



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
TACLOBAN CITY
-oOo-



SANGGUNIANG PANLALAWIGAN

MINUTES OF THE 60TH REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF LEYTE, HELD AT THE SESSION HALL, LEYTE PROVINCIAL GOVERNMENT COMPLEX, PALO, LEYTE ON 26 SEPTEMBER 2023.

PHYSICALLY PRESENT:

1. Hon. Wilson S. Uy	1 st District Board Member
2. Hon. Ronnan Christian M. Reposar	1 st District Board Member
3. Hon. Raissa J. Villasin	2 nd District Board Member
4. Hon. Marie Kathryn V. Kabigting	3 rd District Board Member
5. Hon. Ma. Corazon E. Remandaban	3 rd District Board Member
6. Hon. Vincent L. Rama	4 th District Board Member
7. Hon. Flaviano C. Centino, Jr.	4 th District Board Member
8. Hon. Michael L. Cari	5 th District Board Member (Temp. Presiding Officer)
9. Hon. Carlo P. Loreto	5 th District Board Member
10. Hon. Carmen L. Cari	Ex-Officio Member, PCL President
11. Hon. Nolie C. Caña	Ex-Officio Member, Liga ng Mga Barangay President

VIRTUALLY PRESENT:

1. Hon. Trinidad G. Apostol	2 nd District Board Member
2. Hon. Jo Vanille Chua-Merilo	Ex-Officio Member, SK President

ABSENT:

Hon. Leonardo Javier, Jr.	Vice-Governor (Official Travel, Metro Manila)
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The 60th Regular Session opened at 10:35 o'clock in the morning presided over by the Honorable Michael L. Cari, Temporary Presiding Officer, and Representative of the 5th District of Leyte.

Opening Prayer was led by the Honorable Raissa J. Villasin, Representative of the 2nd District and followed by the singing of the Philippine National Anthem.

A motion to dispense with the Panunumpa sa Watawat, the Leyte Hymn, the PBMLP Hymn and the PBMLP Creed of the agenda was presented by the Honorable Floor Leader Carlo P. Loreto, duly seconded by the Honorable Wilson S. Uy,

51 Representative of the 1st District of Leyte and the Honorable Carmen L. Cari, PCL
52 President.

53 Considering that there was no objection, the motion was carried.

54 The Temporary Presiding Officer, Honorable Michael L. Cari, requested the
55 Sangguniang Panlalawigan Secretary Mrs. Florinda Jill S. Uyvico to call the roll in order
56 to determine the presence of quorum.

57 **MRS. FLORINDA JILL S. UYVICO: SP SECRETARY**

58 The following Members are in attendance:

59 **Physically Present:**

60 Hon. Wilson S. Uy

61 Hon. Ronnan Christian M. Reposar

62 Hon. Raissa J. Villasin

63 Hon. Marie Kathryn V. Kabigting

64 Hon. Ma. Corazon E. Remandaban

65 Hon. Vincent L. Rama

66 Hon. Flaviano C. Centino, Jr.

67 Hon. Michael L. Cari -Temp. Presiding Officer

68 Hon. Carlo P. Loreto

69 Hon. Carmen L. Cari

70 Hon. Nolie C. Caña

71 **Virtually Present:**

72 Hon. Trinidad G. Apostol

73 Hon. Jo Vanille Chua-Merilo

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75 Thirteen (13) Members are present, Mr. Chair, Mr. Floor Leader.

76 **HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER**

77 We have a quorum, Mr. Chair.

78 **HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER**

79 Okay, we have a quorum to do business.

80 **HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER**

81 We have the minutes of the previous session of September 19, 2023, Mr. Chair.

82 May we know if there is any correction from the floor on the said minutes?

83 Will you please recognize the Honorable Apostol?

84 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

85 The Honorable Ebbie Apostol, you are recognized.

86 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

87 Mr. Chair, since there are no corrections on the said minutes, I move that we
88 adopt and approve the minutes of September 19, 2023, regular session. I so move, Mr.
89 Chair.

90 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

91 Second.

92 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

93 Discussion?

94 Hearing none, the motion is approved.

95 Approved unanimously.

RES. NO. 2023-446

96 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

97 Mr. Chair, we don't have a first reading and reference of business. But we have
98 committee report from the Committee on Boundary Disputes.

99 Will you please recognize the Honorable Atty. Ronnan Christian M. Reposar, the
100 Chairperson, Mr. Chair?

101 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

102 The Honorable Atty. Ronnan Christian M. Reposar is recognized.

103 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

104 **X. Committee Report: Committee on Boundary Disputes**

105 **Chairman: Atty. Ronnan Christian M. Reposar**

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112 REPUBLIC OF THE PHILIPPINES

113 PROVINCE OF LEYTE

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115 SANGGUNIANG PANLALAWIGAN

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117 COMMITTEE ON BOUNDARY DISPUTE

118 COMMITTEE REPORT NO. _____

119 Series of 2023

120 This has reference to the Order of the Regional Trial Court Br. 12, Ormoc City, issued
121 on March 2, 2023 remanding the records of the boundary dispute case of the Municipality of
122 Isabel and Merida, Leyte for appropriate action and captioned as follows:

123
124 Municipality of Isabel, Leyte

125 *Petitioner,*

126
127 -versus-

CASE No. R-ORM-08-00123-CV

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129
130 Municipality of Merida, Leyte

131 *Respondent,*

132 x-----x

133
134 and the Resolution of the Sangguniang Bayan of Merida, Leyte (*Resolution No.*
135 *18-23-006*) requesting the Sangguniang Panlalawigan ng Leyte for the issuance of a writ
136 of execution to implement the Judgement of the Supreme Court dated December 09,
137 2020 under G.R. No. 216092.

138
139 **Brief Factual Antecedents**

140 On July 8, 2008, the Sangguniang Panlalawigan of the Province of Leyte rendered a
141 decision resolving the boundary dispute between the Municipality of Isabel and Merida in
142 favor of the latter municipality. The decision was embodied in SP Resolution No. 08-327¹ and
143 the dispositive portion of which states as follows:

144
145 "WHEREFORE, PREMISES CONSIDERED,
146 Municipal Resolution NO. 2004-091 of the Municipality

¹ SP Resolution No. 08-327 dated July 8, 2008

147 of Isabel and Municipal Resolution No. 96-183 of the
148 Municipality of Merida are hereby resolved as follows:

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150 1. The true and accurate boundary between the
151 municipalities of Merida and Isabel is the one planted
152 along its dead Doldol creek, near the doldol tree and
153 the highway;

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156 2. The local government unit of Isabel, Leyte is hereby
157 ordered to remove the Municipal Boundary Monument
158 (MBM) No. 5 installed by Former Mayor Cruz Centino
159 of the Municipality of Isabel sometime in 1981, as
160 well as the Welcome Boundary Marker constructed by
161 the Yellow Ladies Club Isabel, Leyte sometime in
162 1988;

163

164 1. The local government unit of Merida, Leyte is hereby
165 ordered to install another Municipal Boundary Marker
166 along the dead Doldol Creek near the Doldol tree and
167 the highway in accordance with the laws and the
168 Barangay Boundary and Index Maps and political
169 boundary maps of the two (2) municipalities.

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171 SO ORDERED.

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173 Aggrieved by the decision of the Sangguniang Panlalawigan, the municipality of
174 Isabel filed an appeal before the Regional Trial Court Br. 12, Ormoc City which was
175 docketed as Civil Case No. R-ORM-08-00123-CV. The appeal was decided in favor of the
176 municipality of Isabel² and the dispositive portion of which states:

177

178 "WHEREFORE, premises considered, judgment
179 is hereby rendered in favor of appellant and against
180 appellee, REVERSING and SETTING ASIDE the assailed
181 Resolution of the Honorable Sangguniang
182 Panlalawigan ng Leyte and a new one is hereby
183 entered DECLARING that the contested tract of land
184 with an area of 162.3603 hectares as appearing in the
185 cadastral survey records of Cad. 661-D property
186 belong to the Municipality of Isabel, Leyte.

187

188 Upon finality of this Decision, the appellee is
189 hereby ORDERED to immediately remove the billboard
190 it erected during the pendency of the appeal at its
191 expense.

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193 SO ORDERED.

² RTC, Br. 12 Decision in Civil Case No. R-ORM-08-00123-CV, dated September 29, 2009.

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The municipality of Merida, Leyte filed a Motion for New Trial; however, the same was denied. It then filed a Petition for Review before the Court of Appeals, Special 20th Division, Cebu City, which appeal was docketed as CA G.R. SP. No. 05255. The Court of Appeals rendered a decision in favor of the municipality of Merida dated August 20, 2014³ and the dispositive portion of which reads:

“IN LIGHT OF ALL THE FOREGOING, this petition is GRANTED. The Decision dated September 29, 2009 of the Regional Trial Court, Branch 12, Ormoc City in Civil Case No. R-ORM-08-00123-CV and the Omnibus Order dated July 5, 2010 are REVERSED and SET ASIDE. Resolution No. 08-327 dated July 8, 2008 of the Sangguniang Panlalawigan of Leyte adjudicating the disputed area to the Municipality of Merida is REINSTATED. No Costs.

SO ORDERED.

Consequently, the Municipality of Isabel filed a Petition for Review on Certiorari before the Supreme Court which was docketed as G.R. No. 216092. On December 9, 2020, the Supreme Court rendered its Decision affirming the decision⁴ of the Court of Appeals which states as follows:

“IN VIEW OF THE FOREGOING PREMISES, the present petition is DENIED. The August 20, 2014 Decision and November 17, 2014 Resolution of the Court of Appeals in CA-G.R. SP No. 05255 are hereby AFFIRMED.

SO ORDERED.

The Municipality of Isabel files a motion for reconsideration, but was denied by the Supreme Court with finality in its Resolution dated June 15, 2022⁵. Consequently, an Entry of Judgement was issued by the Supreme Court certifying that its decision dated December 9, 2020 has become final and executory.⁶

Subject matter of the Referral

³ CA Judgement dated August 20, 2014 in Civil Case No. CA G.R. SP No. 05255
⁴ SC Decision, dated December 9, 2020 in G.R. No. 216092
⁵ SC Resolution dated June 15, 2022 denying the Motion for Reconsideration of the Municipality of Isabel, Leyte
⁶ SC Notice and Entry of Judgement.

232 On January 9, 2023, the Municipality of Merida
233 through its Sangguninag Bayan issued Resolution No. 18-23-
234 006, requesting the Sangguniang Panlalawigan ng Leyte for
235 the issuance of a writ of execution to implement the
236 Judgement of the Supreme Court dated December 09, 2020
237 under G.R. No. 216092. On the other hand, an Order from
238 the RTC Br. 12 was issued on March 2, 2023 remanding this
239 case for proper disposition in relation to the Motion for Writ
240 of Execution filed by the Municipality of Merida, Leyte.

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242 The resolution of the Sangguniang Bayan of Merida and the order of RTC Br. 12
243 were calendared on the same regular session on June 20, 2023, and since both have
244 the same subject matter, both were discussed and acted jointly.

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246 As discussed and narrated earlier, the Supreme Court Decision, dated
247 December 9, 2020 has already attained its finality; however, despite the filing of the
248 Motion for Execution before the Regional Trial Court Br. 12, the said decision has yet
249 to be enforced and executed, since the aforementioned motion was denied pursuant
250 to Sec. 1. Rule 39 of the Rules of Court which provides as follows:

251 **RULE 39**

252 **Execution, Satisfaction and Effect of Judgments**

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254 **Section 1. Execution upon judgments or final**
255 **orders.** – Execution shall issue as a matter of right, or
256 motion, upon a judgment or order that disposes of the action
257 or proceeding upon the expiration of the period to appeal
258 there from if no appeal has been duly perfected.

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260 If the appeal has been duly perfected and finally
261 resolved, the execution may forthwith be applied for in the
262 court of origin, on motion of the judgment obligee,
263 submitting therewith certified true copies of the judgment
264 or judgments or final order or orders sought to be enforced
265 and of the entry thereof, with notice to the adverse party.

266 The appellate court may, on motion in the same case,
267 when the interest of justice so requires, direct the court of
268 origin to issue the writ of execution.

269 In its decision, dated March, 2, 2023, the Regional Trial Court Br.
270 12 resolve that since the Office of the Sangguniang Panlalawigan of the
271 province of Leyte can be considered by analogy as the “court of origin”
272 which rendered the Decision, through SP Resolution No. 08-327, dated
273 July 8, 2008, it must therefore be the proper office to issue the
274 appropriate writ of execution to carry out its final and executory
275 decision.

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277 This committee is also convinced that, being the one who first took cognizance
278 of the case and rendered the decision which was affirmed by both the Court of
279 Appeals and the Supreme Court, it can be considered as the court of origin and with
280 that should be the one to issue the appropriate writ of execution in compliance with
281 the order of Regional Trial Court Br. 12.

282 Hence, by virtue of the said order and particularly considering that this case
283 has already been resolved by the Supreme Court, through its Decision, dated
284 December 9, 2020, which has already become final and executory, the committee
285 hereby recommends that the Sangguniang Panlalawigan issue a Writ of Execution to
286 carry out its final and executory decision as stipulated in SP Resolution No. 08-327,
287 dated July 8, 2008.

288 Submitted this 20th day of September, 2023, Palo, Leyte

289 (Sgd.)Atty. Ronnan Christian M. Reposar

290 Chairperson

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292 (Sgd.)Hon. Nolie C. Caña

(Sgd.)Atty. Carlo P. Loreto

293 Vice Chairperson

Member

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295 (Sgd.)Hon. Ma. Corazon E. Remandaban

(Sgd.) Hon. Raissa J. Villasin

296 Member

Member

297 cc.

298 *RTC Br. 12, Ormoc City*

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300 *Municipality of Isabel*

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302 *Municipality of Merida*

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304 *Governor Jericho "Icot" L. Petilla*

305 *Office of the Governor*

306 *Enriqueto Portula*

307 *Provincial Assessor*

308 *Provincial Assessor's Office*

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310 *Atty. Jose Raymund Acol*

311 *Assistant Provincial Legal Officer*

312 *Provincial Legal Office*

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314 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

315 That is all for the report of the Committee on Boundary Disputes, Mr. Chairman.

316 If there are no queries or reactions, I move that the Committee Report be
317 adopted and approved.

318 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

319 Second.

320 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

321 There is a move by the Honorable Ronnan Reposar, to approve the said
322 Committee Report seconded by the Honorable Carlo Loreto.

323 Any comments, questions?

324 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

325 Mr. Chair.

326 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

327 Yes, the Honorable Wilson Uy?

328 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

329 Mr. Chair, this is not an objection.

330 I would just like to ask the members of the committee if they duly signed the
331 Committee Report as submitted because it was not reported as signed by the
332 Chairman, the Vice-Chairman and the Members.

333 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

334 It was discussed earlier and signed.

335 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

336 It was signed.

337 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

338 So, duly signed.

339 Any comments?

340 None, so approved.

341 Approved unanimously.

RES. NO. 2023-447

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343 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

344 Corollary motion, Mr. Chair.

345 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

346 Yes please.

347 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

348 I move that we pass a resolution, to issue a Writ of Execution via a resolution and
349 furnish the same to the Office of the Governor for proper disposition. I so move.

350 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

351 Second.

352 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

353 Second.

354 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

355 Okay, duly noted.

356 Approved unanimously.

RES. NO. 2023-448

357 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

358 We now proceed to the Business of the Day, Mr. Chair.

359 Item No. 1, Madam Secretary please.

360 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

361 **ITEM NO. 01**

362 Presented for consideration is **Municipal Ordinance**
363 **2023-05 of Palo, Leyte** entitled: "**AN ORDINANCE CREATING**
364 **ADDITIONAL POSITIONS IN THE PLANTILLA POSITIONS OF THE**
365 **LOCAL GOVERNMENT UNIT OF PALO, LEYTE AND**
366 **APPROPRIATING FUNDS THEREFOR.**" Same is recommended
367 for the declaration of its **VALIDITY** by the Provincial Legal
368 Office per 2ndindorsement dated September 19, 2023.

369
370 **ITEM NO. 02**

371 Presented for consideration is **Municipal Ordinance**
372 **2023-06 of Palo, Leyte** entitled: "**AN ORDINANCE CREATING A**
373 **TECHNICAL WORKING GROUP TO REASSES, REVISE, AND**
374 **UPGRADE BARANGAY BOUNDARIES IN THE MUNICIPALITY OF**
375 **PALO, LEYTE, AND APPROPRIATING FUNDS THEREFORE.**" Same
376 is recommended for the declaration of its **VALIDITY with**
377 **CONDITION** by the Provincial Legal Office per
378 2ndindorsement dated September 19, 2023.

379 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

380 Mr. Chair, there are 2 Items from Palo, will you please recognize the former
381 Councilor of Palo, the Honorable Wilson Uy.

382 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

383 The Honorable Wilson Uy is recognized.

384 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

385 Thank you, Mr. Chair.

386 For Item No. 01, presented for consideration is Municipal Ordinance No. 2023-05
387 of Palo, Leyte entitled: "An Ordinance Creating Additional Positions in the Plantilla
388 Positions of the Local Government Unit of Palo, Leyte and Appropriating Funds
389 therefore.

390 Item No. 02, presented for consideration is Municipal Ordinance No. 2023-06 of
391 Palo, Leyte entitled: "An Ordinance Creating a Technical Working Group to Reassess,
392 Revise, and Upgrade Barangay Boundaries in the Municipality of Palo, Leyte and
393 appropriating funds therefore.

394 If my motion is in order Mr. Chair, I move that we declare valid Item Nos. 01 and
395 No. 02. I so move, Mr. Chair.

396 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

397 Second.

398 HON. CARMEN L. CARI: PCL PRESIDENT

399 Second.

400 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

401 Second.

402 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

403 So, there is a move by the Honorable Wilson seconded by the Honorable Carlo
404 Loreto, Vincent Rama and Carmen Cari.

405 Any comments?

406 There being none.

407 Approved unanimously.

RES. NO. 2023-449

408 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

409 Item No. 03, Madam Secretary please.

410 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

411 **ITEM NO. 03**

412 Presented for consideration is **Ordinance No. 443 of**
413 **Babatngon, Leyte** entitled: **"AN ORDINANCE RECLASSIFYING**
414 **CERTAIN LOTS ACQUIRED BY LEYTE AGRI VENTURES**
415 **CORPORATION OF TACLOBAN CITY, FROM AGRICULTURAL TO**
416 **INDUSTRIAL LANDS LOCATED AT BRGY. SAN AGUSTIN AND**
417 **BRGY. TAGUITE, THIS MUNICIPALITY, CONTAINING AN AREA**
418 **OF 83.5799 HECTARES INTENDED FOR THE ESTABLISHMENT OF**
419 **SOLAR FARM PROJECT."** Same is recommended by the
420 Provincial Legal Office per 2nd indorsement dated September
421 19, 2023 **THAT** the local council follow and adhere to the
422 restrictions and guidelines set by DILG opinion No. 22 and
423 Section 20 (3) of the Local Code regarding reclassification of
424 the lands in question.

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426 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

427 Mr. Chair, will you please recognize the Honorable Reposar?

428 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

429 Honorable Ronnan Reposar, you are recognized.

430 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

431 Thank you, Honorable Presiding Chair and Honorable Floor Leader.

432 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

433 Welcome.

434 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

435 Item No. 03, refers to Ordinance No. 443 of the SB of Babatngon, entitled: "An
436 Ordinance Reclassifying certain Lots Acquired by Leyte Agri Ventures Corporation of
437 Tacloban City, from Agricultural to Industrial Lands located at Barangay Agustin and
438 Barangay Taguite, Babatngon, Leyte.

439 In the 2nd Indorsement dated September 19, 2023, it has several observations,
440 referring to, has some concerns as to the reclassification of the subject properties
441 involving of 83.5759 has.

442 No.1. The SB of Babatngon seeks to reclassify lands located at Brgy. San
443 Agustin and Brgy. Taguite from Agricultural to Industrial.

444 No. 2. That pursuant to Section 20 of the Local Government Code:

445 Fourth to Sixth class Municipality, the conversion should not actually be limited to
446 5% of the total agricultural land. Provided further, that agricultural land be distributed to
447 agrarian reform beneficiaries pursuant to RA No. 6657, otherwise known as "The
448 Comprehensive Agrarian Reform Law", shall not be affected by the said reclassification
449 and the conversion of such lands into other purposes shall be governed by Section 65
450 of said Act.

451 No. 3. That pursuant to DILG opinion No. 22, s. 2020 dated January 31, 2020
452 and citing the Supreme Court Decision in the case of "Chamber of Real Estate and
453 Builders Association, Inc. vs. the Secretary of Agrarian Reform, reclassification alone
454 will not suffice to use the agricultural lands for other purposes. Conversion is needed to
455 change the current use of the reclassified lands.

456 No. 4. That the municipality of Babatngon is a fourth class municipality.

457 Furthermore, 9 lots out of the 15 lots proposed to be reclassified are under
458 CARP.

459 No. 5. That the Provincial Legal Office (PLO) recommends that considering the
460 foregoing, the local council follow and adhere to the restrictions and guidelines set forth
461 by DILG opinion No. 22 and Section 20(3) of the Local Government Code regarding the
462 reclassification of the lands in question.

463 This representation also observed Mr. Chair, that from among the certifications
464 submitted and attached to the ordinance, the Municipal Agriculturist of Babatngon also
465 certified that some of these properties are still planted prime agricultural plants,
466 however, even that several properties are still being cultivated with agricultural crops,
467 these were already sold to the applicant, the Leyte Agri Ventures Corporation. And
468 noticed likewise, Mr. Chair that under Section 65 of the Comprehensive Agrarian
469 Reform Law, allow me to read, it says, "that after the lapse of 5 years from its award,
470 when the land ceases to be economically feasible and sound for agricultural purposes

471 or the locality has become organized and the land will have a greater economic value
472 for residential, commercial and industrial purposes the DAR upon application of the
473 beneficiary or the land owner, with due notice to the affected parties and subject to
474 existing laws, may authorized the reclassification or the conversion of the land and its
475 disposition, provided that the beneficiary shall have fully paid its obligation."

476 Perusing the attachments as submitted, we cannot say or we cannot know for
477 sure if these properties have already been awarded or there is already a lapse of 5
478 years from the award from the DAR to the farmer beneficiaries. There is no way to know
479 since there are no certificates of land title which was attached to the record.

480 Second, it is also clear, that properties subject to the application for
481 reclassification are still profitable being agricultural lands. The same being planted with
482 Prime Agricultural Crops as certified by the Municipal Agriculturist herself. Hence, Mr.
483 Chair, I subscribe to the observation of the Provincial Legal Office that there are certain
484 conditions prescribed under the existing laws that has yet to be complied or has not
485 been complied yet with this reclassification ordinance. Hence, by that Mr. Chair, I move
486 that we declare this ordinance invalid pursuant to the conditions set forth under Section
487 20 (3) of the Local Government Code and Section 65 of RA6657. I so move.

488 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

489 Second.

490 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

491 Second.

492 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

493 Mr. Chairman?

494 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

495 Yes, Maam Ebbie Apostol.

496 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

497 As said by the movant these areas are still planted. I think we should have the
498 certification from the Department of Agriculture that this land is still fit for agricultural
499 purposes. That is only my observation. Thank you.

500 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

501 Mr. Chair?

502 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

503 Yes, the Honorable Carlo Loreto?

504 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

505 I seconded the motion of the distinguished Gentleman from the 1st District from
506 Palop. And I would like to explain that before we proceed, Mr. Chair?

507 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

508 Yes.

509 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

510 I seconded the motion on 2 points.

511 First, it appears that the applicant for reclassification is a corporation. The name
512 of the corporation is Agri Ventures. Meaning to say, this is for agricultural purposes.
513 Perhaps the primary purposes of the corporation can be presented to us as well, if
514 indeed it is allowed to venture into solar farming or to the creation of solar farms.

515 Second, I subscribed to the position submitted by the Honorable Reposar that in
516 deed based on the documents submitted by the Sangguniang Bayan of Babatngon,
517 attached thereto is a certification of Atty. Pen, the Provincial Agrarian Reform Officer of
518 DAR, stating that several of the properties referred to, had been covered by the
519 Agrarian Reform Program.

520 On that note, the CCLOA should first be revoked or if the same have been in the
521 position of the beneficiary for more than 5 years, they can dispose of it, provided, they
522 have fully paid the Land Bank of the Philippines.

523 On these statements, Mr. Chair, I would second the motion to declare this
524 ordinance as invalid. Thank you.

525 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

526 So, no more questions?

527 Item No. 03, is invalid.

528 Approved unanimously.

RES. NO. 2023-450

529 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

530 Next Item, Madam Chair.

531 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

532 **ITEM NO. 04**

533 Presented for consideration is **Municipal Ordinance**
534 **No. 2023-17 of Julita, Leyte** entitled: "AN ORDINANCE
535 **CHARGING FEES FOR REQUEST OF COPIES OF LIVE BIRTH,**
536 **CERTIFICATE OF NO MARRIAGE (CENOMAR), MARRIAGE**
537 **CERTIFICATE, DEATH CERTIFICATE AND CERTIFICATE OF NO**
538 **DEATH RECORD (CENODEATH) USING THE BATCH REQUEST**
539 **QUERY SYSTEM (BREQS) OF THE PHILIPPINE STATISTICS**
540 **AUTHORITY (PSA) IN THE MUNICIPALITY OF JULITA, LEYTE."**
541 Same is recommended for the declaration of its **VALIDITY**
542 **with CONDITION** by the Provincial Legal Office per
543 2ndindorsement dated September 19, 2023.

544
545 **ITEM NO. 05**

546 Presented for consideration is **Ordinance No. 2023-**
547 **05 of Dagami, Leyte** entitled: "AN ORDINANCE ESTABLISHING
548 **THE VAWC DESK IN EVERY BARANGAY OF THE MUNICIPALITY**
549 **OF DAGAMI, LEYTE AND PRESCRIBING THE PROTOCOL IN THE**
550 **HANDLING OF ALL VAWC CASES FILED THEREOF."** Same is
551 recommended for the declaration of its **VALIDITY** by the
552 Provincial Legal Office per 2ndindorsement dated September
553 19, 2023.

554
555 **ITEM NO. 06**

556 Presented for consideration is **Ordinance No. 16 SERIES**
557 **2023 of Jaro, Leyte** entitled: "AN ORDINANCE ADOPTING THE
558 **NEW CHILDHOOD CARE AND DEVELOPMENT AND**
559 **CONVERTING DAY CARE SERVICES TO QUALITY EARLY**
560 **CHILDHOOD CARE DEVELOPMENT APPROPRIATING FUNDS**
561 **THEREOF AND FOR OTHER PURPOSES."** Same is recommended
562 for the declaration of its **VALIDITY** by the Provincial Legal
563 Office per 2ndindorsement dated September 19, 2023.

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565 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

566 We now proceed to Item No. 4. There are several items from Julita, Mr. Chair.

567 There are several items from the 2nd District, from Julita, from Dagami, from Jaro. For
568 items 4, 5 and 6, will you please recognize the Honorable Apostol, Mr. Chair?

569 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

570 Honorable Ebbie Apostol, you are recognized.

571 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

572 Thank you, Mr. Chairman, thank you, Mr. Floor Leader.

573 For Item No. 4 is Municipal Ordinance No. 2023-17 of the Municipality of Julita,
574 Leyte, entitled: "An Ordinance Charging Fees for Request of Copies of Live Birth,
575 Certificate of No Marriage (CENOMAR), Certificate of No Death Record (CENODEATH)
576 using the Batch Request Query System (BREQS) of the Philippine Statistics Authority
577 (PSA) in the Municipality of Julita, Leyte.

578 Mr. Chairman, this has been recommended for the declaration of its validity,
579 pursuant to its power under Section 56 (c) of RA 7160, the same being to the opinion of
580 the Provincial Legal Office, an exercise of the power authorized under Section 447
581 (2)(ii) of the Code. Provided that pursuant to Section 186 thereof, fees and charges
582 shall not be unjust, excessive, oppressive, confiscatory or contrary to declared national
583 policy.

584 So, with this, Mr. Chairman, it has been declared valid by the Provincial Legal
585 Office, with certain condition. With this, I move that we approve this particular ordinance
586 coming from Julita, Leyte considering the conditions by the Provincial Legal Office in its
587 2nd Indorsement dated September 19, 2023. I so move, Mr. Chairman.

588 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

589 Second.

590 HON. RAISSA J. VILLASIN: 2ND DISTRICT BOARD MEMBER

591 Second.

592 HON. FLAVIANO C. CENTINO, JR.: 4TH DISTRICT BOARD MEMBER

593 Second.

594 HON. NOLIE C. CAÑA: LIGA NG MGA BARANGAY PRESIDENT

595 Second.

596 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

597 Second.

598 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

599 Any comments?

600 Hearing none, approved.

601 Approved unanimously.

RES. NO. 2023-451

602 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

603 May I proceed to Item No. 5, Mr. Chairman, Mr. Floor Leader?

604 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

605 You may proceed, Maam Ebbie.

606 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

607 For Item No. 5, is Ordinance No., 2023-05 of Dagmai, Leyte, entitled: "An
608 Ordinance Establishing the VAWC Desk in Every Barangay of the Municipality of
609 Dagami, Leyte and prescribing the protocol in the handling of all VAWC Cases filed
610 thereof.

611 Mr. Chairman, this has been declared valid by the Provincial Legal office in its 2nd
612 Indorsment dated September 19, 2023. Mr. Chairman, since this has been studied by
613 the Provincial Legal Office, I move that we approve Municipal Ordinance No. 2023-05 of
614 Dagami, Leyte. I so move.

615 HON. RAISSA J. VILLASIN: 2ND DISTRICT BOARD MEMBER

616 Second.

617 HON. FLAVIANO C. CENTINO, JR.: 4TH DISTRICT BOARD MEMBER

618 Second.

619 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

620 Second.

621 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

622 There is a move by the Honorable Apostol, seconded by Honorable Raissa,
623 Carlo and Ivan Centino.

624 Any comments, objection?

625 Hearing none, approved.

626 Approved unanimously.

RES. NO. 2023-451-A

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629 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

630 Mr. Chair, Item No. 06 is Ordinance No. 16 Series of 2023 of Jaro, Leyte entitled:
631 "An Ordinance Adopting the New Childhood Care and Development and Converting
632 Day Care Services to quality early Childhood Care Development Appropriating Funds
633 thereof and for other purpose."

634 Mr. Chairman, this has been declared valid by the Provincial Legal Office in its
635 2nd Indorsement dated September 19, 2023. So, with this, Mr. Chairman, I move that we
636 approve Ordinance No. 16 series of 2023 of Jaro, Leyte. I so move, Mr. Chairman, Mr.
637 Floor Leader. Thank you.

638 HON. RAISSA J. VILLASIN: 2ND DISTRICT BOARD MEMBER

639 Second.

640 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

641 Second.

642 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

643 There is a move by the Honorable Ebbie Apostol duly seconded by Maam Raissa
644 and others.

645 Any comments?

646 Objections?

647 None, so approved.

648 Approved unanimously.

RES. NO. 2023-451-B

649 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

650 Thank you, Mr. Chair.

651 We now proceed to Items 7, 8 and 9, Madam Secretary please.

652 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

653 **ITEM NO. 07**

654 Presented for consideration is **Municipal Ordinance**
655 **No. 15 SERIES 2023 of MacArthur, Leyte** entitled: "**AN**
656 **ORDINANCE CREATING/INSTITUTIONALIZING THE PUBLIC**
657 **EMPLOYMENT SERVICES OFFICE.**"Same is recommended for
658 the declaration of its **VALIDITY** by the Provincial Legal Office
659 per 2ndindorsement dated September 12, 2023.

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ITEM NO. 08

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Presented for consideration is **Municipal Ordinance No. 16 SERIES 2023 of MacArthur, Leyte** entitled: **“AN ORDINANCE CREATING/INSTITUTIONALIZING THE MUNICIPAL DISASTER RISK REDUCTION AND MANAGEMENT OFFICE.”** Same is recommended for the declaration of its **VALIDITY** by the Provincial Legal Office per 2nd indorsement dated September 12, 2023.

ITEM NO. 09

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Presented for consideration is **Municipal Ordinance No. 18 SERIES 2023 of MacArthur, Leyte** entitled: **“AN ORDINANCE CREATING ONE PLANTILLA POSITIONS OF SUPERVISING AGRICULTURIST IN THE PLANTILLA OF POSITIONS OF LOCAL GOVERNMENT UNIT OF MACARTHUR, LEYTE..”** Same is recommended for the declaration of its **VALIDITY** by the Provincial Legal Office per 2nd indorsement dated September 12, 2023.

680 **HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER**

681 There are several ordinances from MacArthur. Will you please recognize the
682 Honorable Raissa Villasin?

683 **HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER**

684 Honorable Raissa Villasin, you are recognized.

685 **HON. RAISSA J. VILLASIN: 2ND DISTRICT BOARD MEMBER**

686 Thank you, Mr. Chair, thank you, Mr. Floor.

687 Items 7, 8 and 9 are all coming from the Municipality of MacArthur, Leyte.

688 Municipal Ordinance No. 15 series of 2023 of MacArthur, Leyte, entitled: “An
689 Ordinance Creating/Institutionalizing the Public Employment Services Office.

690 Municipal Ordinance No. 16, series of 2023 of MacArthur, Leyte, entitled: “An
691 Ordinance Creating/Institutionalizing the Municipal Disaster Risk Reduction and
692 Management Office.”

693 Municipal Ordinance No. 18 series of 2023 of MacArthur, Leyte, entitled: “An
694 Ordinance Creating One Plantilla Positions of Supervising Agriculturist in the Plantilla of
695 Positions of Local Government Unit of MacArthur, Leyte.

696 All the 3 Ordinances have been declared valid, have been recommended for the
697 declaration of its validity by the Provincial Legal Office, per 2nd Indorsement dated
698 September 12, 2023, as an exercise of power necessary, appropriate or incidental for
699 its efficient and effective governance essential to the promotion of full employment
700 among their residents, authorized under Section 16 of the Code.

701 If my motion is in order, I move to declare valid Municipal Ordinance No. 15,
702 series of 2023, Municipal Ordinance No. 16, series of 2023 and Municipal Ordinance
703 No. 18 series of 2023, all coming from the Municipality of MacArthur, Leyte. I so move.

704 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

705 Second.

706 HON. NOLIE C. CAÑA: LIGA NG MGA BARANGAY PRESIDENT

707 Second.

708 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

709 There is a move by the Honorable Raissa, seconded by Vince Rama and Nolie
710 Caña.

711 Any objection?

712 None, approved.

713 Approved unanimously.

RES. NO. 2023-452

714 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

715 Thank you, Mr. Chair.

716 We now proceed to Items 10, 11 and 12, Madam Secretary please

717 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

718 **ITEM NO. 10**

719 Presented for consideration is **Municipal Ordinance**
720 **No. 42, S.2023-2025 of Villaba, Leyte** entitled: "**AN**
721 **ORDINANCE ENACTED TO CREATE A NEW PLANTILLA POSITION**
722 **OF SOCIAL WELFARE OFFICER-I, SALARY GRADE 11, UNDER THE**
723 **OFFICE OF MSWD.**"Same is recommended for the
724 declaration of its **VALIDITY** with **CONDITION** by the Provincial
725 Legal Office per 2ndindorsement dated September 12, 2023.
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ITEM NO. 11

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Presented for consideration is **Municipal Ordinance No. 43, S. 2023-2025 of Villaba, Leyte** entitled: **"AN ORDINANCE ENACTING A NEW PLANTILLA POSITION OF AQUACULTURAL TECHNICIAN-I, SALARY GRADE 6, UNDER THE OFFICE OF THE MUNICIPAL AGRICULTURIST."** Same is recommended for the declaration of its **VALIDITY with CONDITION** by the Provincial Legal Office per 2nd indorsement dated September 12, 2023.

ITEM NO. 12

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Presented for consideration is **Municipal Ordinance No. 44, S. 2023-2025 of Villaba, Leyte** entitled: **"AN ORDINANCE INSTITUTING A NEW PLANTILLA POSITION OF SENIOR LABOR AND EMPLOYMENT OFFICER, SALARY GRADE 19, UNDER THE OFFICE OF THE MUNICIPAL MAYOR."** Same is recommended for the declaration of its **VALIDITY with CONDITION** by the Provincial Legal Office per 2nd indorsement dated September 12, 2023.

HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

749 Mr. Chair, there are several Ordinances from Villaba. Will you please recognize
750 the Honorable Kabigting, Mr. Chair?

751 **HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER**

752 The Honorable Chinggay Kabigting, you recognized.

753 **HON. MARIE KATHRYN V. KABIGTING: 3RD DISTRICT BOARD MEMBER**

754 Thank you, Mr. Chair, Mr. Floor Leader.

755 There are 3 Ordinances coming from Villaba, Leyte to create various plantilla
756 positions.

757 Ordinance No. 42, series of 2023-2025 of Villaba, Leyte, is "An Ordinance to
758 Create a New Plantilla Position of Social Welfare Officer 1, Salary Grade 11, under the
759 Office of MSWD.

760 For Ordinance No. 43, series of 2023-2025, entitled, "An Ordinance for the
761 Creation of Plantilla Position of Aqua cultural Technician-1, Salary Grade 6, under the
762 Office of the Municipal Agriculturist.

763 And for Municipal Ordinance No. 44 series 2023-2025, is an "An Ordinance
764 Instituting a New Plantilla Position of Senior Labor and Employment Officer, Salary
765 Grade 19, under the Office of the Municipal Mayor.

766 All the 3 Ordinances have been recommended for the declaration of its validity by
767 the Provincial Legal Office, pursuant to its power authorized under Section 56 and
768 Section 447 of the Local Government Code, with condition that, provided the creation of
769 New Plantilla Positions does not violate the prohibition under Section 325 (a) (g) of the
770 Code.

771 Considering the foregoing, I would like to move for an omnibus motion for the
772 approval of Ordinance No. 42, No. 43 and No. 44 of Villaba, Leyte, taking into account
773 the conditions set forth by the Provincial Legal Office. I so move.

774 HON. MA. CORAZON E. REMANDABAN: 3RD DISTRICT BOARD MEMBER

775 Second.

776 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

777 Second.

778 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

779 There is a move by the Honorable Chinggay Kabigting, approving Items 10, 11
780 and 12, seconded by Carlo Loreto and Maricor Remandaban.

781 Any questions?

782 None, approved.

783 Approved unanimously.

RES. NO. 2023-453

784 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

785 Thank you, Mr. Chair.

786 We now proceed to Item No. 13

787 Madam Secretary please.

788 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

789 **ITEM NO. 13**

790 Presented for consideration is **Municipal Ordinance**
791 **No. 02- series of 2023 of Merida, Leyte** entitled: **"AN**
792 **ORDINANCE IMPOSING RATES ON MONTHLY RENT PER**

793 **SQUARE METER OF FLOOR SPACE OF THE MULTI-PURPOSE**
794 **BUILDING OWNED BY THE MUNICIPAL GOVERNMENT OF**
795 **MERIDA LOCATED AT LIPORADA STREET IN BARANGAY**
796 **POBLACION, MERIDA, LEYTE.”** Same is recommended for the
797 declaration of its **VALIDITY with CONDITION** by the Provincial
798 Legal Office per 2nd indorsement dated September 19, 2023.
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ITEM NO. 14

801 Presented for consideration is **Municipal Ordinance**
802 **No. 10- series of 2023 of Merida, Leyte** entitled; **“AN**
803 **ORDINANCE CREATING THE MUNICIPAL POPULATION AND**
804 **DEVELOPMENT OFFICE OF THE LOCAL GOVERNMENT UNIT OF**
805 **MERIDA, PROVINCE OF LEYTE.”** Same is recommended for the
806 declaration of its **VALIDITY with CONDITION** by the Provincial
807 Legal Office per 2nd indorsement dated September 19, 2023.
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ITEM NO. 15

810 Presented for consideration is **Municipal Ordinance**
811 **No. 11- series of 2023 of Merida, Leyte** entitled; **“AN**
812 **ORDINANCE CREATING THE POPULATION PROGRAM OFFICER I**
813 **(SG 11) IN THE OFFICE OF THE MUNICIPAL POPULATION AND**
814 **DEVELOPMENT OFFICE FOR INCLUSION IN THE PLANTILLA OF**
815 **POSITIONS OF LGU-MERIDA, LEYTE.”** Same is recommended
816 for the declaration of its **VALIDITY** by the Provincial Legal
817 Office per 2nd indorsement dated September 19, 2023.
818

819 **HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER**

820 Mr. Chair, it appears that there are several Ordinances from Merida, Leyte, Items
821 13, 14 and 15. Will you please recognize the distinguished Board Member from the 4th
822 District, the Honorable Centino?

823 **HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER**

824 Honorable Ivan Centino, you are recognized.

825 **HON. FLAVIANO C. CENTINO, JR.: 4TH DISTRICT BOARD MEMBER**

826 On Item Nos. 13, 14 and 15, Mr. Chair, are all Ordinances from Merida. If I may, I
827 would like to move for an omnibus motion, Mr. Chair.

828 **HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER**

829 Yes, go ahead please.

830 **HON. FLAVIANO C. CENTINO, JR.: 4TH DISTRICT BOARD MEMBER**

831 Item No. 13, Ordinance No. 02 series of 2023 of Merida, “An Ordinance Imposing
832 Rates on Monthly Rent per square meter of floor space of the Multi-purpose building

833 owned by the Municipal Government of Merida located at Liporada Street in Barangay
834 Poblacion, Merida, Leyte.”

835 Item No. 14, Ordinance NO. 10, series of 2023 of Merida, “An Ordinance
836 Creating the Municipal Population and Development Office of the Local Government
837 Unit of Merida, Leyte.”

838 Item No. 15, Ordinance No.11 series of 2023 of Merida, Leyte, “An Ordinance
839 Creating the Population Program Officer I, in the Office of the Municipal Population and
840 Development Office for inclusion in the Plantilla of Positions of LGU-Merida, Leyte.”

841 Mr. Chair, these are recommended to be valid by the Provincial Legal Office with
842 conditions, Mr. Chair. So, I therefore move the declaration of validity of these
843 Ordinances.

844 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

845 Second.

846 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

847 Second.

848 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

849 Second.

850 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

851 There is a move by the Honorable Ivan Centino, for Items 13, 14 and 15, duly
852 seconded.

853 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

854 Mr. Chair?

855 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

856 Yes, the Honorable Carlo?

857 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

858 It appears that in every Ordinance the Provincial Legal Office has something to
859 say in their Indorsements. In the case of Ordinance No. 02 series of 2023, the Provincial
860 Legal Office says that, it is recommending for approval provided that the “charges
861 imposed are not unjust, excessive, oppressive, confiscatory or contrary to declared

862 national policy." And this can be complied with only thru a public hearing wherein the
863 general public are given a chance to ventilate their opinion as to the rates being
864 imposed. Considering that there is no certificate of public hearing, that is why the
865 Provincial Legal Office stated this condition.

866 In the case of Items 14 and 15, the Provincial Legal Office is referring to a salary
867 cap, that the salaries will not exceed the percentage allowed by the Local Government
868 Code.

869 On that note, Mr. Chair, may we request the distinguished movant if he is
870 amenable that the approval be subject to compliance with the recommendation of the
871 Provincial Legal Office which is the public hearing in the case of Item No. 13 and in the
872 case of Item No. 14 and 15, that it does not exceed the salary cap, Mr. Chair. If he is
873 amenable.

874 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

875 Yes, the Honorable Centino?

876 HON. FLAVIANO C. CENTINO, JR.: 4TH DISTRICT BOARD MEMBER

877 Yes, I am amenable of the suggestion of the Honorable Floor Leader.

878 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

879 Since the Honorable Centino is amenable, so Items 13, 14 and 15 is now
880 approved. Subject to the lacking requirements.

881 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

882 I thank the Honorable Centino, Mr. Chair.

883 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

884 Seconded by Vince Rama, Wilson Uy and Carlo Loreto.

885 Any objection?

886 Hearing none, approved.

887 Approved unanimously.

RES. NO. 2023-454

888 Next Item please.

889 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

890 We proceed to Items 16, 17, 18, 19 and 20, Mr. Chair.

891 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

892 **ITEM NO. 16**

893 Presented for consideration is City Ordinance No.
894 **11, S. 2023 of Baybay City, Leyte** entitled: **"AN ORDINANCE**
895 **PROMOTING EASE OF DOING BUSINESS IN THE CITY OF**
896 **BAYBAY, PRESCRIBING GUIDELINES IN THE ISSUANCE OF**
897 **BUISNESS PERMITS AND FOR OTHER PURPOSES."**Same is
898 recommended for the declaration of its **VALIDITY with**
899 **CONDITION** by the Provincial Legal Office per 2nd
900 indorsement dated September 12, 2023.

901
902 **ITEM NO. 17**

903 Presented for consideration is **Ordinance No. 05, S,**
904 **2023 of Abuyog, Leyte** entitled: **"AN ORDINANCE AMENDING**
905 **THRU INSERTION TO SECTION 5 OF ORDINANCE NO. 3, SERIES**
906 **2011, OTHERWISE KNOWN AS "AN ORDINANCE PRESCRIBING**
907 **FOR ROOM TARIFF FOR THE OCCUPANCY OF ABUYOG HOTEL**
908 **AND THE USE OF ITS FACILITIES PROVIDING FEES, TAXES, OTHER**
909 **CHARGES AND PENALTIES FOR THE VIOLATIONS THEREOF."**
910 Same is recommended for the declaration of its **VALIDITY** by
911 the Provincial Legal Office per 2ndindorsement dated
912 September 19, 2023.

913
914 **ITEM NO. 18**

915 Presented for consideration is **Ordinance No. 08, S,**
916 **2023 of Abuyog, Leyte** entitled: **"AN ORDINANCE**
917 **ESTABLISHING A MECHANISM FOR THE ABUYOG, LEYTE**
918 **SCHOLARSHIP AND EDUCATIONAL ASSISTANCE PROGRAM,**
919 **AND PROVIDING FUNDS THEREOF."** Same is recommended
920 for the declaration of its **VALIDITY** by the Provincial Legal
921 Office per 2ndindorsement dated September 19, 2023.

922
923 **ITEM NO. 19**

924 Presented for consideration is **Ordinance No. 07, S,**
925 **2023 of Abuyog, Leyte** entitled: **"AN ORDINANCE AMENDING**
926 **THRU INSERTION OF ORDINANCE NO. 14, SERIES 2020 OF THE**
927 **MUNICIPALITY OF ABUYOG, LEYTE."** Same is recommended
928 for the declaration of its **VALIDITY** by the Provincial Legal
929 Office per 2ndindorsement dated September 19, 2023.

930
931 **ITEM NO. 20**

932 Presented for consideration is **General Fund**
933 **Supplemental Budget No. 01 FY 2023 of Abuyog, Leyte**
934 amounting to **Php19,650,988.45** under **Appropriation**
935 **Ordinance No. 01, S. 2023.**Same is recommended for
936 **APPROVAL with CONDITIONS** by the Local Finance
937 Committee per review letter dated September 15, 2023,

938 together with **Supplemental Investment Program (SIP) No. 01**
939 **for CY 2023** of the same amount .

940
941 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

942 Mr. Chair, if I may.

943 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

944 Yes, the Honorable Carlo Loreto?

945 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

946 The foregoing Ordinances from Baybay City, Abuyog, Abuyog, Abuyog and
947 Abuyog, are all from the 5th District.

948 And I am honoured to move for the declaration of validity of the foregoing
949 Ordinances, with the exception of Item No. 16, Ordinance No. 11 series of 2023 of
950 Baybay City, I move that we declare valid subject to the condition cited by the Provincial
951 Legal Office. That a penalty should not exceed a fine of P5,000.00 or imprisonment of
952 not more than 1 year. I so move.

953 HON. NOLIE C. CAÑA: LIGA NG MGA BARANGAY PRESIDENT

954 Second.

955 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

956 Second.

957 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

958 Second.

959 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

960 So, there is a move by Honorable Carlo Loreto, approving Items 16, 17, 18, 19
961 and 20. Item 16, subject to the conditions....

962 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

963 Subject to the condition that the penalty should not exceed P5, 000.00 fines or
964 imprisonment of not more than 1 year. Because in the ordinance, Mr. Chair, it appears
965 that they are referring to RA 11032 and the Provincial Legal Office is of the opinion that
966 the ordinance cannot impose a penalty exceeding that which is allowed by the Local
967 Government Code. And we agree, Mr. Chair.

968 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

969 Yes, so, any comments?

970 Seconded by Vince Rama, Ronnan Reposar and Nolie Caña.

971 So, approved.

972 Approved unanimously.

RES. NO. 2023-455

973 Yes, the Honorable Carmen Cari.

974 HON. CARMEN L. CARI: PCL PRESIDENT

975 Mr. Chairman, I have some comments for Item No. 16.

976 That is "the Ordinance Promoting Ease of Doing Business in the City of Baybay,
977 prescribing guidelines in the issuance of Business Permits and for other purposes."

978 Mr. Chair, I move that we should approve it now with some conditions only
979 because we need it now for our SGLG.

980 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

981 Yes, it is approved but subject, the penalty is subject to the condition stated by
982 the Provincial Legal Office. But it is approved.

983 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

984 It is already approved, Item No. 16.

985 HON. CARMEN L. CARI: PCL PRESIDENT

986 Thank you, Mr. Chairman.

987 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

988 Item No. 21, Madam Secretary please.

989 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

990 **ITEM NO. 21**

991 Presented for consideration is **General Fund**
992 **Supplemental Budget No. 01 FY 2023** of Merida, Leyte
993 amounting to **Php13,000,000.00** under **Appropriation**
994 **Ordinance No. 01, S. 2023**. Same is recommended for
995 **APPROVAL** with **CONDITIONS** by the Local Finance
996 Committee per review letter dated September 15, 2023,
997 together with **FY 2023 Annual Investment Program (AIP)**
998 amounting to **Php13,000,000.00**.
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ITEM NO. 22

Presented for consideration is **General Fund Supplemental Budget No. 1 CY 2023** of **Tabango, Leyte** amounting to **Php11,183,000.00** under **Appropriation Ordinance No. 2023-01**. Same is recommended for **APPROVAL** with **CONDITIONS** by the Local Finance Committee per review letter dated September 18, 2023, together with Revised **Annual Investment Program (AIP) No. 1 CY 2023** amounting to **Php453,334,566.86**.

ITEM NO. 23

Presented for consideration is **General Fund Supplemental Budget No. 2 CY 2023** of **Tabango, Leyte** amounting to **Php3,793,790.86** under **Appropriation Ordinance No. 2023-02**. Same is recommended for **APPROVAL** with **CONDITIONS** by the Local Finance Committee per review letter dated September 19, 2023.

HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

Mr. Chair, it appears that there are several Supplemental Budgets in Items 21, 22 and 23.

Will you please recognize the distinguished Chairman of the Committee on Budget and Management?

HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

Honorable Wilson Uy, you are recognized.

HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

Thank you, Mr. Chair.

For Item Nos. 21, 22 and 23, these are all Supplemental Budgets, Mr. Chair coming from Merida, Leyte, Tabango, Leyte and Supplemental Budget No. 2 of Tabango, Leyte.

If my motion is in order, Mr. Chair, I move to declare valid all the Supplemental Budget on Item Nos. 21, 22 and 23. I so move, Mr. Chair.

HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

Second.

1036 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1037 There is a move by the Honorable Wilson Uy to approve items 21, 22 and 23,
1038 seconded by the Honorable Carlo Loreto.

1039 Any objection?

1040 Hearing none, so, approved.

1041 Approved unanimously.

RES. NO. 2023-456

1042 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1043 Item No. 24, Madam Secretary please.

1044 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

1045 **ITEM NO. 24**

1046 Presented for consideration is a copy furnished letter
1047 dated August 4, 2023 from the **National Water Resources**
1048 **Board, DENR**, requesting for the **posting of Water Permit**
1049 **Application** of **MARK ANTHONY C. BAUTISTA-ALIYAH**
1050 **DENNISE WATER REFILLING STATION** located at Brgy.
1051 Cabacungan, Dulag, Leyte. A certification for said posting is
1052 also requested.

1053
1054 **ITEM NO. 25**

1055 Presented for consideration is a copy furnished letter
1056 dated August 9, 2023 from the **National Water Resources**
1057 **Board, DENR**, requesting for the **posting of Water Permit**
1058 **Application** of **RAINBOW FARM RESORT/NOEL SAAVEDRA**
1059 located at Brgy. Natubgan, Kananga, Leyte. A certification
1060 for said posting is also requested.

1061
1062 **ITEM NO. 26**

1063 Presented for consideration is a **Notice of Hearing** from
1064 the **National Telecommunications Commission** relative to
1065 NTC CASE NO. 2023-124, **Applicant ISMO INCORPORATED** is
1066 requesting the NTC for the **issuance of a Certificate of**
1067 **Public Convenience and Necessity (CPCN)** to install, operate
1068 and maintain a **NATIONWIDE WIRED** and **WIRELESS**
1069 **BROADBAND NETWORK** in the Philippines and to charge rates
1070 therefor. Applicant also requests for **issuance of a Provisional**
1071 **Authority (PA)** from **NTC** pending final determination of
1072 application.

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ITEM NO. 27

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Presented for consideration is a **Notice of Hearing** from the **National Telecommunications Commission** relative to BMC CASE NO. 2023-157, Applicant **SONNY YEBRA PAJARILLO (SKYROCKET CABLE TELEVISION SERVICES)** is requesting the **NTC for the issuance of a Certificate of Authority (CA)** to install, operate and maintain Cable Television (CATV) System in the Municipality of Albuera, Leyte. Applicant also requests for **issuance of a Provisional Authority (PA)** from **NTC** pending final determination of application.

HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

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Item Nos. 24, 25, 26 and 27 Mr. Chair are requests for posting in our bulletin

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board. I move that we approve the request for posting Mr. Chair.

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HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

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Items Nos. 24, 25, 26 and 27 are duly noted for posting.

1093

Approved unanimously.

RES. NO. 2023-457

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HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

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We now proceed to Item No. 28, Madam Secretary Please.

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MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

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ITEM NO. 28

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Presented for consideration is a request for **Accreditation of World Vision Development Foundation Inc.** of Barangay 77, Marasbaras, Tacloban City with the Provincial Government of Leyte as a non-government organization.

HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

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Mr. Chair, could you please recognize the Chairperson of the Committee on

1106

Accreditation, the Hon. Ebbie Apostol.

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HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1108

Hon. Ebbie Apostol you are recognized.

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HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

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Thank you, Mr. Chairman, thank you, Mr. Floor Leader.

1111 Now for Item No. 28 is an application for accreditation of World Vision
1112 Development Foundation Inc. of Barangay 77, Marasbaras, Tacloban City with the
1113 Provincial Government of Leyte as a non-government organization.

1114 Mr. Chairman, Mr. Floor Leader, all the requirements for accreditation is
1115 complied with by the particular organization, the World Vision Development Foundation
1116 Inc.

1117 So, Mr. Chairman, with that, I move for the approval for the accreditation of this
1118 particular organization. I so move, Mr. Chairman. Thank you.

1119 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1120 Second.

1121 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

1122 Second.

1123 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1124 There is a motion, duly seconded.

1125 Any discussion, any objection, any manifestation or clarification?

1126 Hearing none, the requests for accreditation of the World Vision Development
1127 Foundation Inc

1128 Approved unanimously.

RES. NO. 2023-459

1129 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1130 Next item, Madam Secretary Please.

1131 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

1132 **ITEM NO. 29**

1133 Presented for consideration is a copy furnished letter
1134 from **Palompon Municipal Mayor Ramon C. Oñate** in
1135 response to the letter of Myra Georgina L. Arevalo, MD
1136 relative to the release of terminal leave pay of employees of
1137 LGU-Palompon who rendered service during the term of the
1138 latter as Municipal Mayor.
1139

1140 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1141 If I may, Mr. Chair.

1142 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1143 Yes, Hon. Carlo Loreto.

1144 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1145 Mr. Chair, I move that we refer this item to the Blue Ribbon Committee.

1146 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1147 It has been moved that Item No. 29 may be referred to the Blue Ribbon
1148 Committee.

1149 Approved unanimously.

RES. NO. 2023-460

1150 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1151 We now proceed to Item No.

1152 30. Madam Secretary Please.

1153 **ITEM NO. 30**

1154 Presented for consideration is a letter dated August
1155 16, 2023 from the Provincial Treasurer APPROVED by the
1156 Honorable Governor Carlos Jericho L. Petilla to **enroll to**
1157 **DBP's Internet banking facility "DBP Digital Banking Portal"** to
1158 make selected banking transactions online. A **resolution** from
1159 the Sangguniang Panlalawigan is likewise requested being
1160 one of the DBP's requirements for said enrollment.
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1162 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1163 The Honorable Uy, Mr. Chair.

1164 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1165 The Honorable Uy is recognized.

1166 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

1167 Thank you, Mr. Chair. Thank you, Mr. Floor Leader.

1168 For this particular Item No. 30, presented for consideration is a letter dated
1169 August 16, 2023 from the Provincial Treasurer approved by the Honorable Governor
1170 Carlos Jericho L. Petilla to enroll to DBP's Internet Banking Facility "DBP Digital
1171 Banking Portal" to make selected banking transactions online. And a resolution from the
1172 Sangguniang Panlalawigan is likewise requested being one of the DBP's requirements
1173 for said enrollment.

1174 Mr. Chair, for this particular request, me, personally as a businessman, I am
1175 hesitant to grant the said request considering that I still don't believe the digitalization of
1176 the banking system here in the Philippines. I am afraid that funds of the Province of
1177 Leyte will be hacked and one day we will just find out that the Province of Leyte goes
1178 bankrupt. This is my personal predicament with respect to this request, Mr. Chair.

1179 And if you look at the letter the only purpose is selected banking transaction.
1180 Only balance inquiry and download statement of account. These two items, Mr.
1181 Chairman, is not so important as to delivery of the services to our people. We can
1182 inquire our bank balance through text on cell phone, through personal visit at the bank.
1183 And we can also get statement of account through formal communication. We don't
1184 need that digital online transaction. So, that is my worry, Mr. Chair. So, I would like to
1185 request that this particular request be laid on the table until such time that I personally
1186 talk to our good Governor if really the Province insists that we grant the request of the
1187 Treasurer's Office, Mr. Chair.

1188 So, if my motion is in order, Mr. Chair, I move that we put it on the table this
1189 particular item for the time being. We can take it out the table in the next session.

1190 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5th DIST. BOARD MEMBER

1191 So, Item No. 30, to defer for further study.

1192 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1193 To lay on the table.

1194 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

1195 To lay on the table, Mr. Chair. We can take it from the table on the next regular
1196 session.

1197 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1198 If I may, Mr. Chair.

1199 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1200 Yes, the Honorable Loreto.

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1203 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1204 I would like to explain my second. Mr. Chair. The Honorable Uy has a point
1205 because digitalization provides an information highway, 'no, access. However, if there is
1206 a highway, there's also highway robbery, it's a possibility. That is why he makes sense.
1207 And perhaps, we can ask the DBP to present to us. They can make a presentation what
1208 is this all about, so that the fears of Honorable Uy about highway robbery maybe
1209 assuage. Maybe if they have security measures or whatever. Or they can assure us,
1210 they have insurance for the money of the Province, the salaries which may be lost in the
1211 highway robbery.

1212 If the Honorable Uy will be amenable, aside from laying on the table, maybe we
1213 can ask the DBP to present to the Governor and to this August Body.

1214 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

1215 Maybe in future times, Mr. Chair, because we have still to discuss it with the
1216 good Governor with respect to this particular request. Because they can present, sure
1217 the government, we don't have any online banking transaction. Unlike in private, we
1218 just with a click of your phone you can move your money from one bank to another. But
1219 for the province, all are vouchers, all are documented. So, we don't have any at the
1220 moment, online transaction. Maybe online payment from Real Property Tax but from our
1221 end in the Province of Leyte to our supplier, I guess we don't have any online banking
1222 transaction. If we allow the request it will now open the gadgets wherein they can
1223 manipulate, take out our money or what. So, that is my apprehension, Mr. Chair. But for
1224 the request of Honorable Loreto, just to see their program or their innovation, I don't
1225 have any quarrel on that, Mr. Chair.

1226 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1227 Perhaps, the Governor is not aware because he did not sign the letter.

1228 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

1229 Yes, Mr. Chair because it is only signed by the representative. Actually, the
1230 intention is good but personally, I just... бага dire pa ako na believe hit ira bank online
1231 transaction because we are nervous that there are so many fraud. Kon бага han una

1232 robbery. Siring pa man ni Board Member Loreto yana highway robbery. All the
1233 robberies are now on an internet based, di ba? Hacking. So, we don't want that one
1234 day the Province of Leyte will be poor, Mr. Chair. And I love the Province of Leyte so
1235 much.

1236 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

1237 Mr. Chairman.

1238 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1239 Yes, the Honorable Apostol is recognized.

1240 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

1241 I agree with the observation of Honorable Uy that the DBP would enlighten us
1242 regarding this program. That's my observation. Thank you.

1243 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1244 Thank you, very much.

1245 So, Item No. 30, for further study. Deffered.

1246 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

1247 It is laid on the table, Mr. Chair, so that we can easily take it out on our next
1248 regular session. Thank you.

1249 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1250 Okay.

1251 Carried unanimously.

RES. NO. 2023-461

1252 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1253 Lay on the table until such time it is taken from the table. Not necessarily in the
1254 next session.

1255 Okay, we proceed to Item No. 31, Madam Secretary, please.

1256 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

1257 **ITEM NO. 31**

1258 Presented for consideration is an endorsement letter
1259 from Hon. Reposar of the list of Paid and Unpaid **Homelots of**
1260 **Brgy. San Fernando, Palo, Leyte** with attached Tax
1261 Declarations relative to the **transfer of the properties of the**
1262 **residents of said barangay from the Provincial Government**

1263 to the individual awardees of the subdivided lots in the
1264 resettlement area in Brgy. San Fernando, Palo, Leyte.

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1266 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1267 Will you please recognize the Honorable Reposar, Mr. Chair?

1268 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1269 The Honorable Ronnan Reposar is recognized.

1270 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

1271 Thank you very much, Honorable Presiding Chair and our Majority Floor Leader.

1272 For the information of everyone, the residents of Barangay San Fernando are
1273 actually awardees or grantees of the home lots from the Provincial Government of
1274 Leyte. Sometime during the administration of then Governor Leopoldo "Polding" Petilla,
1275 the then Governor was authorized by the Sangguniang Panlalawigan to execute a Deed
1276 of Absolute Sale in the amount of One thousand Eight Hundred Pesos (Php1,800.00)
1277 per lot for the beneficiaries of resettlement area which is now known in Palo as
1278 Barangay San Fernando.

1279 However, after the lapse of the term of the Honorable Leopoldo "Polding" Petilla
1280 the next Governor, Honorable Remedios "Matin" Petilla was also given the authority.
1281 But during the term of Honorable Carlos Jericho "Icot" Petilla and Honorable Leopoldo
1282 Dominico "Mic" Petilla there were no resolutions, I think, that were issued. Considering
1283 that it was being studied, as per discussion with Honorable Mic Petilla, there were still
1284 discussion of how much is the equivalent of the One Thousand Eight Hundred
1285 (Php1,800.00) during the time of Honorable Polding Petilla, during his time. So, that's
1286 one of the main concerns. The other concerns were, there were a lot of transfer of
1287 properties already from the original grantee to the present occupant right now. Some of
1288 those occupying the properties are not the original grantees anymore, but are heirs.
1289 Some of which are vendees because lots were sold even without the proper transfer.

1290 Although, almost 50% of the awarded properties there have already been
1291 transferred to the original grantees. I think there are still more than two hundred
1292 homelots that has yet to be settled. So, the Punong Barangay of Brgy. San Fernando

1293 together with the Barangay Council went to my office and to the Office of the Provincial
1294 Administrator Ma'am, Cora. I think it is just proper that this be discussed in the plenary
1295 also or the Sangguniang Panlalawigan be apprised of what's going on because I believe
1296 later on, another resolution authorizing now the Governor Icot Petilla for the disposal of
1297 those properties. Among the advantages of this transfer of the properties in the names
1298 of the residents, would mean an additional income, the real property taxes.

1299 Now, more than half of those awarded properties still in the name of the Province
1300 of Leyte. The rights to those properties are being enjoyed by the homeowners but there
1301 are non taxes being paid because there are still in the name of the Province of Leyte.
1302 Hence, I requested that this be referred so, I may also be apprised because that's the
1303 history based on my research based on discussions with the Provincial Planning and
1304 Development Office before, it is also nice to know if indeed, there were no resolutions
1305 granting now Governor Icot Petilla and then Governor Mic for the disposition of this
1306 concern. That's all for the information.

1307 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1308 Mr. Chair.

1309 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1310 Yes, the Honorable Loreto.

1311 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1312 May we know from the Honorable Reposar, if...it says here there are relocation?

1313 They are relocated to Barangay San Fernando. Where were they from?

1314 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

1315 I think they were scattered from different areas in the Government Center.

1316 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1317 In the Government Center.

1318 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

1319 Yes. But before when we were living in Barangay Baras, it's not Barangay San
1320 Fernando. It was being referred to as 'resettlement'. "Ngain ka?" "Ngadto ha
1321 Resettlement." It is actually Barangay San Fernando. Only to find out when I was

1322 already a lawyer, having discussed this with the then the planning coordinator/planning
1323 officer was Ma'am Cora.

1324 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1325 Mr. Chair, I remember when I was on my first term as a Board Member,
1326 Governor Icot Petilla was new as a Governor, a decision came out from the Supreme
1327 Court, making it final and executory, the eminent domain case. And so the Province
1328 paid for several properties which form part of the Government Center. So, perhaps, we
1329 need to clarify if the transfer of the properties of the Provincial Government are
1330 quantified in their claim. Or perhaps, if there are different owners, if they are part of the
1331 payment or not. I think we should clarify with the Provincial Legal Office and from the
1332 documents.

1333 Second, Mr. Chair, I wish to point out that the Governor before was Leopoldo
1334 Petilla. Which is sometimes confusing because considering that the previous Governor
1335 immediately preceding Governor Jericho Petilla was Leopoldo Dominico Petilla. So, it
1336 was Leopoldo Petilla, then Remedios Petilla, Jericho Petilla and Leopoldo Dominico
1337 Petilla. Just for time lang, 'no.

1338 And also, No. 03, the Honorable Reposar mentioned that the Provincial
1339 Administrator stated that she was unsure if there are resolutions issued for the
1340 Governor authorizing the transfer of the properties. My two cents worth, I think in the
1341 case of elimination of properties of the provincial government, it should be an ordinance
1342 because it is an investment of property of the provincial government which similar to
1343 releasing funds, it should be by ordinance not by mere resolution. That's all.

1344 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

1345 Mr. Chair,

1346 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1347 Yes, the Honorable Uy.

1348 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

1349 Yes. In addition, Mr. Chair, I go with the observation of my colleague, Honorable
1350 Reposar and also the sentiment of the Barangay San Fernando residents. Kay when I

1351 entered Palo as Municipal Councilor until ika pira kona yana, ten years, Mr. Chair, that
1352 is always the predicament of the residents of Barangay Baras. Nga itong mga property
1353 ma transfer na ngada ha ira. And there was no action on our end, although may ada
1354 pero no actual result with the request. And seguro, damo na nga mga residents nga
1355 nanganganak, nag graduar na an ira mga anak, nag asawa, nagka apo apohan na, until
1356 now they doesn't t own the said property.

1357 So, I think, it is now high time that the Sanggunian will be able to resolve the
1358 predicament of the residents considering that that's also our promises, the politicians of
1359 Palo and the First District amo permi an saad to help them, if and when it will be settled
1360 their case to help their predicament. And I think, one of our best resolution of this
1361 request maybe this August Body come up with a core group, task force wherein the
1362 Provincial Assessor and any people involved, to come up with a concrete stand, their
1363 position of how can we be able to transfer these properties legitimately, Mr. Chair.

1364 That's all. Thank you.

1365 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1366 The Honorable Reposar, Mr. Chair.

1367 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1368 Yes, the Honorable Reposar.

1369 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

1370 Thank you very much, Mr. Chair.

1371 That's actually my purpose why I requested that this be included in the agenda.
1372 Per discussion with the Provincial Administrator, we were actually in agreement, the
1373 necessity of creating a Technical Working Group, to sit down on this matter. It will
1374 involve the Provincial Legal Office, a member of the Sangguniang Panlalawigan, I think
1375 the Committee on Housing, then the Provincial Assessor himself, and some other
1376 provincial, local functionaries which may be resource persons or be able to assist in
1377 discussing and resolving some concerns of this housing.

1378 To answer the concern of Honorable Floor Leader, Atty. Carlo, I think it is not
1379 included in the eminent domain case. Per records of the Provincial Administrator, they

1380 have this map of the entire land piece and are still intact. However, I think one of the
1381 main concerns right now is the transfer of the properties from the original grantee to the
1382 occupant. So, what we were suggesting before was they made this categories or
1383 classification if the occupants still the original grantee, if now it is not, among relasyon
1384 from the original grantee. So, we can decide from the legal aspect whether or not
1385 whatever documentations that should be provided by the occupants, so that a proper
1386 turnover or proper transfer maybe made.

1387 So, with that, Mr. Chair, I am actually moving that this be referred to the
1388 Committee on Housing, Land Use and Informal Settlers, and the Chair be given the
1389 authority to coordinate with the Provincial Legal Office, Assessor and the Provincial
1390 Administrator, to sit down and come up with a recommendation and present that before
1391 this August Body.

1392 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1393 Mr. Chair.

1394 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1395 Yes, the Honorable Loreto.

1396 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1397 I remember also, aside from the owners who were subject of the expropriation
1398 proceedings there were also informal settlers or squatters who were resettled because
1399 of the "Lina Law." In order to drive them out you have to resettle them. Perhaps, these
1400 are the people.

1401 If the Honorable Reposar will convert that into a motion, I will gladly second. But,
1402 perhaps, not only the committee, perhaps, we can refer it jointly to the Provincial
1403 Governor's Office so that action will be expedited if through the Governor and the
1404 Technical Working Group, if created by the Governor, will have the wherewithal to bid
1405 and to have the logistical requirements.

1406 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

1407 I am amenable, Mr. Chair.

1408 I subscribe and submit to the amendment of my motion.

1409 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1410 Second.

1411 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5th DIST, BOARD MEMBER

1412 So, any objections?

1413 I think there will be no objection, so, the motion is approved.

1414 Approved unanimously. **RES. NO. 2023-462**

1415 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1416 We now proceed to Item No. 32, Madam Secretary please.

1417 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

1418 **ITEM NO. 32**

1419 Presented for consideration is a letter dated
 1420 September 18, 2023 from the **Provincial Governor Carlos**
 1421 **Jericho L. Petilla** relative to the **use of the Energy**
 1422 **Regulations 1-94 funds** per Supplemental Annual Work
 1423 Program 2023 amounting to **Php 1,981,779.47.**
 1424

1425 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1426 The Honorable Uy, Mr. Chair.

1427 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1428 The Honorable Uy is recognized.

1429 HON. WILSON S. UY: 1ST DISTRICT BOARD MEMBER

1430 Thank you, Mr. Floor Leader. Thank you, Mr. Chair.

1431 For Item No. 32, Mr. Chair, if my motion is in order, I move to pass a resolution,
 1432 authorizing the Honorable Carlo Jericho L. Petilla, Governor, Province of Leyte, to use
 1433 the Energy Regulations 1-94 funds in the execution of the Supplemental Annual Work
 1434 Program 2023 amounting to Php1,981,779.47. I so move, Mr. Chair.

1435 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1436 Second.

1437 HON. RAISSA J. VILLASIN: 2ND DISTRICT BOARD MEMBER

1438 Second.

1439

1440 HON. MARIE KATHRYN V. KABIGTING: 3RD DISTRICT BOARD MEMBER

1441 Second.

1442 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1443 There's a motion by the Honorable Uy, seconded by Carlo Loreto, Raissa

1444 Villasin and Chinggay Kabigting.

1445 Any comments?

1446 Hearing none, the motion is carried and approved.

1447 Approved unanimously. **RES. NO. 2023-463**

1448 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1449 There are no more items in our agenda, Mr. Chair.

1450 Other matters?

1451 If I may, Mr. Chair.

1452 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1453 Yes, the Honorable Loreto.

1454 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1455 I wish to raise a point of privilege.

1456 During our PBMLP convention in Cebu last week, one of the speakers told us a

1457 story about the ABC President of one Province. He was always silent, so the Board

1458 decided that the ABC President be delegated the authority to adjourn every session,

1459 'no. We pass a resolution authorizing the ABC President to move for adjournment in

1460 every session. So, on the last day, before the end of the term on the last session, the

1461 ABC President was nowhere to be found. He was hiding in the comfort room. And the

1462 ABC President said, "tang ina, tingnan lang natin kung maka adjourn sila."

1463 Perhaps, on that note, Mr. Chair, we can pass a resolution.

1464 Will you please recognize the Honorable ABC President, Mr. Chair?

1465 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1466 The Honorable Cana, you are cordially recognized.

1467 HON. NOLIE C. CANA: LIGA NG MGA BARANGAY PRESIDENT

1468 Thank you, Honorable Floor Leader.

1469 Thank you, Honorable Chair.

1470 I move to adjourn.

1471 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

1472 Mr. Chairman.

1473 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1474 Yes, the Honorable Apostol.

1475 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

1476 Will the Honorable ABC President of the province answer the question of

1477 Honorable Loreto? Not an adjournment, we need an answer to the question.

1478 HON. NOLIE C. CANA: LIGA NG MGA BARANGAY PRESIDENT

1479 Thank you, Honorable Apostol.

1480 Sorry, what was the question?

1481 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1482 I was saying, "What office are you running for this election?"

1483 HON. NOLIE C. CANA: LIGA NG MGA BARANGAY PRESIDENT

1484 I did not hear any question, Madam.

1485 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1486 It was not a question, it was a suggestion based on our seminar in the PBMLP,

1487 Nga iton ABC President, Tita Ebbie, asya it para adjourn.

1488 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

1489 Bakit? Is everyone filing or whatever?

1490 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1491 It was a story.

1492 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

1493 What is the right procedure? I am asking you, Mr. Floor Leader.

1494 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1495 It was the ABC President in that province who was not ...

1496 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

1497 What province?

1498 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

1499 Laguna. So that, they will give the ABC President a role.

1500 Unlike our ABC President who is very eloquent, that ABC President was not as
1501 gifted.

1502 Anyway, I will second the motion to adjourn, Mr. Chair.

1503 HON. MICHAEL L. CARI: TEMP. PRESIDING OFFICER/5TH DIST. BOARD MEMBER

1504 So, duly seconded. The session now is adjourned.

1505 (The session is adjourned at 11:58 o'clock in the morning.

1506 Closing prayer led by the Honorable Remandaban.)

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60TH Regular Session
September 26, 2023

I HEREBY CERTIFY to the correctness of the foregoing minutes.

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FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

APPROVED:

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WILSON S. UY
1ST District Board Member

RONNAN CHRISTIAN M. REPOSAR
1ST District Board Member

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MA. CORAZON E. REMANDABAN
3RD District Board Member

MARIE KATHRYN V. KABIGTING
3RD District Board Member

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FLAVIANO C. CENTINO, JR.
4TH District Board Member

VINCENT L. RAMA
4TH District Board Member

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MICHAEL L. CARI
5TH District Board Member

CARLO P. LORETO
5TH District Board Member
(Temp. Presiding Officer)

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NOLIE C. CAÑA
Liga ng mga Barangay Pres.
Ex-Officio Member

JO VANILLE CHUA-MERILO
SK Prov'l. Fed. President
Ex-Officio Member

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CARMEN L. CARI
PCL President
Ex-Officio Member

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LEONARDO M. JAVIER, JR.
Vice-Governor

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/joy
/divine
/naomi
/elma

Date Approved: _____