness my hand and seal on the date and place above stated.

NOTARY PUBLIC

**CARRIED AND APPROVED.**

**I HEREBY CERTIFY** to the correctness of the foregoing.

**(Sgd) REY A. BUHION**  
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED  
TO BE DULY ENACTED:**

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