



Office of the Sangguniang Panlalawigan

EXCERPT FROM THE MINUTES OF THE 40th REGULAR SESSION OF THE 11th SANGGUNIANG PANLALAWIGAN OF ISABELA HELD AT PROVINCIAL CAPITOL, ILAGAN CITY, ISABELA ON MAY 16, 2023.

PRESENT:

FAUSTINO G. DY III	Vice Governor & Presiding Officer
DELFINITO EMMANUEL L. ALBANO	Member (1 st District) & Floor Leader
EMMANUEL JOSELITO B. AÑES	Member (1 st District)
ED CHRISTIAN S. GO	Member (2 nd District)
EDGAR R. CAPUCHINO	Member (2 nd District)
MARY GRACE D. ARREOLA	Member (3 rd District)
RAMON JUAN N. REYES, JR.	Member (3 rd District)
CLIFFORD R. RASPADO	Member (4 th District)
VICTOR G. DY	Member (4 th District)
MANUEL FAUSTINO U. DY	Member (5 th District)
EDWARD S. ISIDRO	Member (5 th District)
MARCO PAOLO A. MERIS	Member (6 th District)
AMADOR A. GAFFUD, JR.	Member (6 th District)
DANTE G. HALAMAN	Member, LnB Federation President
DAX PAOLO C. BINAG	Member, SK Federation President
ADRIAN PHILIP S. BAYSAC	Member, Agricultural Workers Sector Representative
LOURDES S. PANGANIBAN	Member, Women's Sectoral Representative
MARGARETTE U. CHIN	Member, Indigenous Cultural Communities Sector Representative
EVYN JAY C. DIAZ	Member, Labor Sector Representative

ON LEAVE:

ANTONIO S. HUI	Member, PCL Federation President
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RESOLUTION NO. 2023-17-02

Series of 2023

A RESOLUTION DECLARING APPROPRIATION ORDINANCE NO. 2022-09 (2023 ANNUAL BUDGET) IN THE TOTAL AMOUNT OF ONE HUNDRED SIXTY TWO MILLION TWO HUNDRED FIFTY SEVEN THOUSAND THREE HUNDRED THIRTY THREE PESOS (P162,257,333.00) OF THE MUNICIPALITY OF BENITO SOLIVEN, ISABELA OPERATIVE IN ITS ENTIRETY SUBJECT TO SOME CONDITIONS

Sponsor: HON. DELFINITO EMANNUEL L. ALBANO
Chairperson, Committee on Municipal Appropriation

WHEREAS, Appropriation Ordinance No. 2022-09, An ordinance enacting the Annual Budget of the Municipality of Benito Soliven, Isabela for Calendar Year 2023 in the total amount of **ONE HUNDRED SIXTY TWO MILLION TWO HUNDRED FIFTY SEVEN THOUSAND THREE HUNDRED THIRTY THREE PESOS (P162,257,333.00)** covering the various expenditures for the operation of the Local Government of Benito Soliven, Isabela for Fiscal Year 2023, and appropriating the necessary funds for the purpose, was

Nagkaisa para sa Isabela



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submitted to this Sanggunian for review pursuant to the provisions of Section 327 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

WHEREAS, the subject Appropriation Ordinance has complied with the budgetary requirements, general limitations and other pertinent provisions set forth under Republic Act No. 7160.

NOW THEREFORE, on motion of **SP Member DELFINITO EMMANUEL L. ALBANO** duly seconded:

THE SANGGUNIANG PANLALAWIGAN IN SESSION DULY ASSEMBLED:

RESOLVED, to declare the Appropriation Ordinance No. 2022-09 (2023 Annual Budget) of the Municipality of Benito Soliven, Isabela **OPERATIVE IN ITS ENTIRETY** subject to the posting requirements under Section 59 of R.A No. 7160 and subject further to the following conditions:

1. That the position titles of all positions shall be allocated to their proper titles and salary grades in accordance with the Index of Occupational Services, Position Titles and Salary Grades in the Local Government (IOS-LGU), CY 2021 Edition pursuant to Local Budget Circular (LBC) No. 137 dated July 13, 2021;
2. The implementation of Salary Rates for Public Health Workers must be in accordance with Item 5.5 of DBM Local Budget Circular No. 143 dated January 3, 2022 states that:

“The salaries of Public Health Workers (PHWs) shall be determined by the sanggunian after considering and balancing the impact of the relevant provisions of RA No. 11466, RA No. 7160, and RA No. 7305 on fiscal discipline, prioritization of expenditures, financial capability, and improvement of service delivery. The sanggunian may adopt any of the following options:

- 5.5.1 *Adopt the salary rates authorized for personnel of Special Cities/First Class Provinces and Cities (Annex “A-1”) for the PHWs of the LGU.*
 - 5.5.2 *If LGU funds are not sufficient adopt a modified salary schedule for PHWs but a uniform percentage of the salaries in Annex “A-1” similar to the percentage applied in item 5.3 of the said circular.*
3. The following Position Title and Salary Grade should be in accordance with DBM LBC No. 137 dated July 13, 2021, on the Index of Occupational Services, Position Titles and Salary Grades in the Local Government (IOS-LGU), CY 2021 Edition, to wit:

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OFFICE	ITEM NO.	POSITION TITLE & SG IN THE LGU	LBC No. 137 IOS
MAYOR	1.10	Administrative Aide IV (Com. Eqpt. Operator II) SG-4	Administrative Aide IV (Com. Eqpt. Operator I) SG-4
ADMINISTRATOR	2.3	Administrative Assistant I SG-8	Administrative Assistant II SG-8
SB	4.16	Local Legislative Staff Employee I SG-4	Local Legislative Staff Employee II SG-4
	4.20	Administrative Office IV SG-15	Administrative Officer IV SG-15
	4.22	Administrative Asst. I (Computer Operator II) SG-9	Administrative Asst. III (Computer Operator II) SG-9
ASSESSOR	12.6	Tax Mapper SG-15	Tax Mapper II SG-15
AGRICULTURIST	15.5	Agricultural Technician SG-8	Agricultural Technician II SG-8
MENRO	17.2	Administrative Aide III (Driver II) SG-3	Administrative Aide III (Driver I) SG-3

4. That the Position of Administrative Aide IV (Driver II) with SG-4 **shall not be allowed** pursuant to the Qualification Standard (Revised 1997) of the Civil Service Commission and the Manual on Position Classification and Compensation Scheme in LGUs. Item 9.2.1.6 under Chapter 9 of the Manual on Position Classification and Compensation Scheme in LGUs states that the classification of Driver position is dependent on the level/rank of the position they serve. *Per established standards, the allowable level of the position of Driver II is SG-4 for the Mayor's Office only and for the different offices the position must be Driver I, SG 3.* Since the subject position does not conform to the herein prescribed allowable SG allocation, correction shall be effected without diminution in salary of the concerned personnel. However, subsequent salary increase shall be applied only on the correct classified position, to wit:

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OFFICE	ITEM NO	POSITION TITLE & SALARY GRADE AS PER PLANTILLA OF PERSONNEL	POSITION TITLE & SALARY GRADE AS PER MPCC SCHEME IN LGUs
ADMINISTRATOR	2.2	Administrative Aide IV (Driver II) SG-4	Administrative Aide III (Driver I) SG-3
ENGINEER	16.17		
	& 16.18		

5. This is to reiterate that the nomenclature of Municipal Government Assistant Department Head is a position not allowed to be created under the Office of the Sangguniang Bayan. Worthy to note in the case of Mayor Benjamin F. Arao and Jeremias Saldua vs. the CSC, where the Supreme Court ruled that:

“xxx ‘the Secretary to the Sanggunian is not a department head but merely ‘equal’ in rank and salary equal (sic) to a head of department or office’, and that the secretary is an official/employee in the Sanggunian.”

6. The appropriation for Honoraria in the amount of Four Hundred Forty Two Thousand Pesos (P354,107.36) shall be in accordance with DBM Local Budget Circular No. 62 dated July 29, 1996, on the Guidelines on the Grant of Honoraria in the Local Government Units (LGUs); DBM Budget Circular No. 2003-5 dated September 26, 2003, Prescribing Guidelines on the Grant of Honoraria of Government Personnel FY 2003 and onwards; DBM Budget Circular 2004-5A dated October 7, 2005, Guidelines on the Grant of Honoraria to Government Personnel Involved in Government Procurement; Budget Circular No. 2007-1 issued April 23, 2007, Guidelines on the Grant of Honoraria to Lecturers, Resource Persons, Coordinators and Facilitators; DBM Budget Circular No. 2007-2 dated October 1, 2007, Guidelines of Honoraria Due to Assignment in Government Special Projects;
7. Reiterating that the Municipal General Services Office (MGSO) must be headed by a Department Head in accordance with the Civil Service Commission Memorandum Circular No. 12, s. 2022, on the 2022 Guidelines and Standards in the Establishment of Organizational Structures and Staffing Patterns in Local Government Units. However, in the absence of a Municipal Government Department Head (MGDH), the lower plantilla position with incumbent must be transferred to the Office of the Mayor;
8. That the utilization of 5% LDRRMF shall be in accordance with the approved Local Disaster Risk Reduction and Management Plan pursuant to RA 10121 and its implementing Rules and Regulations, as

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supplemented by NDRRMC-DBM-DILG JMC No. 2013-1 dated March 25, 2013. Provided further, that the LDRRMF Plan shall be reviewed by the Office of Civil Defense (OCD) pursuant to RA 10121 and its implementing Rules and Regulations supplemented by Local Budget Memorandum No. 85 dated June 15, 2022, copy furnish the Office of the Sangguniang Panlalawigan of the reviewed LDRRMF;

9. That the appropriation and utilization of the 20% Development Fund shall be subject to the pertinent provisions of DBM-DOF-DILG Joint Memorandum Circular No. 1 dated November 4, 2020;

That the following appropriation under the 20% Development Fund shall be identified or broken-down into specific/project component indicating the activities/programs to be undertaken and the *project site/location* in accordance with DILG-NEDA-DBM and DOF JMC No. 1 Series of 2007:

1. Construction of Submersible Pump at Sanitary Landfill for P230,000.00
 2. Construction of Pumping House for Water Treatment Facility at Sanitary Landfill for P80,000.00
10. That all procurement activities must be governed by the provisions of Republic Act No. 9184, the Government Procurement Reform Act (GPRA) and its Implementing Rules and Regulations. Further, the acquisition of motor vehicles shall be subject to the provisions of DBM Budget Circular No. 2022-1 dated February 11, 2022, the Omnibus Guidelines on the Acquisition, Use, Rental and Replacement of Government Motor Vehicles.

RESOLVED FURTHER, to require the Municipality of Benito Soliven, Isabela to comply with the herein review findings and/or conditions and notify this body of actions taken thereon.

RESOLVED FURTHER, to inform the Municipality of Benito Soliven, Isabela that this review action does not authorize any item of appropriation that is specifically prohibited by or inconsistent with the provisions of law and that compliance with all the existing laws, rules and regulations shall be the responsibility of the Local Government Unit and disbursement of funds shall be subject to the usual budgeting, accounting and auditing rules and regulations.

RESOLVED FINALLY, to furnish a copy of this Resolution to the **Honorable ROBERTO T. LUNGAN**, Municipal Mayor, and to the Sangguniang Bayan of the Municipality of Benito Soliven, Isabela through the **Honorable JOHN PAUL S. AZUR**, Municipal Vice-Mayor.

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Approved and Adopted, May 16, 2023.

**I HEREBY CERTIFY TO THE CORRECTNESS
of the foregoing Resolution:**

ATTY. FRANCIS JAMES E. MEER
Secretary to the Sangguniang Panlalawigan

ATTESTED/ APPROVED:


FAUSTINO G. DY III
Provincial Vice Governor