



Republic of the Philippines  
**QUEZON CITY COUNCIL**  
Quezon City  
18<sup>th</sup> City Council

PR2013-08

76<sup>th</sup> Regular Session

RESOLUTION NO. SP- 5676, S-2013

**A RESOLUTION AUTHORIZING THE CITY MAYOR, HONORABLE HERBERT M. BAUTISTA, TO ENTER INTO A USUFRUCT AGREEMENT WITH THE METROPOLITAN WATERWORKS AND SEWERAGE SYSTEM (MWSS) FOR THE QUEZON CITY GOVERNMENT TO APPROPRIATE THE LAND NECESSARY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF SEWERAGE AND/OR SEPTAGE TREATMENT PLANT FACILITIES IN PROJECT 7, QUEZON CITY.**

*Introduced by Councilor GODOFREDO T. LIBAN II.*

*Co-Introduced by Councilors Francisco A. Calalay, Jr., Dorothy A. Delarmente, Anthony Peter D. Crisolago, Ricardo T. Belmonte, Jr., Joseph P. Juico, Precious Hipolito Castelo, Alfredo D. Vargas III, Eden "Candy" A. Medina, Julienne Alyson Rae V. Medalla, Roderick M. Paulate, Julian ML. Coseteng, Allan Benedict S. Reyes, Jaime F. Borres, Jose Mario Don S. De Leon, Gian Carlo G. Sotto, Eufemio C. Lagumbay, Jesus Manuel C. Suntay, Jessica Castelo Daza, Raquel S. Malañgen, Vincent DG. Belmonte, Marvin C. Rillo, Ivy Lim-Lagman, Ramulfo Z. Ludovica and John Ansell R. De Guzman.*

*WHEREAS, consistent with the pertinent provisions of Presidential Decree No. 1216, amending Presidential Decree No. 957, the Quezon City owns all lands classified as open spaces within the residential subdivision of Project 7, Quezon City;*

*WHEREAS, within the open space specifically identified as Lot 28, Block 1, Psd-61418, containing an area of 1,335.60 square meters, more or less, covered by TCT No. 262147 of the Registry of Deeds of Quezon City, situated at the corner of Ivardoni and Anahaw Streets, Project 7, Quezon City, is an Imhoff Tank constructed in 1955 by the National Housing Authority (NHA), designed to provide collection, partial treatment and discharging of the wastewater generated within the subdivision;*

*[Handwritten signatures and initials]*

*WHEREAS, the MWSS, consistent with its mandate under Republic Act No. 6234, to own and/or have jurisdiction, supervision and control over all waterworks and sewerage system in the territory comprising the cities of Manila, took over the operation and maintenance of the said Imhoff Tank from NHA;*

*WHEREAS, consistent with Section 8 of Republic Act No. 9275, otherwise known as the Clean Water Act, the effluents of said Imhoff Tank must be treated to alter the physical, chemical or biological and radiological character or composition of any waste water to meet the effluent standards of the Department of Environment and Natural Resources, hence, it is imperative, through the joint collaboration with the DENR and MWSS, together with the concessionaire Maynilad Water Services, Inc., to upgrade the Imhoff Tank into a Joint Sewage-Septage Treatment Plant Facilities;*

*WHEREAS, one of the components of the Global Environment Facility (GEF) Grant Agreement entered into by the Republic of the Philippines with the International Bank for Reconstruction and Development (the World Bank) is the upgrading of existing Sewerage Imhoff Tank in Project 7, Quezon City with an allocated cost of US\$1.5 Million;*

*WHEREAS, the upgrading of the Imhoff Tank into a Joint Sewage-Septage Treatment Plant Facility will entail the construction of new facilities; thus, a building permit is necessary as mandated by the National Building Code and so is the consent of the registered owner, the Quezon City Government;*

*WHEREAS, Section 7 of Republic Act No. 9275 provides that the local government shall appropriate the lands necessary for the construction of sewage and/or septage treatment plant facilities;*

*WHEREAS, Section 22 (c) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that:*


*"Unless otherwise provided in the Code, no contract maybe entered into by the local chief executive in behalf of the local government unit without prior authorization by the sangguniang concerned. x x x..."*

*[Handwritten signatures and initials]*


**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED, to authorize, as it does hereby authorize the City Mayor, Honorable Herbert M. Bautista, to enter into a Usufruct Agreement with the Metropolitan Waterworks and Sewerage System (MWSS) for the local government to appropriate the land necessary for the construction, operation and maintenance of sewerage and/or septage treatment plant facilities in Project 7, Quezon City.**

**ADOPTED: January 21, 2013**

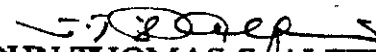
  
**MA. JOSEFINA G. BELMONTE**  
Vice Mayor  
Presiding Officer

**ATTESTED:**

  
**Atty. JOHN THOMAS S. ALFEROS III**  
City Gov't. Asst. Dept Head III

**CERTIFICATION**

**This is to certify that this Resolution was APPROVED by the City Council on Second Reading on January 21, 2013 and was CONFIRMED on January 28, 2013.**

  
**Atty. JOHN THOMAS S. ALFEROS III**  
City Gov't. Asst. Dept Head III 