

Republic of the Philippines
 Province of Iloilo
 Municipality of Tigbauan
 Office of the Sangguniang Bayan
 Tigbauan Municipal Hall, Tigbauan, Iloilo 5021 Philippines
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EXCERPT FROM THE MINUTES OF THE 16TH REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON APRIL 20, 2022. AT 10:30 O'CLOCK IN THE MORNING.

PRESENT:

HON. VIRGILIO T. TERUEL,	- Vice Mayor & Presiding Officer
HON. DENNIS T. VALENCIA	- S.B. Member
HON. NERI T. CAMIÑA	- S.B. Member
HON. SUZETTE MARIE HILADO-BANNO	- S.B. Member
HON. REYNALDO E. TUMABOTABO	- S.B. Member
HON. JULIUS T. LEDESMA	- S.B. Member
HON. MA. GERRYLIN SANTUYO-CAMPOSAGRADO	- S.B. Member
HON. NORBERTO T. TURALBA	- S.B. Member
HON. JERRY T. TUARES	- Liga President

ABSENT:

HON. MARLON R. TERUÑEZ	- S.B. Member (<i>Special Priv. Leave</i>)
HON. DYOSA MARIE T. TERUÑEZ	- SKMF President (<i>Special Priv. Leave</i>)

Resolution No. 2022- 043

RESOLUTION AUTHORIZING THE MUNICIPAL MAYOR, ATTY. SUZETTE T. ALQUISADA, FOR AND IN BEHALF OF THE MUNICIPALITY OF TIGBAUAN TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE PASSI CITY INTEGRATED WASTE MANAGEMENT FACILITY FOR THE FINAL DISPOSAL OF SOLID WASTE OF THE MUNICIPALITY OF TIGBAUAN, ILOILO

WHEREAS, Section 33 of Republic Act No. 7160 or the Local Government Code of 1991 provides that the local government units may, *through appropriate ordinances*, group themselves, consolidate, or coordinate their efforts, services, and resources for purposes commonly beneficial to them;

WHEREAS, Republic Act No. 9003 or the Ecological Solid Waste Management Act of 2000 declares that it is the policy of the state to adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the protection of public health and the environment;

WHEREAS, Section 37, in relation to Sections 40 and 41 of R.A. No. 9003, mandates LGUs to close down and discontinue the use of open dumpsites and controlled dumpsites in their jurisdiction, and to establish sanitary landfills as final disposal sites for municipal solid wastes (MSW);

WHEREAS, Section 44 of R.A. 9003 reiterates Section 33 of R.A. 7160 mandating provinces, cities, municipalities, and barangays, through appropriate ordinances, to consolidate or coordinate their efforts, services, and resources for purposes of jointly addressing common solid waste problems and/or establish common waste disposal facilities;

WHEREAS, Paragraph 12, Section 11 of R.A. 9003 allows for the clustering of LGUs as a viable and cost-effective solution on solid waste management;

WHEREAS, the City of Passi, Province of Iloilo and Basic Environment Systems and Technologies, Inc. ("BEST") have entered into a Public-Private Partnership (PPP) with Joint Venture as a modality on September 25, 2019 for the design, construction and operation of the Passi City Integrated Waste Management Facility to be located in Barangay Aglalana, Passi City to comply with the mandates and requirements of RA 9003;

NOW THEREFORE, for and in consideration of the foregoing premises and of the mutual covenants herein contained, the Parties hereby agree and bind themselves to the following:

1. *The Municipality of Tigbauan binds to use the Passi City Integrated Waste Management Facility as the final disposal facility for Solid Waste.*
2. *For this purpose, "Solid Waste" means waste produced from activities within territorial jurisdiction of Tigbauan, Iloilo which includes a combination of discarded household, commercial, non-hazardous institutional and industrial waste, and streets litters, but shall not include Hazardous Waste or Unacceptable Waste.*
3. *The Municipality of Tigbauan shall extend the necessary assistance to the City of Passi to ensure proper waste management, including but not limited to the passage of the relevant resolutions and budget appropriation ordinances, timely issuance of necessary licenses and permits, and provision of rights of-way.*
4. *The Municipality of Tigbauan shall abide by the following regulations by the City of Passi:*
 - a. *Article 3 Section 24 of R.A. 9003 on the Requirements for Collection of Solid Wastes shall be strictly complied with.*
 - i. *Vehicles to be used shall consider road size, condition and capacity to ensure the safe and efficient collection and transport of solid wastes;*
 - ii. *The waste compartment shall have a cover to ensure the containment of solid wastes while in transit;*
 - iii. *For the purpose of identification, vehicles shall bear the body number, the name, and telephone number of the contractor/agency collecting solid waste.*
 - b. *The City of Passi reserves the right to regulate the route and schedule of delivery of solid waste collected from other municipalities.*
 - c. *The City of Passi reserves the right to refuse entry of non-compliant transport vehicles carrying solid waste coming from the other municipalities.*
5. *In view of the services to be provided, the Municipality of Tigbauan agrees to pay in accordance with Section 9 of the Joint Venture Agreement dated September 25, 2019, a tipping fee, express as Philippine Pesos ("PhP") 792.24 per metric ton of solid waste disposed to the Facility.*

NOW, THEREFORE, on motion of HON. MA. GERRYLIN SANTUYO-CAMPOSAGRADO, Chairperson, Committee on Environmental Protection, Housing, Land Utilization, Zonification, Assessment and Expropriation, and duly seconded by Hon. Dennis T. Valencia, Hon. Neri T. Camiña, Hon. Suzette Marie Hilado-Banno, Hon. Reynaldo E. Tumabotabo, Hon. Julius T. Ledesma, Hon. Norberto T. Turalba and Hon. Jerry T. Tuares;

RESOLVED, to authorize the Municipal Mayor, Atty. Suzette T. Alquisada, for and in behalf of the Municipality of Tigbauan to Enter Into A Memorandum of Agreement with the Passi City Integrated Waste Management Facility for the Final Disposal of Solid Waste of the Municipality of Tigbauan, Iloilo.

RESOLVED FURTHER, to forward copies of this Resolution to HON. STEPHEN A. PALMARES, Passi City Mayor, to Hon. Suzette T. Alquisada, Tigbauan Municipal Mayor and to all concerned for their information and/or appropriate action.

APPROVED.

CERTIFIED CORRECT:


MARLENE TAYO-NAVA
S.B. Secretary

ATTESTED:


ATTY. VIRGILIO T. TERUEL
Vice Mayor & Presiding Officer

Hon. Dennis T. Valencia
Hon. Neri T. Camiña
Hon. Marlon R. Teruñez, Ph.D.

HON. VIRGILIO T. TERUEL, Lawyer
Municipal Vice Mayor
Sangguniang Bayan Members:
Hon. Suzette Marie Hilado-Banno, M.D.
Hon. Reynaldo E. Tumabotabo
Hon. Julius T. Ledesma, O.D.
Hon. Ma. Gerrylin Santuyo-Camposagrado, Lawyer, MPA
Hon. Norberto T. Turalba
Hon. Jerry T. Tuares, LnB-Pres.
Hon. Dyossa Marie Teruñez, SKMF Pres.