



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 111TH REGULAR SESSION OF THE 17TH SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL HELD ON WEDNESDAY, AUGUST 14, 2024, AT THE CITY OF MATI, THIS PROVINCE.

PRESENT:

Hon. Nelson R. Dayanghirang, Jr. Vice Governor – Presiding Officer

Regular Members:

District I

Hon. Art Benjie C. Bulaong
Hon. Marietta D. Palmera
Hon. Andy A. Monday

District II

Hon. Shella Marie S. Go
Hon. Rotchie M. Ravelo
Hon. Stephen Paul L. Uy

Ex-Officio Members:

Hon. Joselito B. Villademos	President, Philippine Councilors League (PCL) - Davao Oriental Chapter
Hon. Jossone Michael G. Dayanghirang	President, Liga Ng Mga Barangay (LNB) Davao Oriental Chapter
Hon. Shanine C. Lintogonan	Sangguniang Kabataan Provincial Federation President (SKPPF)

ABSENT:

Hon. Anna Cheryl N. Castro	SP Member, District I – Sick Leave
Hon. Harold A. Montes	SP Member, District II – OB – City of Mati
Hon. Daud V. Linsag	SP Member, District II
Hon. Michelle M. Centeno	SP Member, District I
Hon. Eleuterio C. Manaytay	Indigenous Peoples Mandatory Representative (IPMR) – Sick Leave

RESOLUTION NO. 17-1050-08-2024

Author : Hon. Rotchie M. Ravelo
Sponsor : Hon. Rotchie M. Ravelo

A RESOLUTION RETURNING TO THE SANGGUNIANG BAYAN OF CARAGA, DAVAO ORIENTAL, THE MUNICIPAL ORDINANCE NO. 06, SERIES OF 2024, WITHOUT ACTION, PENDING CLARIFICATIONS AND THEIR APPROPRIATE ACTION ON WHETHER THE MUNICIPAL DEVELOPMENT COUNCIL (MDC) RESOLUTION NO. 06, SERIES OF 2024, AS MENTIONED THEREOF PERTAINS TO THE ANNUAL INVESTMENT PROGRAM OF THE MUNICIPALITY AND IS DULY ADOPTED/APPROVED BY THE SANGGUNIANG BAYAN, INCLUDED/INCORPORATED THEREIN THE PROJECTS TO BE FUNDED BY THE PROPOSED BORROWING, PURSUANT TO SECTIONS 109(a) AND 114(a) OF RA 7160.

WHEREAS, submitted for review and confirmation before the August Body is the abovementioned Ordinance which was passed and approved by the Sangguniang Bayan of Caraga on June 7, 2024;

WHEREAS, Municipal Ordinance No. 06, series of 2024, an ordinance authorizing the proposed borrowing of the Local Government Unit of Caraga, Davao Oriental, represented by its Municipal Mayor, Hon. Ronie S. Osnan, to the Development Bank of the Philippines, in the aggregate amount of P300,000,000.00, to fund the following projects as identified and approved by the Municipal Development Council thru MDC Resolution No. 06, series of 2024, to wit:

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|--|-----------------|
| a. Acquisition of heavy equipment and transportation equipment | P100,000,000.00 |
| b. Purchase of lot for government infrastructures | 100,000,000.00 |
| c. Construction of multi-purpose tourism building | 50,000,000.00 |
| d. construction of multi-purpose legislative building | 50,000,000.00 |

WHEREAS, stated in the Ordinance that the abovementioned projects are in accordance with the local infrastructure and/or other socio-economic development projects aligned with the approved Local Development Investment Plan for Calendar Years 2020-2025 of the Municipality;

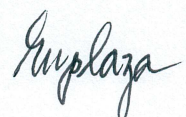
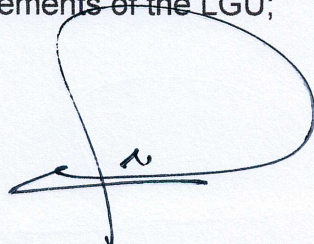
WHEREAS, stated in the Ordinance that the abovementioned projects are identified and approved by the Municipal Development Council (MDC) under MDC Resolution No. 06, series of 2024. However, it was not indicated thereof that said MDC Resolution pertains to the formulated Annual Investment Program (AIP) of the Municipality, nor it was duly adopted/approved by the Sangguniang Bayan. The said resolution is not attached thereof;

WHEREAS, it must be emphasized hereof that the CY 2024 Annual Budget as approved by an Appropriation Ordinance together with the Annual Investment Program (AIP) of the Municipality of Caraga has yet to be submitted before this Sangguniang Panlalawigan for review pursuant to Sections 56 and 327 of RA 7160;

WHEREAS, Section 296(a) and Article 394(a) of RA 7160 and its IRR, respectively, provides that the LGU may create indebtedness and avail of credit facilities to finance local infrastructure and other socio-economic development projects in accordance with the approved local development plan and **public investment program**. It generally provides that the proposed projects specified in the Municipal Ordinance to be financed under the proposed borrowing must be aligned with the approved local development plan and **public investment program** formulated by the Municipal Development Council and **duly approved by the Sangguniang Bayan, in relation to Sections 109(a) and 114(a) of RA 7160;**

WHEREAS, as defined under the Budget Operations Manual - 2023 Edition, **Local Development Investment Plan (LDIP)** is a basic document linking the plan to the budget. It contains a prioritized list of PPAs which are derived from the CDP in the case of cities and municipalities, and the PDPFP, in the case of provinces. The LDIP should include PPAs to be implemented and financed annually within a three (3) to six (6) year period;

WHEREAS, **Annual Investment Program (AIP)** refers to the annual slice of the Local Development Investment Program (LDIP) which constitutes the total resource requirements for all PPAs consisting the annual capital expenditure and regular operating requirements of the LGU;



WHEREAS, while this August Body believes that the aforementioned projects are vital to the overall development goals of the Local Government Unit of Caraga, this Honorable Sangguniang Panlalawigan takes due diligence in exercising its review powers and functions for a substantial review of the subject matter and determine whether the Municipal Ordinance No. 06, series of 2024, approved by the Sangguniang Bayan of Caraga is within their scope of prescribed powers, pursuant to Section 468(a)(1)(i) of R.A. 7160;

WHEREAS, prior to the favorable consideration of the Municipal Ordinance under review, this August Body deems it important to be clarified whether the aforementioned **Municipal Development Council (MDC) Resolution No. 06, series of 2024**, pertains to the Annual Investment Program of the municipality and is duly adopted/approved by the Sangguniang Bayan, pursuant to Sections 109(a) and 114(a) of RA 7160.

WHEREFORE, on motion of SP Member Rotchie M. Ravelo, duly and jointly seconded by SP Members Andy A. Monday and Shanine C. Lintogonan, it was

RESOLVED, as it is hereby resolved, **RETURNING TO THE SANGGUNIANG BAYAN OF CARAGA, DAVAO ORIENTAL, THE MUNICIPAL ORDINANCE NO. 06, SERIES OF 2024, WITHOUT ACTION, PENDING CLARIFICATIONS AND THEIR APPROPRIATE ACTION ON WHETHER THE MUNICIPAL DEVELOPMENT COUNCIL (MDC) RESOLUTION NO. 06, SERIES OF 2024, AS MENTIONED THEREOF PERTAINS TO THE ANNUAL INVESTMENT PROGRAM OF THE MUNICIPALITY AND IS DULY ADOPTED/APPROVED BY THE SANGGUNIANG BAYAN, INCLUDED/INCORPORATED THEREIN THE PROJECTS TO BE FUNDED BY THE PROPOSED BORROWING, PURSUANT TO SECTIONS 109(a) AND 114(a) OF RA 7160 UNDER THE BUDGET OPERATIONS MANUAL FOR LGU (2023 EDITION);**

RESOLVED, FINALLY, That copies of this resolution be furnished: The Honorable Municipal Mayor and the Honorable Sangguniang Bayan Members thru its Presiding Officer of Caraga, Davao Oriental, for their information and guidance.

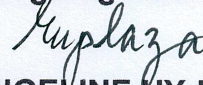
CARRIED AND APPROVED.

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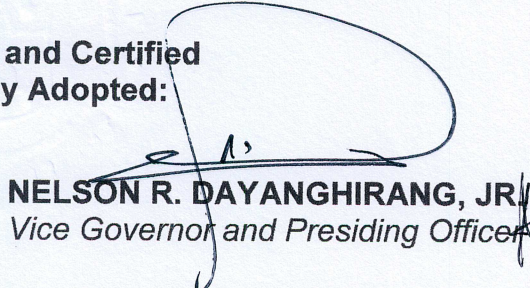
I hereby Certify to the Correctness
of the foregoing Resolution.



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.
Vice Governor and Presiding Officer