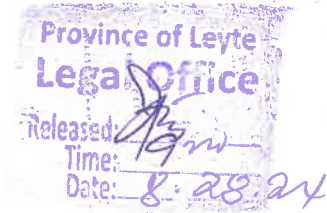


Item No.: 11

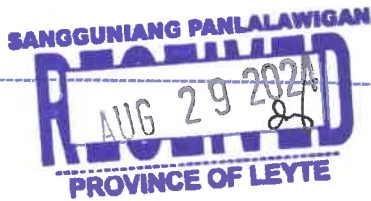
Date: 03 2024 SEP



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Palo, Leyte



-oOo-



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
August 23, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 07 S. 2024-2025 of the Sangguniang Bayan of Villaba, Leyte.

Issues/concerns for review is/are as follows:

- Ordinance No. 07 S. 2024-2025 entitled: **“An Ordinance Creating the Plantilla Position of Local Legislative Staff Officer II (LLSO II) with Salary Grade 13 at the Office of the Sangguniang Bayan of Villaba, Leyte and Appropriating Funds Therefor.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is within the corporate powers of the local government unit particularly covered under Section 447 (viii)¹ and Section 76² of the Local Government Code of 1991. Hence, this office recommends the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities.

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

¹ Section 447 (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;

² Section 76- Organizational Structure and Staffing Pattern. - Every local government unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission.

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1st INDORSEMENT
02 August 2024

Recd: Mayor's Office
Date: 08/02/2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 07, s. 2024-2025** of the **Municipality of Villaba, Leyte**, entitled: **An Ordinance, Salary Grade 13 of the Office of the Sangguniang Bayan of Villaba, Leyte and appropriating funds therefor.**

FLORINDA JIL S. UYVICO
Secretary to the Sanggunian



August 2, 2024

THE SANGGUNIANG PANLALAWIGAN MEMBERS

New Provincial Government Complex
Campetic, Palo, Leyte



Thru: **LEONARDO M. JAVIER, JR.**
Vice Governor/Presiding Officer

Hon. Sangguniang Panlalawigan Members:

We respectfully transmit herewith fifteen (15) copies of:

MUNICIPAL ORDINANCE NO. 07,S-2024-2025- entitled: "AN ORDINANCE CREATING THE PLANTILLA POSITION OF LOCAL LEGISLATIVE STAFF OFFICER II (LLSO II) WITH SALARY GRADE 13 AT THE OFFICE OF THE SANGGUNIANG BAYAN OF VILLABA, LEYTE AND APPROPRIATING FUNDS THEREFOR."

for your review and approval.

Best regards.

Very truly yours,

RHODORA A. YLAYA
OIC, Secretary to the Sangguniang Bayan

Copy Furnished:

1. **CIVIL SERVICE COMMISSION OFFICE**
 2. **LOCAL CHIEF EXECUTIVE OFFICE**
 3. **HUMAN RESOURCE MANAGEMENT OFFICE**
 4. **MUNICIPAL TREASURY OFFICE**
 5. **MUNICIPAL BUDGET OFFICE**
 6. **MUNICIPAL ACCOUNTING OFFICE**
- Local Government Unit
Villaba, Leyte*



Republic of the Philippines
Province of Leyte
Municipality of Villaba

OFFICE OF THE SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN



MUNICIPAL ORDINANCE NO. 07, S-2024-2025

Sponsor: Hon. Rogelio J. Baay

ORDINANCE CREATING THE PLANTILLA POSITION OF LOCAL LEGISLATIVE STAFF OFFICER II (LLSO II) WITH SALARY GRADE 13 AT THE OFFICE OF THE SANGGUNIANG BAYAN OF VILLABA, LEYTE AND APPROPRIATING FUNDS THEREFOR.

WHEREAS, the Local Government Code of 1991 provides that the Sangguniang Bayan, as the legislative body of the municipality, shall determine the positions, benefits and other emoluments of officials and employees whose salaries are paid wholly or mainly from municipal funds;

WHEREAS, with the advent of R.A. No. 7160, conferring vast powers and duties to the local sanggunian, the office of the Sangguniang Bayan has become one of the busiest offices in the municipal government dealing with voluminous clerical works and other legislative related functions,

WHEREAS, in view of the foregoing and in the interest of effective and efficient legislative office, the creation of the position of Local Legislative Staff Officer II to augment the existing plantilla positions in the Sangguniang Bayan office is deemed a necessity;

WHEREFORE, on motion by the Honorable Rogelio J. Baay, unanimously seconded;

BE IT ORDAINED by the Sangguniang Bayan of Villaba, Leyte assembled in session to enact the foregoing ordinance, to wit:

Section 1. Title: This ordinance shall be known and cited as: "An Ordinance creating the plantilla position of Local Legislative Staff Officer II (LLSO II) with salary grade 13 at the Office of the Sangguniang Bayan of Villaba, Leyte and appropriating Funds therefor."

Section 2. Legal Basis: Section 447, (a),(viii) of the Local Government Code of 1991 provides that the Sangguniang Bayan shall determine the positions and the 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, services and activities of the municipal government.

Section 3. Duties and Functions: The Local Legislative Staff Officer II (LLSO II) shall have the following duties and functions among others, to wit:

 DENNIS SY Vice Mayor/Presiding Officer	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 MERIAM P. UMPAD Sangguniang Bayan Member
 FELIPE S. CASAS, SR Sangguniang Bayan Member	 ROQUE M. COMPRA Sangguniang Bayan Member	 NIEL ALBERT B. INOIQUEZ Sangguniang Bayan Member
 ROGELIO J. BAAY Sangguniang Bayan Member	 MACARIO V. GAMAS LNB President	 RHODORA A. DUNCAY OIC, Secretary to the Sangguniang Bayan
 ENGR. CARLOS G. VELOSO Municipal Mayor		

- a. Assist in taking minutes of committee meetings/hearings and prepare committee reports and necessary documents relative thereto;
- b. To provide assistance through the conduct of research works on the proposed creation of ordinances by the Sangguniang Bayan Members
- c. Submit the approved ordinances and resolutions to the Sangguniang Panlalawigan Office
- d. To perform other duties as may be assigned by higher authorities.

Section 4. Salary Grade and Funding Source: The position of Local Legislative Staff Officer II shall bear Salary Grade Thirteen (13) which shall be charged against the lump sum appropriation for Personal Services for fiscal year 2025 of the local government of Villaba, Leyte.

Section 5. Separability Clause: If for any reasons, any provision of this ordinance is declared unconstitutional or invalid by the court, or revoked by competent authorities, the remaining provisions not affected thereby shall continue to remain in full force and effect.

Section 6. Repealing Clause: Any previous ordinances, rules and regulations or parts thereof that are in conflict/inconsistent with any provisions of this ordinance are hereby repealed, amended or modified accordingly.

Section 7. Effectivity: This ordinance shall take effect upon its approval.


This Ordinance was approved by the Sangguniang Bayan in its Regular Session on July 8, 2024.

RHODORA AVON C. YLAYA
 OIC, Secretary to the Sanggunian

ATTESTED:

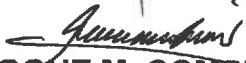

DENNIS L. SY
 Vice Mayor/Presiding Officer



VIOLETA T. SUMAPIG
 Sangguniang Bayan Member



MERIAM P. UMPAD
 Sangguniang Bayan Member


FELIPE S. CASAS, SR.
 Sangguniang Bayan Member


HON. NIEL ALBERT B. INOPIQUEZ
 Sangguniang Bayan Member


ROQUE M. COMPTRA
 Sangguniang Bayan Member


HON. ROGELIO J. BAAY
 Sangguniang Bayan Member


MACARIO V. ESMAS
 LNB President

APPROVED:


ENGR. CARLOS G. VELOSO
 Municipal Mayor

MINUTES OF THE COMMITTEE HEARING ON THE "ORDINANCE CREATING THE PLANTILLA POSITION OF LOCAL LEGISLATIVE STAFF OFFICER II, (LLSO II) SALARY GRADE 13, AT THE OFFICE OF THE SANGGUNIANG BAYAN OF VILLABA, LEYTE AND APPROPRIATING FUNDS THEREFOR"

Conducted on July 4, 2024 at the SB Session Hall
New Municipal Building
9:30 A.M.

Persons invited to this Committee Hearing were the Municipal Administrator/Human Resource Management officer, the Local Finance Committee, the Vice Chairman and Member of the SB Committee on Employment.

The hearing started when the majority of the invited persons personally appeared and was presided over by the SB Committee Chair concerned.

The participants being furnished beforehand a copy each of the ordinance immediately proceeded with the critique on the said measure.

The Budget Officer spearheaded the critical estimate and discussion about the matter. He emphasized more on the strict policy of COA, especially the younger officers replacing the retired ones, over government expenditures, particularly, on the PS cap. He said that the total income realized for C.Y. 2023 is PHP 191, 255,293.00 x 45% the PS cap or limitation is equal to PHP 86,065,882.00.

According to the Budget Officer, if we are going to approve the Plantilla Position of Local Legislative Staff Officer III, Salary Grade 16, the PS shall be PHP 93,122,592.00 which is over the PS Limitation by PHP 7,057,712.00 or 8.20% which COA will never allow.

Whereas, if we have to adopt the Plantilla Position of Local Legislative Officer II, Salary Grade 13, although it is still over the PS Cap of PHP. 86,065,882.00, there is a possibility that COA would consider the situation on account of the appropriation for the terminal benefits of the four (4) SB members this Calendar Year.

Thus, the recommendation of the Local Finance Committee narrowed down to retaining the original proposal for the creation of a Plantilla Position of the Local Legislative Officer II, Salary Grade 13 at the office of the Sangguniang Bayan, Villaba, Leyte.

There having no other business to deliberate on, the Committee Hearing ended at 10:30 a.m.

Prepared and Submitted by:


HON. ROGELIO J. BAAY
Chairman

SB Committee on Employment

Attested by:


HON. FELIPE S. CASAS, SR.
Vice Chairman


HON. ROQUE M. COMPRA
Member



SANGGUNIANG BAYAN

Office of the Secretary to the Sanggunian

NOTICE OF COMMITTEE HEARING

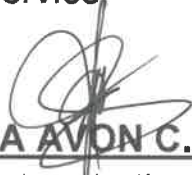
Notice is hereby given that a committee hearing will be conducted by the Sangguniang Bayan Committee on Employment on Thursday, July 4, 2024 at 9:00 o'clock in the morning at the New Sangguniang Bayan Session Hall, New Municipal Building of this Municipality for the proposed ordinance authored by Sangguniang Bayan Member Rogelio J. Baay, entitled:

“AN ORDINANCE CREATING THE PLANTILLA POSITION OF LOCAL LEGISLATIVE STAFF OFFICER III (LLSO III) WITH SALARY GRADE 16 AT THE OFFICE OF THE SANGGUNIANG BAYAN OF VILLABA, LEYTE AND APPROPRIATING FUNDS THEREFOR.”

The Municipal Administrator, Human Resource Management Officer, the Members of Local Finance Committee, the Vice Chairman and Member of the Committee on Employment of the Sangguniang Bayan are invited to attend.

Villaba, Leyte, July 1, 2024.

In public service


RHODORA AVON C. YLAYA
OIC, *Secretary to the Sanggunian*



Hermosilla Drive, District 28, Ormoc City
Contact Nos. (053) 561-0809 & 09285549820
e-mail: easternvisayasmail@gmail.com

Republic of the Philippines)
City of Ormoc)S.S.

AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned:

Republic of the Philippines
Province of Leyte
Municipal of Villaba
OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 07, S-2024-2025

ORDINANCE CREATING THE PLANTILLA POSITION OF LOCAL LEGISLATIVE STAFF OFFICER II (LLSO II) WITH SALARY GRADE 13 AT THE OFFICE OF THE SANGGUNIANG BAYAN OF VILLABA, LEYTE AND APPROPRIATING FUNDS THEREFOR.

APPROVED:
(SGD)ENGR. CARLOS G. VELOSO
Municipal Mayor

was published in said newspaper for (1) 04 consecutive weeks in its EV Mail _____
EV Mail July 22-28, 2024, issues.

That I am executing this affidavit to attest to the fact of the foregoing statements. Affiant further sayeth naught.

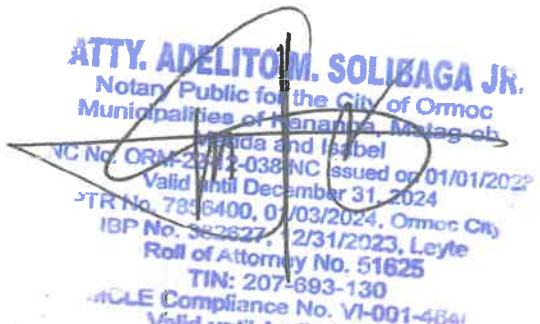
IN WITNESS WHEREOF, I have hereunto affix my signature this JUL 30 2024 day of July, 2024 in Ormoc City.


JIMA ZANDRA J. VERGARA
Affiant

VERIFICATION


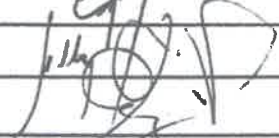
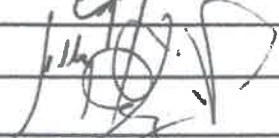
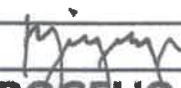
SWORN AND SUBSCRIBED before me this JUL 30 2024 day of July with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

Doc No. : 316
Page No.: 05
Book No.: 11
Series of 2024


ATTY. ADELITO M. SOLIBAGA JR.
Notary Public for the City of Ormoc
Municipalities of Mananila, Matag-ob,
Lalana and Isabel
NC No. ORM-2012-038 NC issued on 01/01/2023
Valid until December 31, 2024
PTR No. 7896400, 01/03/2024, Ormoc City
IBP No. 382627, 12/31/2023, Leyte
Roll of Attorney No. 51625
TIN: 207-693-130
MCLE Compliance No. VI-001-4841
Valid until April 14, 2025

“AN ORDINANCE CREATING THE PLANTILLA POSITION OF LOCAL LEGISLATIVE STAFF OFFICER II (LLSO II) WITH SALARY GRADE 13 AT THE OFFICE OF THE SANGGUNIANG BAYAN OF VILLABA, LEYTE AND APPROPRIATING FUNDS THEREFOR.”

**ATTENDANCE SHEET
COMMITTEE HEARING
4-Jul-24**

NAME	POSITION	SIGNATURE
PERFIDO S. CRISTAL Antonio G. Calunke	SEN Accountant	
RONALD L. VAPOR	HRM OFFICER	
ANTONIO I. RUBINOSIA	MRS	
PREPARED BY:		
	HON. ROGELIO J. BAAY	
	Chairman	
	SB Committee on Employment	