## OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE SECOND REGULAR SESSION OF THE  $12^{\text{TH}}$  SANGGUNIANG BAYAN OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE  $14^{\text{TH}}$  DAY OF AUGUST, 2023 AT 10:45 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. Cesar R. Agustin Member;

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

## ON SICK-LEAVE:

Hon. Jorge Cesar T. Palafox Member/Liga ng mga Barangay President.

ABSENT: None.

## **"RESOLUTION NO. 2023-230"**

A RESOLUTION AUTHORIZING THE LOCAL CHIEF EXECUTIVE TO REPRESENT THE MUNICIPALITY AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE MUNICIPALITY AND THE OFFICE OF THE PRESIDENT REGARDING THE PROVISION OF FINANCIAL ASSISTANCE FOR THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE DUE TO TYPHOON EGAY.

**WHEREAS**, Article I, Section 25 (c) of Republic Act No. 7160 otherwise known as the "Local Government Code of 1991" provides that:

"The President may, upon request of the local government unit concerned, direct the appropriate national agency to provide financial, technical, or other forms of assistance to the local government unit. Such assistance shall be extended at no extra cost to the local government unit concerned."

**WHEREAS**, Section 17 (f) of the same R.A. No. 7160 states that:

"The national government or the next higher level of local government unit may provide or augment the basic services and facilities assigned to a lower level of local government unit when such services or facilities are not made available or, if made available, are inadequate to meet the requirements of its inhabitants."

**WHEREAS**, the Office of the President sees the need to provide financial assistance to the Municipal Government of San Nicolas, due to the effects of Typhoon "Egay";

**WHEREAS**, Section 2.8 of Office Order No. 2, s. 2016 "General Guidelines on the Management and Administration of the Socio-Civic Projects Fund (SCPF)" provides that other forms of special assistance, financial or otherwise, may be granted to target individuals, communities, or group beneficiaries for public health, and other socio-civic purposes;

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**WHEREAS**, the Office of the President shall release to the Municipal Government of San Nicolas the said grant in the total amount of Three Million Pesos (P3,000,000.00), charged against the SCPF. The said release shall be made consistent with the following disbursement schedule:

Tranche	Amount	Condition/s
1st tranche	2,000,000.00	To be released immediately
2 <sup>nd</sup> tranche	1,000,000.00	To be released upon submission of liquidation/ disbursement documents for the 1 <sup>st</sup> tranche release
		the intranche release

**WHEREAS**, the grant shall be utilized to provide the immediate needs and concerns of the people of Municipal Government of San Nicolas who were affected by Typhoon "Egay";

**WHEREAS**, the Municipal Government of San Nicolas shall utilize the grant for a period of one (1) year reckoned from the date of the actual transfer of the fund. Any unutilized portion after the lapse of the one year period shall be returned to 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.

**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 Memorandum of Agreement (MOA) between the municipality and the Office of the President regarding the provision of financial assistance for the Municipality of San Nicolas, Ilocos Norte due to Typhoon Egay.

**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 Norberto S. Dadiz, Jr., duly seconded, foregoing resolution was unanimously approved.

**UNANIMOUSLY APPROVED."** 

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Voting on the foregoing resolution was as follows:

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

**NAYS** None. None. ABSTAINED :

I hereby attest to the correctness of the foregoing resolution.

ENRIQUE P. ULEP, JR.

Secretary to the Sangguniang Bayan I

**CERTIFIED TRUE AND CORRECT:** 

NAPOLEON L HERNANDO Vice-Mayor/Presiding Officer

**APPROVED:** 

ANGEL MIGUEL L. HERNANDO Municipal Mayor

Approved on: August 16, 2023