



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 10<sup>TH</sup> SANGGUNIANG BAYAN OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE 10<sup>TH</sup> DAY OF APRIL, 2017 AT 10:30 O'CLOCK IN THE MORNING.

**PRESENT:**

Hon. Edistio P. Valdez	Vice-Mayor/Presiding Officer;
Hon. Angel Miguel L. Hernando	Member;
Hon. Domingo C. Ambrocio, Jr.	Member;
Hon. Ariel B. Villa	Member;
Hon. Efren C. Butay	Member;
Hon. Norberto S. Dadiz, Jr.	Member;
Hon. Manuel D. Coloma, Sr.	Member;
Hon. Orlando B. Badua	Member;
Hon. Jessie Julito P. Pumaras, Sr.	Member;
Hon. Linda E. Badua,	Member/Liga ng mga Barangay President.

**ABSENT:**

None.

**“RESOLUTION NO. 2017-118**

**A RESOLUTION AUTHORIZING THE LOCAL CHIEF EXECUTIVE TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE NATIONAL FOOD AUTHORITY FOR THE AVAILMENT OF THE NFA RICE ON CREDIT FOR RELIEF DISTRIBUTION IN TIMES OF EMERGENCIES AND/OR NATURAL CALAMITIES.**

**WHEREAS**, the National Food Authority is a government agency charged with, among others, ensuring the nation with adequate supply and distribution of grains;

**WHEREAS**, under the Local Government Code, local government units have been vested the authority to discharge the functions and responsibilities of national agencies and offices devolved to them;

**WHEREAS**, municipalities in particular have been tasked with providing basic social services including relief assistance in times of calamities;

**WHEREAS**, the Local Government Units are required to set aside an amount equivalent to twenty percent (20% of their regular income for contractual debt servicing pursuant to paragraph (b) of Section 324 of the Local Government Code; or any amount from their estimated revenue for unforeseen expenditures arising from the occurrence of calamities, provided that such appropriation shall be used only in the area affected by the calamities;

**WHEREAS**, LGUs are required to set aside an amount equivalent to five (5%) of their estimated revenue from regular sources as an annual lump sum appropriation form for unforeseen expenditures arising from the occurrence of calamities, provided that such appropriation shall be used only;

**WHEREAS**, in order to provide immediate assistance to their constituents, the LGU has requested NFA to allow them to purchase rice on credit for its relief operation whenever a state of calamity is declared either by the local legislative bodies or the Office of the President;

**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 to enter into a Memorandum of Agreement (MOA) with the National Food Authority for the availment of the NFA rice on credit for relief distribution in times of emergencies and/or natural calamities.

**RESOLVED, FURTHER**, to designate Hon. Alfredo P. Valdez, Jr., Municipal Mayor, Mr. Dennis M. Villa, Municipal Social Welfare and Development Officer, and Mrs. Myrna T. Corpuz, Assistant Municipal Treasurer, as the authorized representatives of the Municipal Government to transact business;

**RESOLVED, FINALLY**, to transmit copy of this resolution to all concerned offices for their information and appropriate action.


On motion of Member Jessie Julito P. Pumaras, Sr., duly seconded, foregoing resolution was unanimously approved.


**UNANIMOUSLY APPROVED.”**

Voting on the foregoing resolution was as follows:

- AYES : Members Hernando, Ambrocio, Jr., Villa, Butay, Dadiz, Jr., Coloma, Sr., Badua O., Pumaras, Sr., and Badua L..
- NAYS : None.
- ABSTAINED : None.

I hereby certify to the correctness of the foregoing resolution.

**ATTESTED:**  
  
**EDISTIO P. VALDEZ**  
Vice-Mayor/Presiding Officer

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

**APPROVED:**  
  
**ALFREDO P. VALDEZ, JR., M.D.**  
Municipal Mayor

Approved on: April 12, 2017