

REPUBLIC OF THE PHILIPPINES PROVINCE OF LEYTE TACLOBAN CITY -000-



SANGGUNIANG PANLALAWIGAN

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MINUTES OF THE 70th REGULARSESSION OF THE SANGGUNIANG PANLALAWIGAN OF LEYTE, HELD AT THE SESSION HALL, LEYTE PROVINCIAL GOVERNMENT COMPLEX, PALO, LEYTE ON 12 DECEMBER 2023.

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PHYSICALLY PRESENT:

16	1. Hon. Ronnan Christian M. Reposar
17	2. Hon. Trinidad G. Apostol
18	3. Hon. Raissa J. Villasin
19	4. Hon. Ma. Corazon E. Remandaban
20	5. Hon. Flaviano C. Centino, Jr.
21	6. Hon. Michael L. Cari
22	7. Hon. Carlo P. Loreto
23	8. Hon. Carmen L. Cari
24	9. Hon. Nolie C. Caña
25	
26	10. Hon. MJ Luinly D. Lumen

1st District Board Member 2nd District Board Member 2nd District Board Member 3rd District Board Member 4th District Board Member 5th District Board Member 5th District Board Member Ex-Officio Member, PCL President Ex-Officio Member, LigangMga Barangay President SK President

VIRTUALLY PRESENT:

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1. Hon. Leonardo M. Javier, Jr.

2. Hon. Wilson S. Uy

3. Hon. Marie Kathryn V. Kabigting 4. Hon. Vincent L. Rama

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Vice-Governor/Presiding Officer

1st District Board Member

3rd District Board Member 4th District Board Member

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The 70th Regular Session opened at 10:40 o'clock in the morning presided over by the Honorable Leonardo M. Javier, Jr., Vice-Governor of the Province of Leyte.

Opening Prayer was led by the Honorable Ronnan Christian M. Reposar,Representative of the 1st District of Leyte and followed by the singing of the Philippine National Anthem.

A motion to dispense withthe PBMLP Hymn and the PBMLP Creed of the agenda was presented by the Honorable Carlo P. Loreto, Floor Leader and Representative of the 5th District of Leyte, duly seconded by theRaissa J. Villasin, Representative of the 2nd District of Leyte.

48	Considering that there was no objection, the motion was carried.
49	The Presiding Officer, Honorable Leonardo M. Javier, Jr., requested the
50	Sangguniang Panlalawigan Secretary Mrs. Florinda Jill S. Uyvico to call the roll in order
51	to determine the presence of quorum.
52	MRS. FLORINDA JILL S. UYVICO: SP SECRETARY
53	The following Members are in attendance:
54	Physically Present:
55	Hon. RonnanChristian M. Reposar
56	Hon. Trinidad G. Apostol
57	Hon. Raissa J. Villasín
58	Hon. Ma. Corazon E. Remandaban
59	Hon. Flaviano C. Centino, Jr.
60	Hon. Michael L. Cari
61	Hon. Carlo P. Loreto
62	Hon. Carmen L. Cari
63	Hon. Nolie C. Caña
64	Hon. MJ Luinly D. Lumen
65	Virtually Present:
66	Hon. Leonardo M. Javier, Jr.
67	Hon. Wilson S. Uy
68	Hon. Marie Kathryn V. Kabigting
69	Hon. Vincent L. Rama
70	Fourteen (14) Members are present, Mr. Chair, Mr. Floor.
71	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
72	We have a quorum, Floor Leader?
73	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
74	Mr. Chair, we now proceed to the consideration of the minutes of the previous
75	Session of December 5, 2023.
76	Kindly recognize the Honorable Apostol, Mr. Chair, if she has any correction on
77	the minutes of December 5, 2023, Mr. Chair?
78	HON.LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
79	Yes, the Honorable Ebbie Apostol, you are recognized.

80	HON. TRINIDAD G. APOSTOL: 2 ND DISTRICT BOARD MEMBER
81	Thank you, Mr. Chairman. Thank you, Mr. Floor Leader.
82	I just received a copy now. I was not able to read this. So, so far, I don't have any
83	correction. Thank you.
84	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
85	Kindly recognize the Honorable Remandaban, Mr. Chair?
86	HON.LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
87	The Honorable Remandaban, is recognized.
88	HON. MA. CORAZON E. REMANDABAN: 3 RD DISTRICT BOARD MEMBER
89	Thank you, Mr. Chair, Mr. Floor Leader.
90	I just have a minor correction on page 20, line 755. Instead of the word "of the
91	Province of Leyte," it is read as "declaring the eco-tourism site respectively of the
92	Municipality of Calubian."
93	And on line 764, please insert the word "for its approval." So, it should be read
94	as, "I so move for its approval, Mr. Chair, Mr. Floor Leader." Thank you, Mr. Chair, Mr.
95	Floor Leader.
96	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
97	On that note, Mr. Chair, I move that we approve the minutes of December 5,
98	2023 as corrected.
99	HON. TRINIDAD G. APOSTOL: 2 ND DISTRICT BOARD MEMBER
100	Second.
101	HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER
102	Second.
103	HON.LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
104	So, there is a move by the Honorable Apostol, seconded by the Honorable Carlo
105	Loreto.
106	Is there any objection?
107	Hearing none. So, motion is approved.
108	Approved unanimously. RES. NO. 2023-564

109	HON. CARLO P. LORETO: FLOOR LEA	DER/5TH DISTR	ICT BOARD MEMBER
110	Mr. Chair, we now proceed to the	Committee Rep	ort, Mr. Chair.
111	IX. Committee Report: SP Blue Ribbon	n Committee	
112	Chairperson	: Atty. Ronnan	Christian M. Reposar
113	COMMITTEE REPORT:		
114	Republic of the PROVINCE	he Philippines E OF LEYTE	
115 116	SANGGUNIANG		N
117	BLUE RIBBON	COMMITTEE	DEC 1 1 202
118 119		EE REPORT S. 2022	THE WORKER OF LEY
120	This is in relation to Administrativas follows:	ve Case No. BRC-	SP2023-001 captioned
121	MESIAS P. AREVALO SR.	ADMIN CA	SE No. BRC-SP2023-001
122	Complainant,		
123		Misc Neg	onesty, Oppression, conduct in Office, Gross ligence,
124		Auti	diction of Duty, Abuse of nority under Section 7 of the sed Internal Procedure (SP)
125	-versus-	of th	e province of Leyte, ppines.
126		3019	ation of Republic Act No. (Anti-Graft and Corrupt
127		of Co Stand	tices Act), R.A. 6713 (Code onduct and Ethical dards for Public Officials
128		and 2	Employees), Section 9, 21 22 of R.A. No. 11032 wise known as the Ease of
129	,	Doin Gove	g Business and Efficient rrument Service Delivery of 2018
130	RAMON C. OÑATE Respondent,	A Marie a	A 400 LU
131	XX		
132	Following the receipts of the motion Ramon Oñate and the receipt of the Carevalo Sr. the committee and the receipt of the committee and th	Omment from a	omminiment Maries D
133	Arevalo, Sr., the committee referred the Office to seek for its legal opinion.	e issues raised to	the Provincial Legal
134	The issues referred are as follows:		
135	Whether or not the Sanggunian the person of the respondent in	g Panlalawigan h	as jurisdiction over
136	against him?		uses of actions filed
137			
138	¹ Request for legal opinion (from the Committee to the l	PLO), dated Sentembor	10 2022

¹ Request for legal opinion (from the Committee to the PLO), dated September 19, 2023

2. Whether or not the complainant has committed forum shopping and has 139 violated Rule 7, section 5 of the Rules of Court as amended in relation to Section 10 of Procedure in Administrative Disciplinary Proceedings 140 of the Sangguniang Panlalawigan? and, 141 3. Whether or not there is a Misjoinder of Causes of Action relative to the 142 case as filed before the Sangguniang Panlalawigan? 143 On November 10, 2023, the committee through the secretariat received the legal opinion² of the Provincial Legal Office (PLO) discussing the issues jointly. 144 The PLO averred that while the Sangguniang Panlalawigan was first to 145 acquire jurisdiction, it did not however divest the Office of the Ombudsman its primary jurisdiction to investigate and to take cognizance of administrative cases 146 against erring public officer or employee. It averred that the Office of the Ombudsman has primary jurisdiction to investigate any act or omission of a public 147 officer or employee who is under the jurisdiction of the Sandiganbayan, citing among others, Section 15 of Republic Act No. 6770, which provides: 148 Section 15. Powers, Functions and Duties. - The Office of 149 the Ombudsman shall have the following powers, functions and duties: 150 (1) Investigate and prosecute on its own or on complaint by 151 any person, any act or omission of any public officer or employee, office or agency, when such act or omission appears to be illegal, 152 unjust, improper or inefficient. It has primary jurisdiction over cases cognizable by the Sandiganbayan and, in the exercise of this 153 primary jurisdiction, it may take over, at any stage, from any investigatory agency of Government, the investigation of such 154 cases; (Emphasis Ours) 155 XXX - XXX - XXX156 The PLO stated that since the Office of the Ombudsman took cognizance³ of the case, it is more prudent that due courtesy must be accorded to it in the exercise of its administrative jurisdiction. 157 158 The PLO is convinced that the respondent in this case is classified with SG 27 and the fact is, a pending administrative case is filed against him before the Sangguniang Panlalawigan, which was then subsequently filed before the office 159 of the Ombudsman, involving the same parties, of substantially the same facts and 160 reliefs prayed for. That being the circumstance, the PLO recommends that this instant case be referred to the Office of the Ombudsman for possible consolidation 161 of cases in order to prevent the rendition of conflicting decisions.

The committee subscribes to the opinion of the PLO, particularly insofar as to the possibility of conflicting decisions being rendered by the Sangguniang

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² Memorandum for the SP Chairman, Blue Ribbon Committee, dated November 9, 2023 (Legal Opinion of the PLO)

³ Joint Order issued by the Office of the Ombudsman, dated June 27, 2023, requiring respondents to file their respective counter affidavits.

Panlalawigan and the Office of the Ombudsman, respectively. The committee is likewise convinced that when the Office of the Ombudsman issued the Joint Order, dated June 27, 2023, requiring respondents to file their respective counter affidavits, the said office took cognizance of both the administrative and criminal aspect of the case and not the criminal aspect only. While it is true that the complainant has disclosed the fact of filing of an administrative case before the Sangguniang Panlalawigan when it subsequently filed the same complaint before the Office of the Ombudsman, and that the latter complaint was for the criminal liability of respondent Ramon C. Oñate only, the fact is, the Office of the Ombudsman clearly took cognizance of both the administrative and criminal aspect of the case filed before it. It is then the opinion of the committee that the Sangguniang Panlalawigan submits to the authority of the Office of the Ombudsman, pursuant to the provision of Section 15 of Republic Act No. 6770 as quoted above.

In view of the foregoing, and considering the legal opinion of the Provincial Legal Office under the Memorandum for the SP Chairperson, Blue Ribbon Committee, dated November 9, 2023, the committee recommends for the dismissal of this instant case without prejudice. It is further recommended that the Office of the Ombudsman be notified of this report, addressed to ATTY. DANTE F. VARGAS, Deputy Ombudsman for the Visayas and be furnished of all its attachments to include the subsequent resolution of the Sangguniang Panlalawigan dismissing this case.

Submitted this 11th day of December, 2023, Palo, Leyte

Hon. Atty. Ronnan Pristian M. Reposar

Hon. Atty Carlo P. Loreto
Vice Chairperson

Hon. Vincent L. Rama

Hon, Innidad C. A

Hon. Ma. Corazon E. Remandaban

Member

Republic of the Philippines
PROVINCE OF LEYTE

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PROVINCIAL LEGAL OFFICE

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MEMORANDUM FOR THE SP CHAIRMAN, BLUE RIBBON COMMITTEE

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FROM

PROVINCIAL LEGAL OFFICE

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DATED

November 9, 2023

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Pending before the Committee is an Administrative Case No. BRC-SP2023-001 filed on February 20, 2023, by Mesias P. Arevalo Sr. against Mayor Ramon C. Oñate of the Municipality of Palompon, Leyte ("Palompon") for Dishonesty, Oppression, Misconduct in Office, Negligence, Dereliction of Duty, Abuse of Authority under Section 7 of the Revised Internal Procedure of the SP, Violation of R.A. No. 3019, R.A. No. 6713, and Sections 9, 21, and 22 of R.A. No. 11032.

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It appears likewise from the records that there is a subsequent case involving the same parties, of substantially the same facts, allegations, and reliefs prayed for, filed before the Office of the Ombudsman docketed as OMB-V-C23-0149 and OMB-V-C 23-0157 filed on March 29, 2023.

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For consideration before the Committee is a Motion to Dismiss and Manifestation with Motion to Dismiss filed by the Respondent. Thus, this. The office is being asked, in aid of investigation, the following issues:

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1. Whether or not the Sangguniang Panlalawigan has jurisdiction over the person of the respondent in relation to the cause of action filed against him?

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2. Whether or not the complainant has committed forum shopping and has violated Rule 7, Section 5 of the Rules of Court as amended in relation to Section 10 of PADP of the Sangguniang Panlalawigan? And

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3. Whether there is a misjoinder of causes of action relative to the case as filed before the Sanggunian g Panlalawigan?

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The first complaint was <u>initially filed</u> before the Sangguniang Panlalawigan, and the second was with the Office of the Ombudsman. While it is true that the former was the first to acquire jurisdiction over the person of the respondent, prudence dictates that due courtesy must be accorded to the

Office of the Ombudsman in the exercise of its administrative jurisdiction.

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224 Carry Darry Leyte Pr



eyte Provincial Government Complex, West Bypass Road, Palo, Leyte 6501 Philippines | provinciallegalleyte@gmail.com

To put the matter in proper perspective, the Ombudsman has primary jurisdiction to investigate any act or omission of a public officer or employee who is under the jurisdiction of the Sandiganbayan. Section 15, Republic Act No. 6770, provides:

Section 15. Powers, Functions and Duties. — The Office of the Ombudsman shall have the following powers, functions and duties:

(1) Investigate and prosecute on its own or on complaint by any person, any act or omission of any public officer or employee, office or agency, when such act or omission appears to be illegal, unjust, improper or inefficient. It has primary jurisdiction over cases cognizable by the Sandiganbayan and, in the exercise of this primary jurisdiction, it may take over, at any stage, from any investigatory agency of Government, the investigation of such cases. [Emphasis Ours]

Under Republic Act No. 8249, the Sandiganbayan's jurisdiction extends only to public officials occupying positions corresponding to salary grade 27 and higher.

Consequently, as we held in *Office of the Ombudsman v. Rodriguez*,² any act or omission of a public officer or employee occupying a salary grade lower than 27 is within the concurrent jurisdiction of the Ombudsman and of the regular courts or other investigative agencies.³

In the present case, it is beyond doubt that the respondent is classified with SG 27 and there is a pending administrative case against him, albeit filed subsequently before the Office of the Ombudsman by the same complainant. Considering those circumstances, it is our considered view to refer this case to the Office of the Ombudsman for possible consolidation of cases to prevent the rendition of conflicting decisions.

This opinion is without prejudice to a more authoritative opinion from higher authorities or from the wisdom of the Honorable Members of the Sangguniang Panlalawigan.

For your consideration.

JOSE RAYMUND A. ACOL Asst. Provincial Legal Officer

RA 8249, "An Act Further Defining the Jurisdiction of the Sandiganbayan."

² Office of the Ombudsman v. Rodriguez, G.R. No. 172700, July 23, 2010, 625 SCRA 299.

³ Uy v. Sandigańbayan, 407 Phil. 154 (2001).

255	HON. RONNAN CHRISTIAN M. REPOSAR: 1° DISTRICT BOARD MEMBER
256	Having read the report, I move that the same be adopted and approved
257	Honorable Presiding Chair.
258	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
259	Second.
260	HON. FLAVIANO C. CENTINO, JR.: 4 TH DISTRICT BOARD MEMBER
261	Second.
262	HON. RAISSA J. VILLASIN: 2 ND DISTRICT BOARD MEMBER
263	Second.
264	HON. TRINIDAD G. APOSTOL: 2 ND DISTRICT BOARD MEMBER
265	Mr. Floor Leader?
266	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
267	The Honorable Apostol, Mr. Chair?
268	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
269	Yes, ManaEbbie, Honorable Apostol, you are recognized.
270	HON. TRINIDAD G. APOSTOL: 2 ND DISTRICT BOARD MEMBER
271	Thank you, Mr. Chairman, thank you, Mr. Floor Leader.
272	So, the recommendation of the committee is to refer this instance case to the
273	Office of the Ombudsman who has the primary jurisdiction to investigate over thiscase.
274	So, that is the report of the committee headed by the Chairman, Atty. Reposar.
275	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
276	Okay. Nakamutekaseguro Vice-Gov.
277	HON.LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
278	Ah okay. So, there is a manifestation by the Honorable Apostol.
27 9	HON. TRINIDAD G. APOSTOL: 2 ND DISTRICT BOARD MEMBER
280	Yes, thank you, Mr. Chairman, thank you, Mr. Floor Leader.
281	Now, as I was able to read all these recommendation of the committee report.
282	So, it is very clear that the committee recommends that this particular case be
283	referred to the Office of the Ombudsman for possible consideration of cases in order to

284	prevent the rendition of conflicting decision. So, Mr. Chairman, Mr. Floor Leader, that is
285	the recommendation of the committee report headed by Atty. Reposar. Thank you.
286	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISRICT. BOARD MEMBER
287	Okay.
288	HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER
289	Was my motion approved, Mr. Floor?
290	Because awhile ago there was no audio from the Vice-Governor.
291	HON.LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
292	It has been seconded and hearing no objection.
293	The motion is approved.
294	Approved unanimously. RES. NO. 2023-565
295	HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER
296	Mr. Chair, I move for another corollary motion, Mr. Chair.
297	HON.LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
298	Go ahead, Honorable Reposar.
299	HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER
300	The report having been approved, Mr. Chair, I move that a resolution be passed
301	dismissing the without prejudice the Administrative Case No. PRC-SP 2023-001, as
302	captioned or as mentioned in the report. I so move.
303	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
304	Second.
30 5	HON. FLAVIANO C. CENTINO, JR.: 4 TH DISTRICT BOARD MEMBER
306	Second.
307	HON. RAISSA J. VILLASIN: 2 ND DISTRICT BOARD MEMBER
308	Second.
309	HON.LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
310	Any objections?
311	None.Motion is approved.
312	Approved unanimously. RES. NO. 2023-566

HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER 313 314 Since there are no items for first reading and reference of business, we now go 315 to the Business of the Day. 316 Item No. 1, Madam Secretary please. MRS. FLORINDA JILL S. UYVICO: SP SECRETARY 317 **BUSINESS OF THE DAY** 318 319 ITEM NO. 01 320 Presented for consideration is Ordinance No. 440-Aof 321 Babatagon, Leyte entitled: "AN ORDINANCE AMENDING 322 SECTION 7 (Source of Funding) OF ORDINANCE NO. 440 OF 323 BABATNGON, LEYTE ENTITLED: "AN ORDINANCE GRANTING CASH INCENTIVES FOR PASSERS AND TOPNOTCHERS (TOP 1 TO 324 325 10) OF BOARD, BAR AND OTHER NATIONAL LICENSURE 326 EXAMINATION AND APPROPRIATING **FUNDS** THERETO."Same is recommended for the declaration of its 327 VALIDITY by the Provincial Legal Office per 2ndindorsement 328 329 dated December 4, 2023. 330 331 **ITEM NO. 02** 332 Presented for consideration is MunicipalOrdinance No. 333 2023-18of Alangalang, Leyte entitled: "AN ORDINANCE 334 DECLARING THE MONTH OF AUGUST AS MUNICIPAL YOUTH 335 MONTH AND AUGUST 12 AS MUNICIPAL YOUTH DAY IN THE 336 MUNICIPALITY OF ALANGALANG, LEYTE, ENJOINING ALL THE 337 54 BARANGAYS TO ACTIVELY PARTICIPATE IN ITS CELEBRATION AND PROVIDING FUNDS THEREFOR."Same is recommended 338 for the declaration of its VALIDITY by the Provincial Legal 339 Office per 2ndindorsement dated December 4, 2023. 340 341

ITEM NO. 03

Presented for consideration is **MunicipalOrdinance** No. 2023-21 of Alangalang, Leyte entitled: "AN ORDINANCE RENAMING THE LANGIT ELEMENTARY SCHOOL TO C. GALDO ELEMENTARY SCHOOL OF BARANGAY LANGIT, ALANGALANG, LEYTE." Same is recommended for the declaration of its VALIDITY by the Provincial Legal Office per 2ndindorsement dated December 4, 2023, with further recommendation that the SP be furnished an original and signed copy of Resolution No. 11, series 2023 of the Local School Board for confirmation.

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35 6	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
357	Mr. Chair, it appears that there are several items from the First District, Items 1, 2
358	and 3. Will you please recognize the Honorable Reposar for the 3 items, Mr. Chair?
359	HON.LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
360	The Honorable Reposar is recognized.
361	HON. RONNAN CHRISTIAN M. REPOSAR: 1 ST DISTRICT BOARD MEMBER
362	Thank you very much Honorable Presiding Chair and Honorable Floor Leader.
363	Item Nos. 1, 2 and 3 are ordinances coming from the Municipalities of Babatngor
364	and Alangalang, Leyte, from the first district. These are ordinances pursuant to
365	Section447 (2)(i) Section 16 which are the general welfare clause on Section 13 of the
366	Local Government Code which are clearly general ordinances for the benefit and
367	welfare of the constituents of the 2 Municipalities. These 3 Ordinances have been
368	recommended to be declared as valid by the Provincial Legal Office with the condition
369	for Item No. 3, that the Resolution No. 11, series of 2023 of the Local School Board of
370	Alangalang, Leyte, for the confirmation of the change of name of the subject school be
371	furnished to the Sangguniang Panlalawigan.
372	Having said that Honorable Chair, I move to pass an omnibus motion for the
373	approval of the 3 Ordinances. I so move.
374	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
375	Second.
376	HON.LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
377	No objection?
378	Hearing none, motion is approved.
379	Approved unanimously. RES. NO. 2023-567
380	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
381	Item No. 4, Madam Secretary please.
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386 ITEM NO. 04 387 Presented for consideration is Ordinance No. 388 2023-09 of Javier, Leyte entitled: "AN ORDINANCE CREATING THE PLANTILLA POSITIONS IN THE DIFFERENT OFFICES OF THE 389 390 LOCAL GOVERNMENT UNIT OF JAVIER, LEYTE." Same is 391 recommended for the declaration of its VALIDITY by the 392 Provincial Legal Office per 2ndindorsement dated December 393 1, 2023. 394 395 ITEM NO. 05 396 Presented for consideration is Ordinance No. 397 2023-10 of Javier, Leyte entitled: "AN ORDINANCE ABOLISHING THE POSITION OF LOCAL DISASTER RISK 398 399 REDUCTION AND MANAGEMENT OFFICER II, SALARY GRADE 400 18 UNDER THE OFFICE OF THE MUNICIPAL DISASTER RISK REDUCTION AND MANAGEMENT OFFICE (MDRRMO) AND 401 402 PLANNING OFFICER III, SALARY GRADE 18 UNDER THE OFFICE OF THE MUNICIPAL MAYOR OF THE MUNICIPALITY OF JAVIER, 403 LEYTE." Same is recommended for the declaration of its 404 405 **VALIDITY**with **CONDITION** by the Provincial Legal Office per 2ndindorsement dated December 1, 2023. 406 407 408 ITEM NO. 06 409 410 Presented for consideration is Ordinance No. 2023-11 411 of Javier, Leyte entitled: "AN ORDINANCE CREATING THE 412 MUNICIPAL ENVIRONMENT AND NATURAL RESOURCES OFFICE 413 (MENRO) IN THE LOCAL GOVERNMENT UNIT OF JAVIER, LEYTE." Same is recommended for the declaration of its VALIDITY by 414 the Provincial Legal Office per 2ndindorsement dated 415 416 December 1, 2023. 417 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER 418 419 Mr. Chair, will you please recognize the Honorable Mike Cari? There are several items from Javier. Item Nos. 4, 5 and 6. Considering that these are within the purview of 420 the jurisdiction of the Honorable Cari, will you please recognize him, Mr. Chair? 421 422 HON.LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR 423 The Honorable Mike Cari is recognized. HON. MICHAEL L. CARI: 5TH DISTRICT BOARD MEMBER 424 425 Good morning Vice, good morning Carlo. On Items 4, 5 and 6, may I request for an omnibus resolution. 426

427	So, if my motion is in order, I would like to move for the passage of a resolution
428	declaring valid the following items, subject to the recommendation set forth therein by
429	the Provincial Legal Office:
430	Item No. 4, is Ordinance No. 2023-09 of Javier, Leyte, "An Ordinance Creating
431	the Plantilla Positions in the Different Offices of the Local Government Unit of Javier,
432	Leyte."
433	Item No. 5, is an Ordinance No. 2023-10 of Javier, Leyte, "An Ordinance
434	Abolishing the Position of Local Disaster Risk Reduction and Management Officer II,
435	Salary Grade 18 under the Office of the Municipal Disaster Risk Reduction and
436	Management Office (MDRRMO) and Planning Officer III, Salary Grade 18 under the
437	Office of the Municipal Mayor of the Municipality of Javier, Leyte."
438	Item No. 6, is Ordinance No. 2023-11 of Javier, Leyte, "An Ordinance Creating
439	the Municipal Environment and Natural Resources Office (MENRO) in the Local
440	Government Unit of Javier, Leyte."
441	I so move for the approval of Items 4, 5, and 6.
442	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
443	Second.
444	HON. FLAVIANO C. CENTINO, JR.: 4 TH DISTRICT BOARD MEMBER
445	Second.
446	HON. NOLIE C. CAÑA: LIGA NG MGA BARANGAY PRESIDENT
447	Second.
448	HON. MICHAEL L. CARI: 5 TH DISTRICT BOARD MEMBER
449	In view of the technical problem experienced by the Honorable Vice-Governor,
450	we request the Honorable Floor Leader Carlo Loreto to be the Temporary Presiding
451	Officer.
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Okay, any objection?

The motion is approved.

The motion has been seconded.

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456	Approved unanimously. RES. NO. 2023-568
457	In view of the fact that the Honorable Vice-Governor is back, I would like to
458	relinquish the floorback to the Honorable Presiding Officer.
459	HON.LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
460	Okay, we proceed, Mr. Floor Leader?
461	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
462	Yes, Mr. Chair.
463	Item No. 7, Madam Secretary please.
464	MRS. FLORINDA JILL S. UYVICO: SP SECRETARY
465	ITEM NO. 07
466 467 468 469 470 471 472 473 474	Presented for consideration is General FundSupplemental Budget No. 1CY 2023 of Dulag, Leyte amounting to Php31,257,662.63 under Appropriation Ordinance No. 2023-I. Same is recommended for APPROVAL with CONDITIONS by the Local Finance Committee per review letter dated December 1, 2023, together with Supplemental Investment Program and 2023 Supplemental Budget No. 1 in the same amount.
475	ITEM NO. 08
476 477 478 479 480 481 482	Presented for consideration is General FundSupplemental Budget No. 3CY 2023 of Dulag, Leyte amounting to Php4,990,827.87 under Appropriation Ordinance No. 2023-III. Same is recommended for APPROVAL with CONDITIONS by the Local Finance Committee per review letter dated December 4, 2023.
483	ITEM NO. 09
484 485 486 487 488 489 490 491 492 493	Presented for consideration is General FundSupplemental Budget No. 3FY 2023 of Villaba, Leyte amounting to Php4,533,066.00 under Appropriation Ordinance No. 04 S. 2023-2025. Same is recommended for APPROVAL with CONDITIONS by the Local Finance Committee per review letter dated December 1, 2023, together with Supplemental Investment Program (SIP) No. 3 CY 2023 in the amount of Php11,263,066.00.
494	
495	

496	ITEM NO. 10
497 498 499 500 501 502 503 504 505	Presented for consideration is General FundSupplemental Budget No. 1FY 2023 of Matalom, Leyte amounting to Php15,349,635.58 under Appropriation Ordinance No. 01, Series of 2023. Same is recommended for APPROVAL with CONDITIONS by the Local Finance Committee per review letter dated December 1, 2023, together with 1stSupplemental AIP CY 2023 in the amount of Php252,535,860.52.
506	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
507	Mr. Chair, as Vice-Chairman of the Committee on Budget, I move to pass an
508	omnibus motion approving the General Fund Supplemental Budget No. 1 CY 2023 of
509	Dulag, Leyte as well as its corresponding Supplemental Annual Investment Program.
510	Supplemental Budget No. 3 for CY 2023 of Dulag, Leyte.
511	Supplemental Budget No. 3 FY 2023 of Villaba, together with its Supplemental
512	Investment Program No. 3.
513	And Supplemental Budget No. 1 FY 2023 of Matalom, together with its
514	corresponding Supplemental AIPs FY 2023, subject to the conditions, stated in the
515	report of the Local Finance Committee. I so move.
516	HON. CARMEN L. CARI; PCL PRESIDENT
517	Second.
518	HON. MICHAEL L. CARI: 5TH DISTRICT BOARD MEMBER
519	Second.
520	HON. TRINIDAD G. APOSTOL: 2 ND DISTRICT BOARD MEMBER
521	Second.
522	HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER
523	Second.
524	HON.LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
525	Any objection?
526	Hearing none, motion is approved.
527	Approved unanimously. RES. NO. 2023-569

528	HON. CARLO P. LORETO: FLOOR LEADER/5" DISTRICT BOARD MEMBER
529	We now proceed to Item 11.
530	MRS. FLORINDA JILL S. UYVICO: SP SECRETARY
531	ITEM NO.11
532 533 534 535 536	Presented for consideration is a REQUEST for ACCREDITATION of ORMOC TANDAYA CONSUMERS COOPERATIVE (OTACC) of Brgy. Cogon, Ormoc City, Leyte with the Provincial Government of Leyte as a non government organization.
537 538	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
539	Mr. Chair, will you please recognize the Honorable Apostol, the Chairman of the
540	Committee on Cooperatives?
541	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
542	The Honorable Apostol is recognized.
543	HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER
544	Thank you, Mr. Chairman. Thank you, Mr. Floor Leader.
545	For Item No. 11, this is a request for accreditation coming from the
546	OrmocTandaya Consumers Cooperative (OTACC) of Barangay Cogon, Ormoc City.
547	Mr. Chairman, this particular request for accreditation submitted all the
548	requirements for accreditation and this has been reviewed by the Records Section of
549	the Sangguniang Panlalawigan.
550	So, with this, Mr. Chairman, I move that we approve the request for accreditation
551	of OrmocTandaya Consumers Cooperative (OTACC). I so move, Mr. Chairman, Mr.
552	Floor Leader.
553	HON. MA. CORAZON E. REMANDABAN: 3RD DISTRICT BOARD MEMBER
554	Second.
555	HON. CARMEN L. CARI: PCL PRESIDENT
556	Second.
557	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
558	Duly seconded.

559	Any objections?
560	Hearing none, the motion is carried and approved.
561	Approved unanimously 0RES. NO. 2023-
562	570
563	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
564	We now proceed to Item No. 12, Madam Secretary please.
565	MRS. FLORINDA JILL S. UYVICO: SP SECRETARY
566	ITEM NO. 12
567 568 569 570 571 572 573 574 575	Presented for consideration is a letter dated November 22, 2023 from EDC furnishing the Application for Approval of Emergency Power Supply Agreement between Energy Development Corporation and Don Orestes Romualdez Electric Cooperative, Inc., with Motion for Confidential Treatment of Information. Certification from this Office is requested as Proof that above-case including annexes was served.
576	ITEM NO. 13
577 578 579 580 581 582 583 584 585	Presented for consideration is a letter dated November 16, 2023 from EDC furnishing the Application or Approval of Emergency Power Supply Agreement between Energy Development Corporation and Samar I Electric Cooperative, Inc., with Motion for Confidential Treatment of Information. Certification from this Office is requested as Proof that above-case including annexes was served.
586	ITEM NO. 14
587 588 589 590 591 592 593 594 595 596	Presented for consideration is a letter dated November 22, 2023 from EDC furnishing the Application for Approval of the Emergency Power Supply Agreement between Energy Development Corporation and Northern Samar Electric Cooperative, Inc., with Motion for Confidential Treatment of Information. Certification from this Office stating that a complete copy of said application is requested as Proof that above-case including annexes was served.
597	ITEM NO. 15
598 599 600 601	Presented for consideration is a letter dated December 5, 2023 from EDC furnishing the Application for Approval of Power Supply Agreement (PSA) between Energy Development Corporation (EDC) and Bohol LightCompany,

602 Motion for (BLCI), with ConfidentialTreatment Information and Motion for Provisional Authority. Proof of 603 604 actual posting of the Order and Notice of Virtual Hearing is requested by way of a Certification with official seal 605 attesting that said Order and Notice were posted on the 606 Bulletin Board. 607 608 609 ITEM NO. 16 Presented for consideration is a Notice of Hearing from 610 the National Telecommunications Commission relative to 611 612 BMC CASE NO. 2023-191, Applicant CHRISTIAN MUSIC 613 POWER, INC., is requesting the NTC for the issuance of a Certificate of Public Convenience (CPC) to install, operate 614 615 and maintain FM Radio Broadcast Station in Villaba, Leyte. 616 Applicant also requests for issuance of a Provisional Authority (PA) from NTC pending final determination of application. 617 618 619 **ITEM NO. 17** 620 Presented for consideration is a copy furnished letter 621 dated October 26, 2023 from the National WaterResources 622 Board, DENR, requesting for the posting of Water Permit Application of DBSN FARM AGRIVENTURECORPORATION 623 located at Antipolo, Albuera, Leyte. A certification for said 624 625 posting is also requested. 626 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER 627 628 Mr. Chair, there are several such petitions before the Energy Regulatory Board (ERC), the Nationnal Telecommunication Committee (NTC) and the National Water 629 Resources Board (NWRB), which they seek to have received before this August Body, 630 and to be posted in our bulletin board. These are Items 12, 13, 14, 15, 16 and 17. 631 632 Mr. Chair, I move that we approve the requests for posting in our bulletin board. I 633 so move. HON. NOLIE C. CANA: LIGA NG MGA BARANGAY PRESIDENT 634 635 Second. HON. CARMEN L. CARI: PCL PRESIDENT 636 Second. 637 HON. FLAVIANO C. CENTINO: 4TH DISTRICT BOARD MEMBER 638

HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

639

640

Second.

641	It has been seconded.	
642	Any objections?	
643	Hearing none, the motion is carried and approved.	
644	Approved unanimously. RES. NO. 2023-571	
645	HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER	
646	We now proceed to Item No. 18.	
647	MRS. FLORINDA JILL S. UYVIÇO: SP SECRETARY	
648	ITEM NO. 18	
649 650 651 652 653 654 655	Presented for consideration is the General Fund Supplemental Budget No. 6 CY 2023 of the Provincial Government of Leyte amounting to Sixty Six Million Four Hundred Forty Thousand Pesos (Php66, 440,000.00). With request for Reversion to the General Fund from Savings in the amount Php60,000,000.00.	
65 6	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER	
657	Mr. Chair?	
658	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR	
659	Go ahead, please.	
660	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER	
661	This pertains to the General Fund Supplemental Budget No. 6 for Calendar Yea	
662	2023 of the Provincial Government of Leyte amounting to Sixty-Six Million For	
663	Hundred Forty Thousand Pesos (Php66, 440,000.00). This will provide for the bonuse	
664	of all employees of the Provincial Government, I move that we pass a resolution	
665	reverting to the General Fund the amount of P60, 000.00. I so move.	
666	HON. NOLIE C. CAÑA: LIGA NG MGA BARANGAY PRESIDENT	
667	Second.	
668	HON. MARIE KATHRYN V. KABIGTING: 3 ^{RO} DISTRICT BOARD MEMBER	
669	Second.	
670	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR	
671	It has been seconded.	
672	Approved unanimously. RES. NO. 2023-572	

673			
674	HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER		
675	Corollary motion.		
676	Having reverted the amount of Php60,000,000.00 from the General Fund, I mov		
677	that we pass a resolution approving Supplemental Budget No. 06 for Calendar Yea		
678	2023 of the Provincial Government of Leyte. I so move.		
679	HON. CARMEN L. CARI: PCL PRESIDENT		
680	Second.		
681	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR		
682	Duly seconded.		
683	Any objections?		
684	Hearing none, the motion is carried and approved.		
685	Approved unanimously. RES. NO. 2023-572-A		
686	HON. CARLO P. LORETO: PRESIDING OFFICER/VICE-GOVERNOR		
687	We now proceed to Item No. 19, Madame Secretary.		
688	MRS. FLORINDA JILL S. UYVIÇO: SP SECRETARY		
689	ITEM NO. 19		
690 691 692 693 694 695	Presented for consideration is the 4th QuarterSupplemental Investment Program (SIP) for CY 2023 that was approved and endorsed by the Executive Committee of the Provincial Development Council per Res. No. 2023-03. Approval of the abovementioned planning document is requested.		
696	HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER		
697	Mr. Chair, I move that we approve the same as requested. I so move.		
698	HON. MARIE KATHRYN V. KABIGTING: 3 RD DISTRICT BOARD MEMBER		
699	Second.		
700	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR		
701	The motion is carried and approved.		
702	Approved unanimously. RES. NO. 2023-573		
703	HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER		

704	There are no more Items in our agenda.	
705	Do we hear other matters?	
706	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR	
707	Ms. Jill, can we set up our plans for the Christmas lunch or after lunch?	
708	MS. FLORINDA JILL S. UYVICO: SP SECRETARY	
709	Yes, Sir. To recap, as discussed earlier, the Christmas Party of the Sangguniang	
710	Panlalawigan will be on December 14, that's Thursday, and it's going to be lunchtime.	
711	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR	
712	Okay.	
713	HON. FLORINDA JILL S. UYVIÇO: SP SECRETARY	
714	And the venue Sir, as discussed before, the venue will be in our Session Hall. I	
715	learned earlier that the Multi-Purpose Hall in the Upper Ground is vacant on the said	
716	date. So, will we still hold it here or we will use of the Multi-Purpose Hall in the Upper	
717	Ground Floor of the Complex?	
718	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR	
719	Mas magandasegurodoon, ah.	
720	HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER	
721	May high ceiling doon.	
722	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR	
723	Sege.Angimportantenamanmagkasamasamatayo on that particular hour.	
724	Anymore suggestions?	
725	HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER	
726	'Yan angimportante, 'yung company.	
727	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR	
728	Company and what's inside the company.	
729	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER	
730	The love and prayers and friendship.	
731	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR	
732	Shall we see each other then, on Thursday?	

733	HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER
734	Yes. We'll see you on Thursday.
735	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
736	We'll be flying in Metro Manila in the morning, so we'll see you.
737	Anything else?
738	Other matters?
739	HON. CARLO P. LORETO: FLOOR LEADER/5 TH DISTRICT BOARD MEMBER
740	Walana Vice-Gov.
741	May we recognize the Honorable Caña, Mr. Chair?
742	HON, LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
743	The Honorable Cana is recognized wherever you are.
744	HON. NOLIE C. CAÑA: LIGA NG MGA BARANGAY PRESIDENT
745	Thank you, Mr. Chair. Thank you, Mr. Floor Leader.
746	If there are no other matters to be discussed, I move to adjourn this session. I so
747	move.
748	HON. RAISSA J. VILLASIN: 2 ND DISTRICT BOARD MEMBER
749	Second.
750	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
751	There's going to be an election on the 15 th for the ABC, di ba?
752	HON. NOLIE C. CAÑA: LIGA NG MGA BARANGAY PRESIDENT
753	Yes po, Vice-Gov. Sa municipal level.
754	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
755	Yes. So, okay ka pa rin, ha? Huwagkamunangumalis, ha?
756	HON. NOLIE C. CAÑA: LIGA NG MGA BARANGAY PRESIDENT
757	Yes,po.
758	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR
759	Aaliskana?
760	

762	HON. NOLIE C. CAÑA: LIGA NG MGA BARANGAY PRESIDENT		
763	'Yung schedule ng provincial level sa election is on January 12, 2024. After that		
764	if there is already a qualified, duly elected Provincial ABC Federation President there		
765	will go. Bye-bye.		
766	HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR		
767	MakakalibrekanasatuwingMartes. Anyway, we'll see you on Thursday.		
768	Thank you, very much everybody.		
769	The session is adjourned.		
770	(The session is adjourned at 11:15 o'clock in the morning.		
771	Closing prayer led by the Honorable Remandaban.)		
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791		70th Regular Session
792		Pasanhar 40, 0000
793		December 12, 2023
794		
795	I HEREBY CERTIFY	to the correctness of the foregoing minutes.
796		
797		FLORINDA JILL S. UYVICO
798		Secretary to the Sanggunian
799		Coordary to the Cangganan
800	APPROVED:	
801	741110125	
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803		
	WILLOOM O. LDV	
804	WILSON S. UY	RONNAN CHRISTIAN M. REPOSAR
805	1 ST District Board Member	1 ST District Board Member
806		
807		
808	TRINIDAD G. APOSTOL	RAISSA J. VILLASIN
809	2 ND District Board Member	2 ND District Board Member
810		
811		
812		
813	MA. CORAZON E. REMANDAI	SAN MARIE KATHRYN V. KABIGTING
814	3 RD District Board Member	3 RD District Board Member
815	5 District bodit Methber	3 District Board Member
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817	PI 13/14/10 0 0 0 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
818	FLAVIANO C. CENTINO, JR.	VINCENT L. RAMA
819	4 TH District Board Member	4 TH District Board Member
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821		
822	MICHAEL L. CARI	CARLO P. LORETO
823	5 TH District Board Member	5 TH District Board Member
824		
825		
826		
827	NOLIE C. CAÑA	MJ LUINLY D. LUMEN
828	Ligangmga Barangay Pres.	
829	Ex-Officio Member	
830	LATORIUM MICHIDES	Ex-Officio Member
831		
832	0.474	
833	CARMEN L. CARI	
834	PCL President	
835	Ex-Officio Member	
836		
837		
838	LE	ONARDO M. JAVIER, JR.
839		ce-Governor
840		esiding Officer
841	**	
842	/zandra	
843	/divine	
844 845	/naomi	Date Approved:
845 846	/elma	
040		