



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 120TH REGULAR SESSION OF THE 17TH SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL HELD ON WEDNESDAY, OCTOBER 16, 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. Shella Marie S. Go
Hon. Harold A. Montes
Hon. Rotchie M. Ravelo
Hon. Daud V. Linsag – Temporary
Presiding Officer

Ex-Officio Members:

Hon. Jossone Michael G. Dayanghirang President, Liga Ng Mga Barangay (LNB)
Davao Oriental Chapter
Hon. Eleuterio C. Manaytay Indigenous Peoples Mandatory
Representative (IPMR)

ABSENT:

Hon. Nelson R. Dayanghirang, Jr. Vice Governor
Hon. Art Benjie C. Bulaong SP Member, District I
Hon. Stephen Paul L. Uy SP Member, District II – OB – City of
Mati
Hon. Joselito B. Villademosa President, Philippine Councilors League
(PCL) - Davao Oriental Chapter
Hon. Shanine C. Lintogonan Sangguniang Kabataan Provincial
Federation President (SKPFP)

RESOLUTION NO. 17-1107-10-2024

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

A RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM), THROUGH ITS REGION XI DIRECTOR, MR. GARY R. MARTEL; AND THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT (DILG), THROUGH ITS DAVAO ORIENTAL PROVINCIAL DIRECTOR, MR. ORLE A. CABAUBAO, FOR A CLARIFICATION AND/OR OPINION ON MATTERS PERTAINING TO THE APPROVAL OF UTILIZATION OF FUNDS AND IMPLEMENTATION OF NEW DISASTER RISK REDUCTION AND MANAGEMENT PROGRAMS/PROJECTS/ACTIVITIES (PPAs) OF THE PROVINCIAL GOVERNMENT OF DAVAO ORIENTAL WHILE CURRENTLY OPERATING UNDER A REENACTED BUDGET.

WHEREAS, the Honorable Governor Niño Sotero L. Uy, Jr., has requested this August Body for the passage of a resolution confirming the approval of the Provincial Development Council (PDC) Resolution No. 12, series of 2024, in relation to Provincial Disaster Risk Reduction and Management Council (PDRRMC) Resolution No. 2, series of 2024;

WHEREAS, PDC Resolution No. 12, series of 2024, entitled: **“A RESOLUTION CONFIRMING THE APPROVAL OF THE PROVINCIAL DISASTER RISK REDUCTION AND MANAGEMENT COUNCIL (PDRRMC) RESOLUTION NO. 2 SERIES OF 2024 ENTITLED, “A RESOLUTION APPROVING THE REVISED LOCAL DISASTER RISK REDUCTION AND MANAGEMENT FUND INVESTMENT PLAN (LDRRMFIP) CY 2024 AND AUTHORIZING THE UTILIZATION OF THE PORTION OF THE UNEXPENDED BALANCE OF THE LDRRMF ACCRUED UNDER THE TRUST FUND AMOUNTING TO FIFTY-ONE MILLION FIVE HUNDRED FORTY-TWO THOUSAND TWO HUNDRED FOURTEEN PESOS AND TWENTY-SIX CENTAVOS (PHP 51,542,214.26) TO SUPPORT THE DISASTER RISK REDUCTION AND MANAGEMENT ACTIVITIES OF THE PROVINCE, AND ENDORSING THE SAME TO THE PROVINCIAL DEVELOPMENT COUNCIL AND THE SANGGUNIANG PANLALAWIGAN FOR THEIR APPROVAL AND APPROPRIATE ACTION” AND APPROVING THE CY 2024 SUPPLEMENTAL ANNUAL INVESTMENT PROGRAM (SAIP)-1 IN THE TOTAL AMOUNT OF FIFTY-ONE MILLION FIVE HUNDRED FORTY-TWO THOUSAND TWO HUNDRED FOURTEEN PESOS AND TWENTY-SIX CENTAVOS (PHP51,542,214.26), AS PROGRAMMED, AND ENDORSING THE SAME TO THE SANGGUNIANG PANLALAWIGAN (SP), THIS PROVINCE, FOR ITS APPROPRIATE ACTION”;**

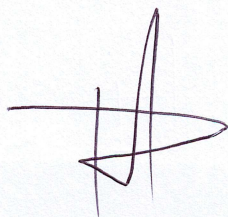
WHEREAS, the foregoing amount is to be utilized in support to the Disaster Risk Reduction and Management activities of the Province, specifically on the effects of the Shear Line and the Trough of LPA last January and February, respectively, having been placed under the State of Calamity on January 24, 2024 through SP Resolution No. 17-796-01-2024. In addition, based on ENSO Alert System Status, impending threats and effects of El Niño was anticipated on March-April-May 2024 season, while the increasing possibility of La Niña is at 62% that will likely to develop in June-July-August season;

WHEREAS, the Province of Davao Oriental has already obligated and utilized a total of P69,136,749.69 or 53% of the FY 2024 LDRRM Fund, including the 30% QRF;

WHEREAS, there are essential programs, projects, and activities that are being requested by various concerned agencies to be funded in the total amount of P51,542,214.26, purposely for the recovery of the communities affected by the effects of the Shear Line and the Trough of LPA, and other mitigating and preparedness measures for the possible effects of climate change;

WHEREAS, Paragraph 3, Section 21 of RA 10121, otherwise known as the *“Philippine Disaster Risk Reduction and Management Act of 2010”*, provides that the unexpended LDRRMF shall accrue to a special trust fund solely for the purpose of supporting disaster risk reduction and management activities of the LDRRMCs within the next five (5) years. Any such amount still not fully utilized after five (5) years shall revert back to the general fund and will be available for other social services to be identified by the local sanggunian;

WHEREAS, as provided under Item 6.5 of NDRRMC-DBM-DILG JMC No. 2013-1, dated March 25, 2013, the unexpended balances of the LDRRMF may be released and utilized for new expenditure items upon submission of a revised AIP as approved by the local Sanggunian and Local Chief Executive (LCE) upon the recommendation of the LDRRMC in accordance with the approved LDRRMP;



WHEREAS, it is a fact that the Provincial Government of Davao Oriental is currently operating under the FY 2023 reenacted budget. While this August Body recognizes that the PPAs enumerated under the Revised LDRRMFIP for CY 2024 and Supplemental AIP-1 are essential to the disaster related undertakings of the Province, this legislative body takes cognizance on the limitations under a Reenacted Budget as outlined in the Budget Operations Manual;

WHEREAS, this August Body finds the need to be clarified and/or enlightened on the following issues:

1. Whether the Provincial Government is allowed to utilize the funds under the LDRRMF accrued under the Trust Fund, as approved under the Revised LDRRMFIP CY 2024 and duly confirmed approved by the Provincial Development Council under the Supplemental AIP-1, for the implementation of new PPAs while operating under a reenacted budget.
2. If in the affirmative, whether Section 305(a) of RA No. 7160 is applicable, and whether the utilization of the Unexpended Balance of LDRRMF accrued under Trust Fund be authorized by the Sangguniang Panlalawigan through enactment of an appropriation ordinance for the purpose of implementing new PPAs, in light of the limitations under the reenacted budget.

WHEREAS, before taking action on the request of the Local Chief Executive, this August Body deems it proper to request the Department of Budget and Management and the Department of the Interior and Local Government for their respective opinion regarding the foregoing issues on the approval of utilization of funds and implementation of new disaster risk reduction and management PPAs of the Provincial Government of Davao Oriental while currently operating under a reenacted budget;

WHEREFORE, on motion of SP Member Rotchie M. Ravelo, duly and jointly seconded by SP Members Harold A. Montes, Anna Cheryl N. Castro, Jossone Michael G. Dayanghirang, Eleuterio C. Manaytay, and Andy A. Monday, it was

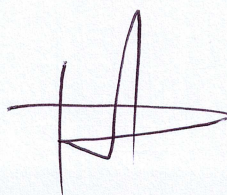
RESOLVED, as it is hereby resolved, **RESPECTFULLY REQUESTING THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) THROUGH ITS REGION XI DIRECTOR, MR. GARY R. MARTEL; AND THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT (DILG), THROUGH ITS DAVAO ORIENTAL PROVINCIAL DIRECTOR, MR. ORLE A. CABAobao, FOR A CLARIFICATION AND/OR OPINION ON MATTERS PERTAINING TO THE APPROVAL OF UTILIZATION OF FUNDS AND IMPLEMENTATION OF NEW DISASTER RISK REDUCTION AND MANAGEMENT PROGRAMS/PROJECTS/ACTIVITIES (PPAs) OF THE PROVINCIAL GOVERNMENT OF DAVAO ORIENTAL WHILE CURRENTLY OPERATING UNDER A REENACTED BUDGET;**

RESOLVED, FINALLY, That copies of this resolution be furnished: Mr. Gary R. Martel, Regional Director, Department of Budget and Management (DBM Region XI), Orchid Street, Juna Subdivision, Matina, Davao City; Mr. Orle A. Cabaobao, Provincial Director, Department of the Interior and Local Government (DILG), for their information and appropriate action; and the Honorable Governor Niño Sotero L. Uy, Jr., City of Mati, this Province, for his information and guidance.

CARRIED AND APPROVED.

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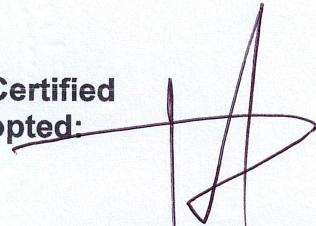


I hereby Certify to the Correctness
of the foregoing Resolution.



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