

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE SECOND REGULAR SESSION OF THE 11^{TH} SANGGUNIANG BAYAN OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE 7^{TH} DAY OF SEPTEMBER, 2020 AT 10:40 O'CLOCK IN THE MORNING.

PRESENT:

Hon. Edistio P. Valdez Vice-Mayor/Presiding Officer;

Hon. Angel Miguel L. Hernando Member; Hon. Moera Joy N. Galing-Luna Member; Hon. Joseph Lister B. Butay Member; Hon. Norberto D. Dadiz, Sr. Member; Hon. Erico R. Ruiz, Jr. Member; Hon. Luciano R. Caraang Member; Hon. Jessie Julito P. Pumaras, Sr. Member;

Hon. Juanito P. Ulep, Jr. Member/Liga ng mga Barangay President;

Hon. Inno Ma. Angelo Paulo O. Hernando Member/PPSK President.

ABSENT:

None.

"RESOLUTION NO. 2020-265

A RESOLUTION AUTHORIZING THE LOCAL CHIEF EXECUTIVE TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE PROVINCIAL GOVERNMENT OF ILOCOS NORTE FOR THE PROCESSING OF CASH ASSISTANCE WHICH HAVE PROVIDED BY THE PROVINCIAL GOVERNMENT OF ILOCOS NORTE HEADED BY THE HONORABLE GOVERNOR MATTHEW J. MARCOS MANOTOC, IN COMPLIANCE TO THE RA 9003.

WHEREAS, Republic Act (RA) 9003, otherwise known as the Ecological Solid Waste Management Act of 2000 provides 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 environment and utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resources conservation and recovery, among others;

WHEREAS, Section 8 RA 9003 mandates Department to provide support to the LGUs in the development and implementation of local solid waste management plans and programs;

WHEREAS, pursuant to the relevant provisions of RA 7160, otherwise known as the Local Government Code of 1991, LGUs shall be primarily responsible for the implementation and enforcement of the provisions of R.A. 9003 within their respective jurisdictions; segregation and collection of solid waste shall be conducted at the barangay level specifically for biodegradable, compostable and reusable wastes; and the collection of non-recyclable materials and special wastes shall be the responsibility of the municipality;

WHEREAS, Section 32 of RA 9003 mandates the establishment of a Material Recovery Facility (MRF) in every barangay or cluster of barangays. The MRF shall be designed to receive, sort, process, and store compostable and recyclable material efficiently and in an environmentally sound manner that will accommodate efficient and safe materials processing, movement, and storage, and aloe efficient and safe external access and to accommodate internal flow;

WHEREAS, the Provincial Government of Ilocos Norte will be providing funds to the Municipality of San Nicolas, Ilocos Norte amounting to Two Million Five Hundred Pesos (P2,500,000.00).



WHEREAS, the Local Government Unit of San Nicolas is interested to avail of the financial assistance from the PGIN for the establishment or implementation of waste management facilities such as Plastic Shredder, Rapid Composting Machine, Materials Recovery Facility (MRF) and Sanitary Landfill (SLF).

WHEREAS, after due consideration, the Sangguniang Bayan finds that the said measure is for the interest of the public service and would enhance the immediate delivery of basic services to our affected people, is convinced of the merit and wisdom of the purpose of which authority is hereby sought by the Honorable Mayor.

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 Provincial Government of Ilocos Norte for the Processing of Cash Assistance Which Have Provided by the Provincial Government of Ilocos Norte Headed by the Honorable Governor Matthew J. Marcos Manotoc, In Compliance to the RA 9003.

RESOLVED, FURTHER, that copies of this Resolution be furnished the Honorable Mayor and all concerned national government agencies, for their information.

On motion of Member Erico R. Ruiz, Jr., duly seconded, foregoing resolution was unanimously approved.

UNANIMOUSLY APPROVED."

Voting on the foregoing resolution was as follows:

AYES: Members Hernando, A., Galing-Luna, Butay, Ruiz, Jr., Caraang,

Pumaras, Sr., Ulep, Jr. and Hernando, I.

NAYS : None. ABSTAINED : None.

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I hereby certify to the correctness of the foregoing resolution.

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

ATTESTED:

EDISTIO P. VALDEZ Vice-Mayor/Presiding Officer

APPROVED:

ALFREDO P. VALDEZ, JR., M.D. Municipal Mayor

Approved on: September 7, 2020