

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 107TH REGULAR SESSION OF THE 17TH SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL HELD ON WEDNESDAY, JULY 17, 2024, AT THE CITY OF MATI, THIS PROVINCE.

PRESENT:

Regular Members:

District I

Hon. Anna Cheryl N. Castro
 Hon. Marietta D. Palmera
 Hon. Andy A. Monday

 Hon. Michelle M. Centeno

District II

Hon. Harold A. Montes
 Hon. Rotchie M. Ravelo
 Hon. Daud V. Linsag – Temporary
 Presiding Officer

Ex-Officio Members:

Hon. Joselito B. Villademoso

 Hon. Eleuterio C. Manaytay

President, Philippine Councilors League
 (PCL) - Davao Oriental Chapter
 Indigenous Peoples Mandatory
 Representative (IPMR)

ABSENT:

Hon. Nelson R. Dayanghirang, Jr.
 Hon. Shella Marie S. Go
 Hon. Stephen Paul L. Uy

Vice Governor
 SP Member, District II
 SP Member, District II – OB – City of Mati
 and Banaybanay

Hon. Art Benjie C. Bulaong
 Hon. Jossone Michael G. Dayanghirang

SP Member, District I
 President, Liga Ng Mga Barangay (LNB)
 Davao Oriental Chapter – Special Privilege
 Leave

Hon. Shanine C. Lintogonan

Sangguniang Kabataan Provincial
 Federation President (SKPFP) – OB Boston

RESOLUTION NO. 17-1013-07-2024

Author : Hon. Rotchie M. Ravelo

Sponsor : Hon. Rotchie M. Ravelo

A RESOLUTION DECLARING THE APPROPRIATION ORDINANCE NO. 2023-07 OF THE MUNICIPALITY OF BANAYBANAY, DAVAO ORIENTAL, OPERATIVE IN ITS ENTIRETY, SUBJECT TO SOME CONDITIONS.

WHEREAS, Appropriation Ordinance No. 2023-07 of the Municipality of Banaybanay, Davao Oriental, authorizing its CY 2024 General Fund Annual Budget, involving an appropriation of **TWO HUNDRED SIXTY-FIVE MILLION THREE HUNDRED FIFTY-THREE THOUSAND ONE HUNDRED FOUR PESOS (P265,353,104.00)**, and **EIGHT MILLION SIX HUNDRED EIGHTY-ONE THOUSAND NINE HUNDRED NINETY PESOS (P 8,681,990.00)** for Economic Enterprise, was submitted to this Sanggunian for review on January 24, 2024, pursuant to the provisions of Republic Act No. 7160;

WHEREAS, the subject Appropriation Ordinance reveals substantial compliance with the same law and its Implementing Rules and Regulations, except for the **excess in**

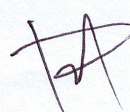
the amount of P1,641.98 intended for Discretionary Fund of the Mayor in the amount of P50,000.00. As required under Section 325(h) of the Local Government Code, 2% of the LGU's actual receipts derived from RPT for CY 2022 (P2,417,900.88) shall be **P48,358.02;**

WHEREFORE, on motion of SP Member Rotchie M. Ravelo, duly and jointly seconded by SP Members Andy A. Monday, Anna Cheryl N. Castro, Eleuterio C. Manaytay, and Joselito B. Villademoso, it was

THE SANGGUNIANG PANLALAWIGAN IN SESSION DULY ASSEMBLED:

RESOLVED, to declare Appropriation Ordinance No. 2023-07 of the Municipality of Banaybanay, Davao Oriental, **OPERATIVE IN ITS ENTIRETY** as of its stated effective date, subject to the posting requirements under Section 59 of RA No. 7160, and subject further to the following conditions:

1. The excess amount of **P1,641.98** for Discretionary Fund of the Mayor shall be reverted to the unappropriated fund of the General Fund;
2. Miscellaneous Personnel Benefit Fund (MPBF) in the lump sum amount of **P3,500,000.00** shall be supported with specific guidelines for its intended purpose issued by Department of Budget and Management or any authorized agencies;
3. The LGU is advised to make necessary adjustment by way of reducing the appropriation by **P28,659.00** since the reduction of NTA would affect the implementation of PPAs identified under 20% DF, 5% CF and possibly on other items;
4. The appropriations for the PPAs in this budget shall be in accordance with the approved CY 2024 Annual Investment Program (AIP) and/or Supplemental Annual Investment Program (SAIP) / Development Fund, pursuant to Sections 287 and 305(i) of RA 7160; DILG MC No. 2004-130, dated October 1, 2004; DILG-NEDA-DBM-DOF Joint Memorandum Circular No. 1, s. 2016, dated November 18, 2016;
5. Utilization of 20% Development Fund implementing its PPAs shall be in accordance with DBM-DOF-DILG Joint Memorandum Circular No. 01, s. 2020, dated November 4, 2020;
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. 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;
8. Lump sum appropriations in Special Purpose Appropriation / Other MOOE / Capital Outlay, etc. shall be subject to Sections 305(b) and 335 of RA 7160, RA 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 NBC Nos. 446 and 446-A, dated November 24, 1995 and January 30, 1998, respectively; Budget Circular Nos. 2017-1 (April 26, 2017) and 2010-2 (March 2010); and Administrative Order No. 233 (August 1, 2008) as amended by Administrative Order No. 15 (May 25, 2011); Administrative Order No. 14, s. 2018; BC 2019-2 (March 4, 2019); BC 2019-3 (May 16, 2019); Circular Letter 2019-9



(July 11, 2019), and other related ensuing issuance regarding the purchase of MV, and purchase of plane tickets pursuant to GPPB Resolution No. 11-2017, dated March 10, 2017.

Also, the LGU is reminded that an Authority to Purchase MV is condition precedent before an Invitation to Bid is posted;

9. 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;
10. The Annual Operating Budget of Local Economic Enterprise/s shall be in accordance with Sections 313(a) and 325 of the Local Government Code;
11. 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: July 17, 2024.

CARRIED AND APPROVED.

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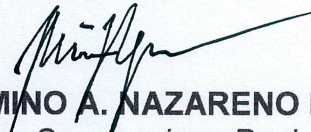
We hereby certify that the foregoing is a true and accurate copy of the Resolution which was duly adopted by the Sangguniang Panlalawigan of Davao Oriental, during its 107th Regular Session, held on July 17, 2024.

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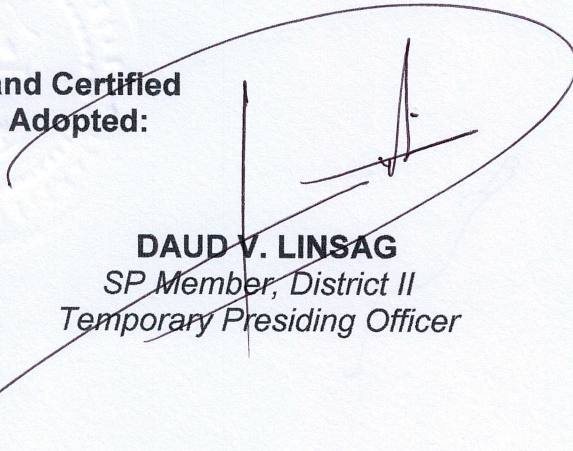
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**I hereby Certify to the Correctness
of the foregoing Resolution.**



MAXIMINO A. NAZARENO II
Secretary to the Sangguniang Panlalawigan

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



DAUD V. LINSAG
*SP Member, District II
Temporary Presiding Officer*