SBO-009-0

Republic of the Philippines
Province of Ilocos Norte
MUNICIPALITY OF SAN NICOLAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE SECOND REGULAR SESSION OF THE 9TH SANGGUNIANG BAYAN OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE 11TH DAY OF JANUARY, 2016 AT 11:00 O'CLOCK IN THE MORNING.

PRESENT:

Hon. Alfredo P. Valdez, Jr.,	Vice-Mayor/Presiding Officer;
Hon. Aladine T. Santos,	Member;
Hon. Norberto S. Dadiz, Jr.,	Member;
Hon. Domingo C. Ambrocio, Jr.,	Member;
Hon. Ariel B. Villa,	Member;
Hon. Oscar V. Domingo,	Member;
Hon. Reynaldo A. Corpuz,	Member;
Hon. Efren C. Butay,	Member;
Hon. Linda E. Badua,	Member/Liga ng mga Barangay President.

ON LEAVE:

Hon. Orlando B. Badua, Member.

ABSENT:

None.

"RESOLUTION NO. 2016-28

A RESOLUTION AUTHORIZING THE LOCAL CHIEF EXECUTIVE, HON. MELANIE GRACE P. VALDEZ TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE NATIONAL TOBACCO ADMINISTRATION (NTA) AND THE BENEFICIARIES RATIFYING THE PROVISION OF ASSISTANCE ON THE DESILTING/DREDGING OF THREE (3) SMALL WATER IMPOUNDING PROJECTS NAMELY THE SAMAC, BUGNAY AND BINGAO SWIPS.

WHEREAS, the NTA is the sole tobacco agency primarily mandated under Executive Order No. 245 to improve the economic and living conditions and raise the quality of life of the tobacco farmers;

WHEREAS, the NTA, within the purview of its mandate and in line with the overall societal vision to attain rapid, inclusive and sustained economic growth and globally competitive, food-secured and self-sufficient agriculture fisheries sector, has pursued under its Integrated Farming and Other Income Generating Activities Project (IFOIGAP), an Irrigation Support Project for Small Tobacco Farmers, in support of the Market-Driven Quality Production and Food Sufficiency Program of the Government with funding support from the DBM, charged against the NTA's Tobacco Fund/Special Account in the General Fund (SAGF 151), pursuant to RA 4155;

WHEREAS, the Local Government Code of 1991 (RA 7160) provides that the Local Government Units (LGUs) shall also exercise functions and responsibilities of national agencies and offices that are devolved to them pursuant to this Code and shall likewise exercise other powers and discharge such other functions and responsibilities that are necessary, appropriate or incidental to efficient and effective provision of the basic facilities and services, that include among others, on agriculture, barangay irrigations systems, soils and water utilization and conservation projects; and on infrastructure, maintenance and rehabilitation of small water impounding projects, rainwater collector and water supply systems and spring development;

WHEREAS, under the Magna Carta for Small Farmers (RA 7607), the government encourages small farmers to join or form irrigator's associations that will spearhead the construction of irrigations systems and promote participation of farmers that will develop their capabilities to eventually assume operation and maintenance of irrigation systems;

WHEREAS, the NTA, LGU and FA desire to embark collectively in the implementation of the said Irrigation Support Project for Small Tobacco Farmers on the faith that the farmer associations are registered and qualified to enter into this Memorandum of Agreement;

WHEREAS, Sec. 22(c) of R.A. 7160, otherwise known as the Local Government Code, provides, that:

Sec. 22. Corporate Powers. – (a) Every local government unit, as a corporation, shall have the following powers:

xxx xxx xxx

(c) 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. A legible copy of such contract shall be posted at a conspicuous place in the provincial capitol or the city, municipal or barangay hall.

WHEREAS, the municipal mayor is empowered by the same Code to enter into contracts on behalf of the municipality, based on Section 444(b)(1)(vi) thereof which provides:

Section 444. The Chief Executive: Powers, Duties, Functions and Compensation. – xxx

(b) For efficient, effective and economical governance the purpose of which is the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code, the municipal mayor shall:

(vi) Upon authorization by the sangguniang bayan, represent the municipality in all its business transactions and sign on its behalf all bonds, contracts, and obligations, and such other documents made pursuant to law or ordinance."

WHEREAS, after thorough deliberation and consideration of the members of the Sangguniang Bayan, it was:

RESOLVED as it is hereby **RESOLVED** by the Sangguniang Bayan assembled in session, to authorize the Local Chief Executive, Honorable Melanie Grace P. Valdez to Enter Into A Memorandum of Agreement (MOA) with the National Tobacco Administration (NTA) and the Beneficiaries Ratifying the Provision of Assistance on the Desilting/Dredging of Three (3) Small Water Impounding Projects Namely the Samac, Bugnay and Bingao SWIPS.

RESOLVED, FURTHER, to transcribe copies of this resolution to the Local Chief Executive and all concerned, for their information and appropriate action;

On motion of Member Reynaldo A. Corpuz, duly seconded, foregoing resolution was unanimously approved.

UNANIMOUSLY APPROVED."

Voting on the foregoing resolution was as follows:

AYES : Members Santos, Dadiz, Jr., Ambrocio, Jr., Villa, Domingo, Corpuz, Butay and Badua, L.
NAYS : None.
ABSTAINED : None.

I hereby certify to the correctness of the foregoing resolution.

ENRIQUE P. ULEP, JR.
Secretary to the Sangguniang Bayan I

ATTESTED:

ALFREDO P. VALDEZ, JR., M.D.
Vice-Mayor/Presiding Officer

APPROVED:

MELANIE GRACE P. VALDEZ, M.D.
Municipal Mayor

Approved on: January 11, 2016