



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

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE FOURTH REGULAR SESSION OF THE 12TH
SANGGUNIANG BAYAN OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE HELD
AT THE MUNICIPAL SESSION HALL ON THE 22ND DAY OF AUGUST, 2022
AT 11:00 O'CLOCK IN THE MORNING.

PRESENT:

Hon. Napoleon L. Hernando	Vice-Mayor/Presiding Officer;
Hon. Luciano R. Caraang	Member;
Hon. Moera Joy N. Galing-Luna	Member;
Hon. Erico R. Ruiz, Jr.	Member;
Hon. Chona P. Hernandez	Member;
Hon. Jessie Julito P. Pumaras, Sr.	Member;
Hon. Norberto S. Dadiz, Jr.	Member;
Hon. Juanito P. Ulep, Jr.	Member;
Hon. Jorge Cesar T. Palafox	Member//Liga ng mga Barangay President;
Hon. Inno Ma. Angelo Paulo O. Hernando	Member/PPSK President.

ABSENT:

None.

“RESOLUTION NO. 2022-200

A RESOLUTION AUTHORIZING THE LOCAL CHIEF EXECUTIVE TO ENTER INTO A RICE SALES MEMORANDUM OF AGREEMENT (MOA) WITH THE NATIONAL FOOD AUTHORITY (NFA).

WHEREAS, the NFA pursuant to Republic Act 11203 is the government agency mandated to maintain an optimal level of rice inventory at any given time to be used for emergency situations and to sustain the disaster-relief programs of the government during natural or man-made calamities;

WHEREAS, under the Local Government Code (LGC), the Local Government Units (LGUs) are vested with authority to discharge the functions and responsibilities of national agencies and offices devolved to them;

WHEREAS, Local Government Units have been tasked with providing basic social service at all times particularly in times of calamities;

WHEREAS, the Local Government Units (LGUs) in order to provide immediate assistance to their constituents, has requested the NFA to allow them to purchase rice on cash and credit for relief distribution operation/stockpiling/prepositioning as part of their disaster preparedness and other needs of their various projects/programs;

WHEREAS, the Local Government Units (LGUs) are authorized to set aside five (5%) of the Internal Revenue Allotment (IRA) or any amount from estimated revenue for unforeseen expenditures arising from the occurrence of calamities, provided, that such appropriation shall be used only in the area affected by a disaster or calamity.

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

Page 2, Resolution No. 2022-200;

(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 Rice Sales Memorandum of Agreement (MOA) with the National Food Authority (NFA).

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

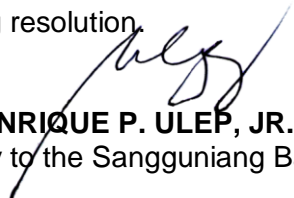
On motion of Member Juanito P. Ulep, Jr., duly seconded, foregoing resolution was unanimously approved.

UNANIMOUSLY APPROVED.”


Voting on the foregoing resolution was as follows:

- AYES : Members Caraang, Galing-Luna, Hernandez, Ruiz, Jr., Pumaras, Sr., Dadiz, Jr., Ulep, Jr., Palafox and Hernando, I.
- 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:


NAPOLEON L. HERNANDO
Vice-Mayor/Presiding Officer

APPROVED:


ANGEL MIGUEL L. HERNANDO
Municipal Mayor

Approved on: August 22, 2022