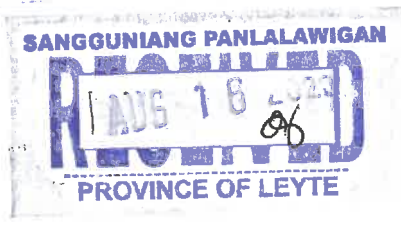


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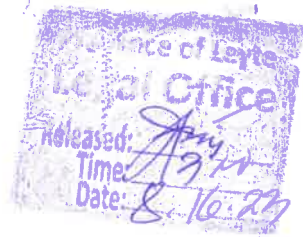
PROVINCE OF LEYTE  
Palo, Leyte

Item No.: 05  
Date: AUG 22 2023

**PROVINCIAL LEGAL OFFICE**



2<sup>nd</sup> INDORSEMENT  
August 15, 2023



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2023-03-A of the Sangguniang Bayan of Dagami, Leyte, with the following comments/opinions:

1. That Ordinance No. 2023-03-A gives authority to the Vice-Mayor to enter into contract of job order service;
2. That said authority is grounded on the provision of Section 445(a)(2) of the Code that authorizes the Vice-Mayor to appoint all officials and employees of the Sangguniang Bayan subject to Civil Service Law, rules and regulations;
3. That subject Ordinance however, is not signed as "Approved" by the Local Chief Executive apparently in the exercise of her veto power authorized under Section 54(a) of the Code;
4. That subject Ordinance is accompanied by Resolution No. 172, S. 2023, which is a Resolution Overriding the veto of the Mayor, but is not accompanied by the Veto message of the Mayor;
5. That in view thereof, the Provincial Legal Office is of the opinion that the veto message should likewise be attached to the subject Ordinance. It is

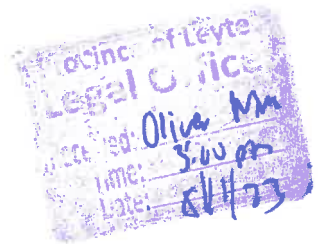
likewise the opinion of the Legal Office that if the fund used for the job order contract is appropriated under the office of the Sangguniang Bayan, then the Vice-Mayor may legally enter into said contract pursuant to Section 445(5) of the Code.

**ATTY. JOSE RAYMUND A. ACOL**

Asst. Provincial Legal Officer




Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte



**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

1<sup>ST</sup> INDORSEMENT  
11 August 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 2023-03-A** of the **MUNICIPALITY OF DAGAMI, LEYTE**, ENTITLED: **AN ORDINANCE AUTHORIZING THE MUNICIPAL VICE-MAYOR, HON. HOMOBONO U. BARDILLON, TO ENTER INTO CONTRACTS OF SERVICE FOR JOB ORDER EMPLOYEES IN THE LEGISLATIVE DEPARTMENT OF THE MUNICIPAL GOVERNMENT OF DAGAMI, LEYTE..**

  
**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian

Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF DAGAMI  
\*

**Office of the Secretary to the Sanggunian**

11 AUGUST 2023

Sangguniang Panlalawigan, Leyte  
Legislative Building  
Capitol Grounds  
Tacloban City



**Thru:** The Secretary to the  
Sangguniang Panlalawigan


**Madam:**

Respectfully Submitted Herewith Seventeen (17) Sets of Resolution No. 172 Series of 2023 "A RESOLUTION OVERRIDING THE VETO OF THE MUNICIPAL MAYOR, HON. ANGELITA M. DELUSA, OF ORDINANCE NO. 2023-03 OTHERWISE KNOWN AS AN ORDINANCE AUTHORIZING THE MUNICIPAL VICE-MAYOR, HON. HOMOBONO U. BARDILLON, TO ENTER INTO CONTRACTS OF SERVICE FOR JOB ORDER EMPLOYEES IN THE LEGISLATIVE DEPARTMENT OF THE MUNICIPAL GOVERNMENT OF DAGAMI, LEYTE" for review and approval.

Please acknowledge receipt hereof.

Thank you and more power.

Very truly yours,

  
**FLOR G. YAP**  
*Secretary to the Sanggunian*

Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF DAGAMI



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 21<sup>ST</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN OF DAGAMI, LEYTE, HELD AT THE MUNICIPAL SESSION HALL ON 29 MAY, 2023 AT 9:00 O'CLOCK IN THE MORNING.

Present:

Hon. Homobono U. Bardillon	- Mun. Vice-Mayor/Presiding Officer
Hon. Judy M. Dumduma, Jr.	- Sangguniang Bayan Member
Hon. Rolando A. Bud-oy	- do-
Hon. Andres Bryan M. Bayona	- do-
Hon. Jose Jingle N. Sudario	- do-
Hon. Jetromus Jose S. Bardillon	- do-
Hon. Susan O. Mendoza	- do-
Hon. Reynaldo O. Treceña	- do-
Hon. Reo O. Gabriente	- ABC President/Ex-Officio Member
Hon. Mary Ahlyssa Ashley A. Gerona	- SK Fed. Pres./Ex-Officio Member

On Leave:

Hon. Caridad B. Cabidog	- Sangguniang Bayan Member
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Absent:

NONE

**ORDINANCE NO. 2023-03-A**

**AN ORDINANCE AUTHORIZING THE MUNICIPAL VICE-MAYOR, HON. HOMOBONO U. BARDILLON, TO ENTER INTO CONTRACTS OF SERVICE FOR JOB ORDER EMPLOYEES IN THE LEGISLATIVE DEPARTMENT OF THE MUNICIPAL GOVERNMENT OF DAGAMI, LEYTE.**

**Author: Hon. Judy M. Dumduma, Jr.**  
Chairman: Committee on Rules and Privileges

**WHEREAS**, Section 445 (a)(2) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that the Vice-Mayor shall appoint all officials and employees of the Sangguniang Bayan, and Section 445 (a)(5) mandates that, he may also exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance;

**WHEREAS**, it is but fitting that the Municipal Vice-Mayor, Hon. Homobono U. Bardillon, be given authority to enter into contracts of service for job order employees in the Legislative Department of the Municipal Government of Dagami, Leyte.

**WHEREFORE**, on motion of Hon. Judy M. Dumduma, Jr., unanimously seconded by the members present, it was

**RESOLVED**, as it is hereby resolved by the Sangguniang Bayan of Dagami, assembled in session to enact the following ordinance:

**MUNICIPAL ORDINANCE NO. 03-A**  
Series of 2023

**AN ORDINANCE AUTHORIZING THE MUNICIPAL VICE-MAYOR, HON. HOMOBONO U. BARDILLON, TO ENTER INTO CONTRACTS OF SERVICE FOR JOB ORDER EMPLOYEES IN THE LEGISLATIVE DEPARTMENT OF THE MUNICIPAL GOVERNMENT OF DAGAMI, LEYTE.**

HON. HOMOBONO U. BARDILLON  
Mun. Vice-Mayor/Presiding Officer

FLOR G. YAP  
Sangguniang Bayan Secretary

MIN. MAYOR  
DID NOT SIGN & APPROVED  
THIS ORDINANCE  
DATED: 6-19-23  
TIME: 4:20 P.M.

HON. JUDY M. DUMDUMA, JR.  
SB Member

HON. ROLANDO A. BUD-OY  
SB Member

HON. ANDRES BRYAN M. BAYONA  
SB Member

HON. JOSE JINGLE N. SUDARIO  
SB Mem

HON. JETROMUS JOSE S. BARDILLON  
SB Member

HON. SUSAN O. MENDOZA  
SB Member

HON. REYNALDO O. TRECEÑA  
SB Member

HON. REO O. GABRIENTE  
ABC Pres./Ex-Officio Member

HON. MARY AHLYSSA ASHLEY A. GERONA  
SK Fed. Pres./Ex-Officio Member

(Cont. Ordinance No. 2023-03, SB Regular Session, dated May 29, 2023, etc.)

Be it ordained by the Sangguniang Bayan of Dagami, Leyte to enact the following Ordinance:

**SECTION 1. TITLE.** This ordinance shall be known as "AN ORDINANCE AUTHORIZING THE MUNICIPAL VICE-MAYOR, HON. HOMOONO U. BARDILLON, TO ENTER INTO CONTRACTS OF SERVICE FOR JOB ORDER EMPLOYEES IN THE LEGISLATIVE DEPARTMENT OF THE MUNICIPAL GOVERNMENT OF DAGAMI, LEYTE."

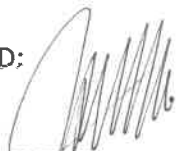
**SECTION 2. AUTHORIZATION.** Pursuant to Section 445 (a)(2) and Section 445 (a)(5) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, Vice-Mayor Homobono U. Bardillon shall be empowered and is authorized by the Sangguniang Bayan of Dagami, Leyte to enter into contracts of service for job order employees in the Legislative Department of the Municipal Government of Dagami, Leyte. Such power and authority shall apply to all contracts of service entered into by Vice-Mayor Bardillon after the enactment of this ordinance.

**SECTION 3. EFFECTIVITY CLAUSE.** This Ordinance shall take effect upon approval by the Sanggunian Bayan and publication in a newspaper of local circulation.

**APPROVED.**

**WE HEREBY CERTIFY** the correctness of the foregoing Ordinance.

  
**FLOR G. YAP**  
*SB Secretary*

ATTESTED:   
**HON. HOMOONO U. BARDILLON**  
*Mun. Vice-Mayor/Presiding Officer*

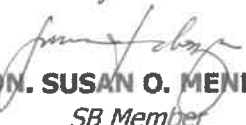
  
**HON. JUDY M. DUMDUMA, JR.**  
*SB Member*

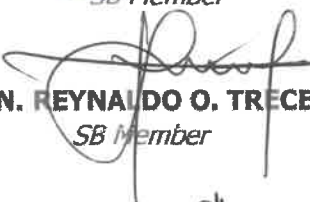
**HON. ROLANDO A. BUD-OY**  
*SB Member*

  
**HON. ANDRES BRYAN M. BAYONA**  
*SB Member*

  
**HON. JOSE JINGLE N. SUDARIO**  
*SB Member*

  
**HON. JETROMUS JOSE S. BARDILLON**  
*SB Member*

  
**HON. SUSAN O. MENDOZA**  
*SB Member*

  
**HON. REYNALDO O. TRECEÑE**  
*SB Member*

  
**HON. REO O. GABRIENTE**  
*ABC Pres./Ex-Officio Member*

  
**HON. MARY AHLYSSA ASHLEY A. GERONA**  
*SK Fed. Pres./Ex-Officio Member*

APPROVED:

**ANGELITA M. DELUSA**  
*Municipal Vice-Mayor*



Republic of The Philippines  
 Province of Leyte  
 Municipality of Dagami  
 \*

**OFFICE OF THE SANGGUNIANG**

EXCERPT FROM MINUTES OF THE 26th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF DAGAMI, LEYTE HELD AT THE MUNICIPAL SESSION HALL ON 10 OF JULY 2023 AT 9:00 O'CLOCK IN THE MORNING.

Present:

- |                                    |                                     |
|------------------------------------|-------------------------------------|
| Hon. Homobono U. Bardillon         | - Mun. Vice-Mayor/Presiding Officer |
| Hon. Judy M. Dumduma, Jr.          | - Sangguniang Bayan Member          |
| Hon. Rolando A. Bud-oy             | - do-                               |
| Hon. Andres Bryan M. Bayona        | - do-                               |
| Hon. Jose Jingle N. Sudario        | - do-                               |
| Hon. Jetromus Jose S. Bardillon    | - do-                               |
| Hon. Susan O. Mendoza              | - do-                               |
| Hon. Reynaldo O. Treceñe           | - do-                               |
| Hon. Reo O. Gabriente              | - ABC Pres./Ex-Officio Member       |
| Hon. Mary Ahlyssa Ashley A. Gerona | - SK Fed. Pres./Ex-Officio Member   |

On Travel:

- |                         |                           |
|-------------------------|---------------------------|
| Hon. Caridad B. Cabidog | -Sangguniang Bayan Member |
|-------------------------|---------------------------|

Absent:

NONE

**RESOLUTION NO. 172**

**Series of 2023**

**Sponsor: Hon. Judy M. Dumduma, Jr.**

**"A RESOLUTION OVERRIDING THE VETO OF THE MUNICIPAL MAYOR, HON. ANGELITA M. DELUSA, OF ORDINANCE NO. 2023-03 OTHERWISE KNOWN AS AN ORDINANCE AUTHORIZING THE MUNICIPAL VICE-MAYOR, HON. HOMOBONO U. BARDILLON, TO ENTER INTO CONTRACTS OF SERVICE FOR JOB ORDER EMPLOYEES IN THE LEGISLATIVE DEPARTMENT OF THE MUNICIPAL GOVERNMENT OF DAGAMI, LEYTE".**

**WHEREAS**, the Municipal Mayor, Hon. Angelita M. Delusa, communicated her message vetoing Ordinance No. 2023-03 otherwise known as "AN ORDINANCE AUTHORIZING THE MUNICIPAL VICE-MAYOR, HON. HOMOBONO U. BARDILLON, TO ENTER INTO CONTRACTS OF SERVICE FOR JOB ORDER EMPLOYEES IN THE LEGISLATIVE DEPARTMENT OF THE MUNICIPAL GOVERNMENT OF DAGAMI, LEYTE" on the 26<sup>th</sup> of June 2023;

**WHEREAS**, the overriding power of the Sanggunian is part of the checks and balances between the legislative and executive branches of the government. Once overridden by the Sanggunian, the vetoed ordinance shall no longer be presented to the local chief executive for approval as it already becomes deemed approved by operation of law, even without the approval of the latter;

**WHEREAS**, the Sangguniang Bayan of Dagami, Leyte by 9 votes or more than 2/3 votes of all the members present exercises its power to override the veto of the Municipal Mayor of the above-mentioned ordinance pursuant to Section 55 (c) of the Local Government Code of 1991 (R.A. 7160) which provides that the Sanggunian may override the veto of the local chief executive concerned by two-thirds (2/3) vote of all its members, thereby making the ordinance effective even without the approval of the local chief executive concerned;

HON. JUDY M. DUMDUMA, JR.  
 SB Member

HON. ROLANDO A. BUD-OY  
 SB Member

HON. ANDRES BRYAN M. BAYONA  
 SB Member

HON. JOSE JINGLE N. SUDARIO  
 SB Mem

HON. JETROMIUS JOSE S. BARDILLON  
 SB Member

HON. SUSAN O. MENDOZA  
 SB Member

HON. REYNALDO O. TRECEÑE  
 SB Member

HON. REO O. GABRIENTE  
 ABC Pres./Ex-Officio Member

HON. MARY AHLYSSA ASHLEY A. GERONA  
 SK Fed. Pres./Ex-Officio Member

HON. HOMOBONO U. BARDILLON  
 Mun. Vice-Mayor/Presiding Officer

FLOR G. YAP  
 Sangguniang Bayan Secretary

(Cont. SB Resolution No. 2023-172 on its 26<sup>th</sup> Regular Session, dated July 10, 2023, etc.)

**NOW, THEREFORE**, upon motion of **Hon. Judy M. Dumduma, Jr.**, duly seconded by all the members present, be it.

**RESOLVE**, as it is hereby **RESOLVED**, to OVERRIDE THE VETO OF THE MUNICIPAL MAYOR, HON. ANGELITA M. DELUSA, OF ORDINANCE NO. 2023-03 OTHERWISE KNOWN AS AN ORDINANCE AUTHORIZING THE MUNICIPAL VICE-MAYOR, HON. HOMOBONO U. BARDILLON, TO ENTER INTO CONTRACTS OF SERVICE FOR JOB ORDER EMPLOYEES IN THE LEGISLATIVE DEPARTMENT OF THE MUNICIPAL GOVERNMENT OF DAGAMI, LEYTE;

**RESOLVED FURTHER**, that copies of this resolution be furnished to the concerned offices or agencies and filed.

**APPROVED**, this 10<sup>th</sup> day of July 2023, at Dagami, Leyte.

CERTIFIED CORRECT:

  
**FLOR G. YAP**  
*SB Secretary*

ATTESTED:

  
**HON. HOMOBONO U. BARDILLON**  
*Mun. Vice-Mayor/Presiding Officer*

  
**HON. JUDY M. DUMDUMA, JR.**  
*SB Member*

  
**HON. ROLANDO A. BUD-OY**  
*SB Member*


  
**HON. ANDRES BRYAN M. BAYONA**  
*SB Member*

  
**HON. JOSE JINGLE N. SUDARIO**  
*SB Member*

  
**HON. JETROMIS JOSE S. BARDILLON**  
*SB Member*

  
**HON. SUSAN O. MENDOZA**  
*SB Member*

  
**HON. REYNALDO O. TRECE **  
*SB Member*

  
**HON. REO O. GABRIENTE**  
*ABC Pres./Ex-Officio Member*

  
**HON. MARY AHLYSSA ASHLEY A. GERONA**  
*SK Fed. Pres./Ex-Officio Member*