



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
21st City Council

PR21CC-675

39th Regular Session

RESOLUTION NO. SP- **8327** S-2020

A RESOLUTION AUTHORIZING THE CITY MAYOR, HONORABLE MA. JOSEFINA G. BELMONTE, TO ENTER INTO, EXECUTE AND SIGN THE USUFRUCT AGREEMENT BETWEEN QUEZON CITY AND MANILA WATER COMPANY, INC., AS AGENT OF THE METROPOLITAN WATERWORKS AND SEWERAGE SYSTEM (MWSS) FOR THE UPGRADING OF THE EXISTING SEWAGE TREATMENT PLANTS (STPS) IN QUEZON CITY.

Introduced by Councilor *JORGE L. BANAL, SR.*

Co-Introduced by Councilors *Resty B. Malañgen, Bernard R. Herrera, Lena Marie P. Juico, Dorothy A. Delarmente, M.D., Tany Joe "TJ" L. Calalay, Nicole Ella V. Crisologo, Victor V. Ferrer, Jr., Atty. Bong Liban, Eden Delilah "Candy" A. Medina, Mikey F. Belmonte, Estrella C. Valmocina, Franz S. Pumaren, Kate Galang-Coseteng, Matias John T. Defensor, Wencerom Benedict C. Lagumbay, Peachy V. De Leon, Imee A. Rillo, Marra C. Suntay, Irene R. Belmonte, Ivy L. Lagman, Hero M. Bautista, Jose A. Visaya, Karl Castelo, Patrick Michael Vargas, Shaira L. Liban, Ram V. Medalla, Allan Butch T. Francisco, Marivic Co Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto-Antonio, Donato "Donny" C. Matias, Eric Z. Medina, Freddy S. Roxas and Noe Dela Fuente.*

WHEREAS, Metropolitan Waterworks and Sewerage System (MWSS) is mandated under its Charter, Republic Act No. 6234, to construct, maintain and operate dams, reservoirs and transmission lines for the purpose of supplying water to its service areas;

WHEREAS, by virtue of and pursuant to a Concession Agreement dated February 21, 1997 (the "Concession Agreement") executed by and between MWSS and Manila Water Company, Inc. (Manila Water), MWSS granted to Manila Water, as concessionaire contractor/agent, the sole right to manage, operate and maintain all fixed and moveable assets required to provide water delivery and sewerage services in the East Service Area of the franchise, which includes Quezon City;

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WHEREAS, pursuant to the Concession Agreement, Manila Water provides water supply and sewerage services to its designated service area and maintains the operation in said service area;

WHEREAS, in line with the program initiated by Manila Water in pursuance of the Concession Agreement, Manila Water as an agent of MWSS, has proposed the construction and operation of Sewage Treatment Plant (STP) in properties owned by the Quezon City Government, and entered into and executed a Memorandum of Agreement with the Quezon City Government in March 2004 therefor;

WHEREAS, the Local Government of Quezon City is the possessor and absolute owner of the following properties (the "Properties"):

A portion of Lot where Palosapis STP is situated, compound of Barangay Hall of Barangay Amihan, Q.C. (TCT No. RT-21374 [262134]) of the Registry of Deeds of Quezon City.

A portion of Lot where A. Luna STP is situated, A. Luna Street corner Evangelista Street, Project 4, Barangay Bagumbuhay, Quezon City (TCT No. 49170).

A portion of Lot where Heroes Hill STP is situated, beside Basketball Court located in Gen. Segundo Street, Barangay Sta. Cruz, Quezon City and covered by TCT No. 265552 of the Registry of Deeds of Quezon City.

A portion of Lot where Belarmino STP is situated, beside Belarmino Elementary School, Barangay Milagrosa under City Council Ordinance No. SP-756, S-98 donated in favor of Barangay Milagrosa, Quezon City.

WHEREAS, after a lapse of time and in compliance with the Department of Environment and Natural Resources (DENR) DAO 2016-08 on Water Quality Guidelines and General Standard Effluent of 2016, there is an urgent need to upgrade such Quezon City STPs to lessen the contamination of Quezon City waterways including but not limited to creeks, rivers and/or bodies of water in Quezon City;

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

“Unless otherwise provided in this Code, no contract may be entered into by the local chief executive in behalf of the local government unit without prior authorization by the Sanggunian concerned. xxx”

WHEREAS, Section 455 (b)(1)(vi) of the same Code likewise provides that:

“The City Mayor shall represent the city in all its business transactions and sign in its behalf all bonds, contracts, and obligations, and such other documents upon authority of the Sangguniang Panlungsod or pursuant to law or ordinance.”

WHEREAS, recognizing the importance of continuous Waste Water Treatment to capture the sewage and comply with the new DENR Water Quality Effluent Standard Requirement under DAO 2016-08 serving its residents, Quezon City has made the Properties available to Manila Water as concessionaire contractor/agent of MWSS to serve as the site of the Sewage Treatment Plant.

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 Ma. Josefina G. Belmonte, to enter into, execute and sign the Usufruct Agreement between Quezon City and Manila Water Company, Inc., as agent of the Metropolitan Waterworks and Sewerage System (MWSS) for the upgrading of the existing Sewage Treatment Plants (STPs) in Quezon City.

RESOLVED FURTHER, that a copy of the Usufruct Agreement shall form an integral part of this Resolution.

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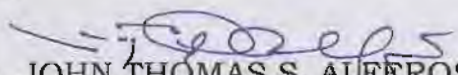
RESOLVED FINALLY, that copies of this Resolution be furnished to the Office of the City Mayor, the principal offices of the Metropolitan Waterworks and Sewerage System and Manila Water Company, Inc., and other concerned offices/agencies for their information and appropriate action.

ADOPTED: September 7, 2020.



GIAN G. SOTTO
City Vice Mayor
Presiding Officer

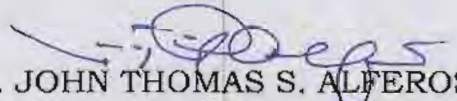
ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

CERTIFICATION

This is to certify that this Resolution was APPROVED by the City Council on Second Reading on September 7, 2020 and was CONFIRMED on September 14, 2020.



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

