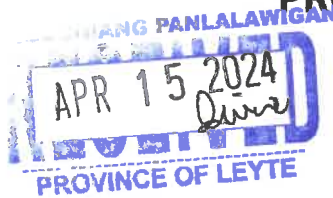


Item No.: 07
Date: 23 2024 APR

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
April 5, 2024



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 099-24 of the Sangguniang of Bayan of Leyte, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, to the opinion of the Provincial Legal Office (PLO), an exercise of the power under Section 443(c)(2)ⁱ and 447 (vii) and (viii)ⁱⁱ of the Local Government Code. Provided that the budgetary limitations in Section 325 (a) and (g)ⁱⁱⁱ be followed.

Furthermore, the opinions rendered herein are without prejudice to opinions rendered by higher authorities.


ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

ⁱ (c) The sangguniang bayan may:

(2) Create such other offices as may be necessary to carry out the purposes of the municipal government;

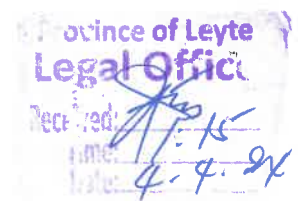
ⁱⁱ (vii) Subject to the provisions of this Code and pertinent laws, determine the powers and duties of officials and employees of the municipality;
(viii) Determine the positions and salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from municipal funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the municipal government;

ⁱⁱⁱ (a) The total appropriations, whether annual or supplemental, for personal services of a local government unit for one (1) fiscal year shall not exceed forty-five percent (45%) in the case of first to third class provinces, cities and municipalities, and fifty-five percent (55%) in the case of fourth class or lower, of the total annual income from regular sources realized in the next preceding fiscal year. The appropriations for salaries, wages, representation and transportation allowances of officials and employees of the public utilities and economic enterprises owned, operated, and maintained by the local government unit concerned shall not be included in the annual budget or in the computation of the maximum amount for personal services. The appropriations for the personal services of such economic enterprises shall be charged to their respective budgets;

(g) The creation of new positions and salary increases or adjustments shall in no case be made retroactive;


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1ST INDORSEMENT
04 April 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 099-24** of the **Municipality of LEYTE, LEYTE**, entitled: **An Ordinance Creating the Position Item of a Municipal Government Head I (Local Disaster Risk Reduction and Management Officer), Salary Grade 24, Under the Local Disaster Risk Reduction & Management Office in the Municipal Government of the Municipality of Leyte, Leyte.**


FLORINDA JILL S. DYVICO
Secretary to the Sanggunian



Republic of the Philippines
MUNICIPALITY OF LEYTE
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Office of the Sangguniang Bayan

1st ENDORSEMENT
April 2, 2024

Respectfully forwarded to the Honorable Sangguniang Panlalawigan in session, through the Sangguniang Panlalawigan Secretary, Province of Leyte, Palo, Leyte, the herein **Municipal Ordinance No. 099-24 Entitled "AN ORDINANCE CREATING THE POSITION ITEM OF A MUNICIPAL GOVERNMENT DEPARTMENT HEAD I (LOCAL DISASTER RISK REDUCTION & MANAGEMENT OFFICER), SALARY GRADE 24, UNDER THE LOCAL DISASTER RISK REDUCTION & MANAGEMENT OFFICE IN THE MUNICIPAL GOVERNMENT OF THE MUNICIPALITY OF LEYTE, LEYTE.**

Attached herewith are the following :

1. Municipal Ordinance No. 099-24
2. Certification
3. Certificate of Posting


VILMA D. COMBATE
SB Secretary



Republic of the Philippines
MUNICIPALITY OF LEYTE
L E Y T E
-oOo-

Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION BY THE SANGGUNIANG BAYAN HELD ON MARCH 18, 2024 AT THE SB SESSION HALL, MUNICIPAL BUILDING, LEYTE, LEYTE

Present:

Hon. Armando M. Ysidoro, -----	Mun. Vice Mayor/Presiding Officer
Hon. Paquito D. Pelipel, Jr. -----	SB Member
Hon. Lileth I. Gatchalian, -----	-do-
Hon. Edward Jay A. Durante, -----	-do-
Hon. Rowil G. Batan, -----	-do-
Hon. Aida A. Delantar, -----	-do-
Hon. Eulogio E. Capacio, -----	-do-
Hon. Alex A. Dagandan, -----	-do-
Hon. Gualberto G. Meracap, -----	-do-
Hon. Jerry G. Apacible, -----	ABC President
Hon. Nellie Grace D. Dandan, -----	SK Fed. President

MUNICIPAL ORDINANCE NO. 099-24

AN ORDINANCE CREATING THE POSITION ITEM OF A MUNICIPAL GOVERNMENT DEPARTMENT HEAD 1 (LOCAL DISASTER RISK REDUCTION & MANAGEMENT OFFICER), SALARY GRADE 24, UNDER THE LOCAL DISASTER RISK REDUCTION & MANAGEMENT OFFICE IN THE MUNICIPAL GOVERNMENT OF THE MUNICIPALITY OF LEYTE, LEYTE.

BE ORDAINED, by the Sangguniang Bayan of Leyte, Leyte in a session assembled that:

SECTION 1. SHORT TITLE. This ordinance shall be entitled as "AN ORDINANCE CREATING THE POSITION ITEM OF A MUNICIPAL GOVERNMENT DEPARTMENT HEAD 1 (LOCAL DISASTER RISK REDUCTION & MANAGEMENT OFFICER), SALARY GRADE 24, UNDER THE LOCAL DISASTER RISK REDUCTION & MANAGEMENT OFFICE IN THE MUNICIPAL GOVERNMENT OF LEYTE, LEYTE.

SECTION 2. RATIONALE.

A. SECTION 447 (a) of R A.7160, otherwise known as the Local Government Code of 1991 provides the power & function of the sangguniang bayan to xxx (viii) determine the positions and salaries, wages, allowance and other emoluments and benefits of the officials and employees paid wholly or mainly from municipal funds and provides for expenditures necessary for the proper conduct of program, projects, service, and activities of the municipal government.

B. The creation of the aforementioned proposed position, Municipal Government Department Head 1 (Local Disaster Risk Reduction & Management Officer) is indispensable, due the fact that the office is not yet represented or headed by a department head.

C. Section 16 of R.A. 7160 on General Welfare, provides the – Every local government unit shall exercise the power expressly granted, those necessarily implied their form, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essentials to the promotion of the general welfare. Within their respective territorial jurisdiction, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

(Handwritten signatures and initials)

D. Section 12 (a) of R.A. 10121 also known as the Philippines Local Disaster Risk Reduction & Management Act of 2010 , provides that Local Disaster Risk reduction Management Office (LDRRMO) .-(a) There shall be established an LDRRMO in very province, city and municipality and a Barangay Risk Reduction & Management Committee (BDRRMC) in every barangay which shall be responsible for setting the direction, development, implementation and coordination of disaster risk reduction management programs within their territorial jurisdiction.

E. The Local Disaster Risk Reduction and Management Office of Leyte, Leyte has been created to spearhead the planning, coordination and harmonization of efforts in Disaster Risk Reduction and management by empowering and building the capacities of the communities and stakeholders and through the efficient and effective delivery of programs and services for the people of the municipality.

F. Joint Memorandum Circular No. 2014-01 dated April 4, 2014 of the NDRRMC, DILG, DBM, CSC provides the Implementing Guidelines for the Establishment of Local DRRM Offices (LDRRMOs) or Barangay DRRM Committees in Local Government Units (LGUs).

SECTIUON 3. DEFINITION OF TERMS: For purposes of this ordinance, the following terms are defined, as follows

- A. *Experience- refers to the previous jobs in either the government or private sector, whether full time or part time, which, as certified by the Human Resource Management Office or unauthorized officials of the previous employer, are functionally related to the duties in the PDF of the position to be filled.*
- B. *Eligibility- refers to the result of passing a merit and fitness test which may be determined as far as practicable by competitive examination, or based on highly technical qualifications or other tests of merit and fitness conducted by the Civil Service Commission, or other examinations jointly designed and coordinated by departments or agencies with the assistance of or in coordination with the CSC, and other examination such as PRC-conducted board examinations, the SC conducted Bar Examination or the CESB-conducted CES examinations.*
- C. *Training- refers to the formal or non- formal training courses and HRD intervention, such as coaching, mentoring, job rotation, seminars, workshops, and others that are part of the employee's individual Development Plan/Career Development Plan.*
- D. *Education- refers to the formal or non- formal academic, technical, or vocational students that will enable the candidate to successfully perform the duties and responsibilities indicated in the Position Description Form (PDF) (DBM- CSC Form No. 1, Revised 2017) of the position to be filled up.*
- E. *Local Disaster Risk Reduction & Management Officer (LDRRMO)- means an officer, who shall be responsible person for the day to day operation of the Local Disaster Risk Reduction & Management Office and shall be the person who approves the designs & programs and coordinates the Local Disaster Risk Reduction & Management Activities of the LGU. He shall also identify, assess and manage the hazards, vulnerabilities and risks that may occur in their locality, identify and implement cost- effective risk reduction measures and or strategies; and disseminate information and raise public awareness about those hazards, vulnerabilities, and risks.*

SECTION 4. CREATION OF THE POSITION ITEM IN THE PLANTILLA OF PERSONNEL. The creation of the Position Item of the Municipal Government Department Head 1 (Local Disaster Risk Reduction & Management Officer) with salary grade of 24, shall be a regular position, placed under the Local Risk Reduction & Management Office and shall be included in the Rolls of Employee/ Plantilla of Personnel in the Municipal Government of Leyte, Leyte.

SECTION 5. EDUCATIONAL QUALIFICATIONS, LICENSE OR ELIGIBILITY, TRAINING & EXPERIENCE OF THE POSITION ITEM.

The position item of a Municipal Government Head 11 (Local Disaster Risk Reduction & Management Officer), with salary grade of 24, which is placed under the Local Disaster Risk Reduction Management Office in the Rolls of the Employees or Plantilla of personnel on the Municipal Government of Leyte, Leyte, shall require the following:

- A. Education: A graduate of Bachelor's degree, preferably in Disaster Risk Reduction & Management (DRRM), Public Administration and or related college course;
- B. License of Eligibility: Civil Service Professional/CSC 2nd Level Eligible;
- C. Experience; Four (4) years' experience in position involving management and supervision, and one year of which is relevant to Disaster Risk Reduction & Management;
- D. Training Required: Twenty-four (24) hours relevant trainings in Management and supervision of Disaster Risk Reduction & Management (DRRM); and
- E. Concurrence of Appointment from the Sangguniang Bayan of Leyte, Leyte pursuant to Section 443 (d) of R.A. No. 7160.

SECTION 6. OFFICIAL DUTIES & FUNCTIONS OF THE POSITION ITEM ONCE FILLED UP. The following are the official duties and functions prescribed for the "would be" Municipal Government Department Head 1 (Local Risk Reduction & Management Officer) with Salary Grade 24, once filled up (appointed), the same being stated in the Position Description Form (PDF) (DBM-CSC Form No. 1, Revised 2017) of the said position item, to wit:

- A. Responsible for the day to day operation of the Local Disaster Risk Reduction & Management Office;
- B. Designs programs and coordinates all the Disaster Risks Reduction & Management (DRRM) activities of the Municipal Government of Leyte, Leyte;
- C. Facilities and support risks assessment and planning activities at the local level;
- D. Consolidates local disaster risk information which includes natural hazards, vulnerabilities and climate change risks, and maintains risk maps;
- E. conducts research and development initiatives on Disaster Risk Reduction & Management (DRRM);
- F. Formulates and implements Local Disaster Risk Reduction and Management Plan (LDRRMP) in close coordination with the Municipal Risk Reduction & Management Council (MDRRMC);
- G. Prepares and submits to the Sangguniang Bayan thru the MDRRMC and the Municipal Development Council, the different plans and budget;
- H. Reports on Local Disaster Risk Reduction Management Fund utilizations, and other reports to the Commission on Audit (COA), Office of the Civil Defense (OCD) and the DILG
- I. Serves as secretariat and executive arm of the Municipal Local Disaster Risk Reduction Management council (MDRRMC)
- J. Ensures the involvement of the most vulnerable sectors in the risk assessment planning;
- K. Supervises and monitors of the Barangay Local Disaster Risk Reduction Management (BDRRM) Fund Utilization and implementation of the BDRRM Programs, Projects and Activities;
- L. Implements policies, approves plans and programs of the Municipal Local Disaster Risk Reduction Management Council (MDRRMC) consistent with the policies & guidelines laid down by R.A. 10121;
- M. Establishes the Local Disaster Risk Reduction Management Operation Center;
- N. Prepares and submits, through the Municipal Disaster Risk Reduction Management Council and Municipal Development council, the report on the utilization of Local Disaster Risk Reduction Management Fund and other related disaster risk reduction and management resources to the local COA, copy furnished the regional Director of Office of the Civil Defense(OCD) and the Local Government Operations Officer of the DILG; and
- O. Acts on matters that may be authorized by the Municipal Disaster Risk Reduction Management Council (MDRRMC).

SECTION 7. FUNDING/BUDGETING ALLOCATION OF THE POSITION ITEM.

- A. The budget allocation for the salaries, allowances, Representation Allowance & Travelling Allowance (RATA), and other emoluments of the Position Item of Municipal

Government Department Head 1 (Local Disaster Risk Reduction Management Officer) with salary grade of 24, shall be funded under the 2024 Annual Budget of the Municipal Government of Leyte, Leyte; and the succeeding yearly allocation for the said position item, shall be funded and allocated thereof, under the LGU's Annual Budget.

B. Salaries, allowances. Representation Allowances & Travelling Allowance (RATA), and other emolument of the Position Item of a Municipal Government Department Head 1 (Local Disaster Risk Reduction Management Officer) with Salary Grade of 24, shall be made and prescribed in accordance with existing Department of Budget and Management (DBM) circulars, rules and regulations, and pursuant to R.A. No. 11466 or the "Salary Standardization Law of 2019".

SECTION 8. SEPARABILITY CLAUSE. If any of this provision of this Ordinance is declared invalid or unconstitutional, the remaining provision not affected thereby, shall continue to be in full force & effect

SECTION 9. REPEALING CLAUSE. All ordinances or resolutions, local issuances or rules inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

SECTION 10. EFFECTIVITY CLAUSE. This ordinance shall take effect immediately upon review & approval of the Honorable Sangguniang Panlalawigan of Leyte.

ENACTED this 18th Day of March 2024, at Leyte, Leyte, Philippines.


PAQUITO D. PELIPEL, JR.
SB Member



LILETH I. GATCHALIAN
SB Member


EDWARD JAY A. DURANTE
SB Member

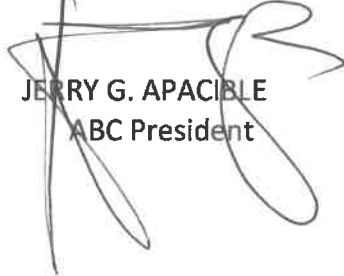

ROWIL G. BATAN
SB Member


AIDA A. DELANTAR
SB Member


ALEX A. DAGANDAN
SB Member

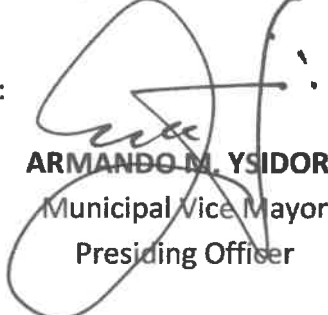

EULOGIO E. CAPACIO
SB Member


GUABERTO G. MERACAP
SB Member


JERRY G. APACIBLE
ABC President


NELLIE GRACE D. DANDAN
SK Fed. President

Certified Correct:

Attested:

ARMANDO M. YSIDORO
Municipal Vice Mayor
Presiding Officer


VILMA D. COMBATE
SB Secretary

Approved:

ARNOLD JAMES M. YSIDORO
Municipal Mayor



Republic of the Philippines
MUNICIPALITY OF LEYTE

LEYTE

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ARNOLD JAMES M. YSIDORO

Municipal Mayor

CERTIFICATION

We, **MEMBERS OF THE LOCAL FINANCE COMMITTEE** jointly certifies that the herein creation of position as embodied in the Municipal Ordinance No. 099-24 dated March 18, 2024 is within the 55% PS limitation of the Local Government Unit of Leyte.

Certified Correct:


CRESTYLEN P. RELON
MBO Designate


ALVARO C. SUMAYAN, JR.
Mun. Treasurer


MARK THEODORICK D. SULLA
MPDC Designate



Republic of the Philippines
MUNICIPALITY OF LEYTE
L E Y T E
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Office of the Sangguniang Bayan

CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that Municipal Ordinance No. 099-24: " AN ORDINANCE CREATING THE POSITION ITEM OF A MUNICIPAL GOVERNMENT DEPARTMENT HEAD 1 (LOCAL DISASTER RISK REDUCTION & MANAGEMENT OFFICER), SALARY GRADE 24, UNDER THE LOCAL DISASTER RISK REDUCTION & MANAGEMENT OFFICE IN THE MUNICIPAL GOVERNMENT OF THE MUNICIPALITY OF LEYTE, LEYTE, has been posted in three (3) conspicuous places in this Municipality.

This certification is issued this 2nd day of April, 2024 at Leyte, Leyte, Philippines.


VILMA D. COMBATE
SB Secretary