



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 12TH SANGGUNIANG BAYAN OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE 12TH DAY OF DECEMBER, 2022 AT 10:15 O’CLOCK IN THE MORNING.

PRESENT:

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| 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. Cesar R. Agustin | 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. 2022-341

A RESOLUTION AUTHORIZING THE LOCAL CHIEF EXECUTIVE TO REPRESENT THE MUNICIPALITY AND SIGN THE TRIPARTITE AGREEMENT AMONG THE MUNICIPALITY, THE NATIONAL IRRIGATION ADMINISTRATION AND THE SAN MARCOS PIS REGARDING THE COMMUNAL IRRIGATION SYSTEMS (CISs) DEVOLUTION.

WHEREAS, the Republic Act 7160 (RA 7160) known as Local Government Code (LGC) of 1991 mandates the devolution to the Local Government Units (LGUs) of functions previously discharged by the national government offices and agencies including the delivery of basic services and performance of specific functions and responsibilities;

WHEREAS, the Executive Order No. 138, series of 2021 mandates the devolution of certain functions of Executive Branch to the Local Government Units starting FY 2022;

WHEREAS, the devolution requires a full turnover of complete management of Communal Irrigation Systems (CISs) nationwide which includes provision of technical support in the planning, design, construction, rehabilitation, restoration and operation and maintenance and institutional development program of the irrigation systems;

WHEREAS, the turnover of functions and responsibilities will take effect immediately upon signing of the MOA and Certificate of Acceptance by the LGU to assume full supervision, monitoring and provision of support services to the CISs;

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 represent the municipality and sign the tripartite agreement among the municipality, the National Irrigation Administration and the San Marcos PIS regarding the Communal Irrigation Systems (CIS) Devolution.

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 Erico R. Ruiz, Jr., duly seconded, foregoing resolution was unanimously approved.

UNANIMOUSLY APPROVED.”

Voting on the foregoing resolution was as follows:

- AYES : Members Caraang, Galing-Luna, Ruiz, Jr., Hernandez, Pumaras, Sr., Dadiz, Jr., Ulep, Jr., Agustin, 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: December 14, 2022