

Republic of the Philippines
Province of Davao Oriental
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
SP Complex, Government Center, Dahican
CITY OF MATI



EXCERPTS FROM THE MINUTES OF THE 45TH REGULAR SESSION OF THE 17TH SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL HELD ON WEDNESDAY, MAY 10, 2023 AT THE CITY OF MATI, THIS PROVINCE.

PRESENT:

Hon. Nelson R. Dayanghirang, Jr. SP Member, District I – Acting Vice Governor
Temporary Presiding Officer

Regular Members:

District I

Hon. Anna Cheryl N. Castro
Hon. Art Benjie C. Bulaong
Hon. Marietta D. Palmera
Hon. Andy A. Monday

District II

Hon. Harold A. Montes
Hon. Rotchie M. Ravelo
Hon. Daud V. Linsag
Hon. Stephen Paul L. Uy

Ex-Officio Members:

Hon. Rustan R. Castellones	President, Liga Ng Mga Barangay (LNB) - Davao Oriental Chapter
Hon. Eleuterio C. Manaytay	Indigenous Peoples Mandatory Representative (IPMR)
Hon. Ronald T. Lara, Jr.	Sangguniang Kabataan Provincial Federation President (SKPPF)

ABSENT:

Hon. Niño Sotero L. Uy, Jr.	Vice Governor – Acting Governor
Hon. Shella Marie S. Go	SP Member, District II – Vacation Leave
Hon. Joselito B. Villademosa	President, Philippine Councilors League (PCL) - Davao Oriental Chapter – Special Privilege Leave

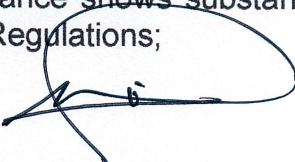
RESOLUTION NO. 17-438-05-2023

Author : Hon. Marietta D. Palmera
Sponsor : Hon. Marietta D. Palmera

A RESOLUTION DECLARING THE APPROPRIATION ORDINANCE NO. 2022-05 OF THE MUNICIPALITY OF BANAYBANAY, DAVAO ORIENTAL, OPERATIVE IN ITS ENTIRETY, SUBJECT TO SOME CONDITIONS.

WHEREAS, Appropriation Ordinance No. 2022-05 of the Municipality of Banaybanay, Davao Oriental, authorizing its FY 2023 General Fund Annual Budget and Economic Enterprise & Public Utilities, involving an appropriation of **Two Hundred Fifty Million Five Hundred Forty Thousand Seven Hundred Seventy (P250,540,770.00) Pesos and Six Million Five Hundred Fifty Thousand (P6,550,000.00) Pesos**, respectively, was submitted to this Sanggunian for review on February 3, 2023, pursuant to the provisions of Republic Act No. 7160;

WHEREAS, the subject Appropriation Ordinance shows substantial compliance with the same law and its Implementing Rules and Regulations;

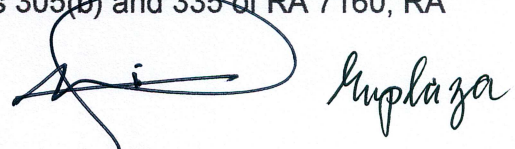

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WHEREFORE, on motion of SP Member Marietta D. Palmera, duly and jointly seconded by SP Members Harold A. Montes, Andy A. Monday, Stephen Paul L. Uy, Rustan R. Castellones, and Anna Cheryl N. Castro, it was

THE SANGGUNIANG PANLALAWIGAN IN SESSION DULY ASSEMBLED:

RESOLVED, to declare Appropriation Ordinance No. 2022-05 of the Municipality of Banaybanay, Davao Oriental, **OPERATIVE IN ITS ENTIRETY** as of its stated effectivity date, subject to the posting requirements under Section 59 of RA No. 7160 and subject further to the following conditions:

1. Necessary adjustment shall be made in the expenditure program under the Economic Enterprise and Public Utilities, the total amount of fund appropriation must be within the amount authorized by the Sangguniang Bayan in this Appropriation Ordinance;
2. The LGU is advised to make necessary adjustment by way of reducing the appropriation by P188,002.00 since the reduction of NTA would affect the implementation of PPAs identified under 20% DF, 5% CF and possibly on other items;
3. Implementation of PPAs under the Gender and Development shall be in accordance with PCW-DILG-DBM-NEDA Joint Memorandum Circular No. 2016-01, dated January 12, 2016; Implementing RA No. 9710 or the Magna Carta of Women; RA 7192 or Women in Development and Nation Building Act;
4. Utilization of LDRRM Fund shall conform with RA 10121 and its IRR, pursuant to NDRRMC-DBM-DILG Joint Memorandum Circular No. 2013-1, dated March 25, 2013, and other related issuances;
5. Utilization of 20% Development Fund implementing its PPAs shall be in accordance with DBM-DILG Joint Memorandum Circular No. 2017-1, dated February 22, 2017, and other relevant issuances/policies;
6. The utilization of Confidential Fund shall be in accordance with DBM-DILG-DND-GCG-COA Joint Circular No. 2015-01, dated January 8, 2015. Likewise, PPAs under the Peace & Order shall be in accordance with DILG MC No. 2015-128, dated November 2, 2015, and other relevant policies and budgeting, accounting and auditing rules and regulations;
7. Implementation of the PPAs under the Local Councils for the Protection of Children shall be in accordance with RA 9344 or Juvenile Justice and Welfare Act of 2006;
8. PPAs for Senior Citizens and Persons with Disabilities shall conform with DBM-DSWD Joint Circular No. 2003-01, dated April 28, 2003, pursuant to RA 9994 amending RA 7432, and RA 9442 amending RA 7277;
9. Identification of Climate Change Expenditure Typologies of the PAPs in the Annual Investment Program (AIP) shall be consistent with DBM-CCC-DILG Joint Circular No. 2015-1, dated July 23, 2015. As required in the same circular, forms shall be submitted to the Climate Change Commission for review and consolidation, copy furnished DILG and DBM;
10. Lump sum appropriations in Other Special Purpose Appropriation / Other MOOE / Capital Outlay, etc. shall be subject to Sections 305(b) and 335 of RA 7160, RA



Marietta D. Palmera

9184 and its Revised IRR, and other existing pertinent laws, rules and regulations imposing restraints on government expenditures;

Likewise, purchase of Motor Vehicles (MVs) shall conform with the guidelines prescribed under the following:

- i) NBC Nos. 446 and 446-A, dated November 24, 1995 and January 30, 1998, respectively;
 - ii) Budget Circular No. 2017-1 and 2010-2, dated April 26, 2017 and March 1, 2010, respectively;
 - iii) Administrative Order No. 233, dated August 1, 2008 as amended by Administrative Order No. 15, dated May 25, 2011 and Administrative Order No. 14, s. 2018;
 - iv) Budget Circular 2019-2, dated March 4, 2019 and Budget Circular 2019-9, dated May 6, 2019;
 - v) Circular Letter 2019-9, dated July 11, 2019 and other related ensuing issuances regarding the purchase of MV.
11. It is understood that an Indicative Annual Procurement Plan (APP) has been attached to the Annual Budget in accordance with Sections 7.3.4 and 7.3.5 of the Revised Implementing Rules and Regulations (IRR) of RA 9184;
 12. The LGU shall record their financial transactions in accordance with the Revised Chart of Accounts for LGUs effective January 1, 2015, pursuant to COA Circular No. 2015-009, dated December 1, 2015;
 13. Payment of Magna Carta Benefits to Public Health Workers shall be consistent with the Rules and Regulations prescribed under DBM-DOH Joint Circular No. 1, s. 2012, dated November 29, 2012 as amended by DBM-DOH Joint Circular No. 1, s. 2016, dated January 15, 2016;
 14. It is understood that the funding requirements for the preparation and implementation of the LGU's DTP, CapDev and Communication Plan and Strategy shall be included and prioritized by the LGU in their Annual Investment Program (AIP) and Annual Budget, pursuant to LBM No. 82, dated June 14, 2021;

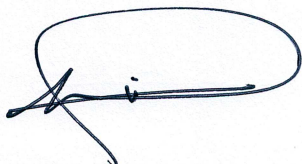
In addition, no program/project/activity (PPA) shall be funded in the Annual and/or Supplemental Budgets if it is not included and/or in accordance with the approved Annual and/or Supplemental Investment Program, pursuant to Section 305(i) of RA 7160;

15. The grant of Representation Allowance and Travelling Allowance (RATA) shall be in accordance with DBM LBC No. 103, dated May 15, 2013;
16. In all cases, disbursement of appropriations herein authorized shall be subject to availability of funds and all accounting and auditing rules and regulations.

RESOLVED FURTHER, to inform the Municipality of Banaybanay, Davao Oriental, that this review action does not authorize any item of appropriation that is specifically prohibited by or inconsistent with the provisions of law.

RESOLVED FINALLY, to send a copy of this Resolution to the Sangguniang Bayan of Banaybanay, Davao Oriental, through the Municipal Mayor.

ADOPTED, May 10, 2023.



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CARRIED AND APPROVED.

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We hereby certify that the foregoing is a true and accurate copy of the Resolution which was duly adopted by the Sangguniang Panlalawigan of Davao Oriental, during its 45th Regular Session, held on May 10, 2023.

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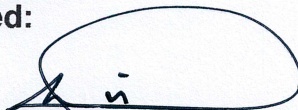
**I hereby Certify to the Correctness
of the foregoing Resolution.**



EVANGELINE UY-PLAZA

*Provincial Government Assistant Department Head
Assistant Secretary to the Sangguniang Panlalawigan
Acting Secretary*

**Attested and Certified
to be duly Adopted:**



NELSON R. DAYANGHIRANG, JR.

*Acting Vice Governor
Temporary Presiding Officer*