

Item No.: 06

Date: 15 2024 OCT



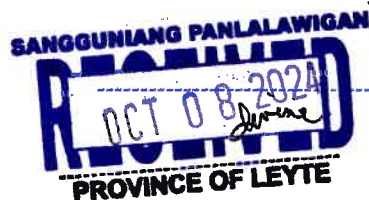
Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office

Leaded
Time:
Date: 10.2.24



2nd INDORSEMENT
October 4, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No.2024-004 of the Sangguniang Bayan of San Miguel, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 2024-004 entitled: **“An Ordinance Creating the Positions of Local Legislative Staff Officer III and Administrative Aide VI at the Office of the Municipal Vice-Mayor/Sangguniang Bayan of San Miguel, Leyte and Appropriating Funds Therefor ”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance to its power under Section 447(1)(viii)¹ of the Local Government Code of 1991 (R.A 7160) in consonance with Section 76². Hence, recommending for the declaration of its validity.

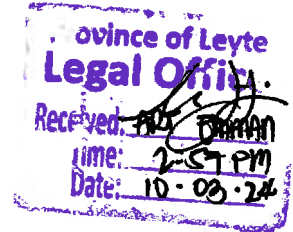
We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent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

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

¹(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



OFFICE OF THE SANGGUNIAN PANLALAWIGAN

1ST Endorsement
03 October 2024

Respectfully endorsed to the **PROVINCIAL LEGAL OFFICE** the herein **MUNICIPAL ORDINANCE NO. 2024-004 series of 2024** of the **Municipality of SAN MIGUEL, LEYTE**, which is self-explanatory, for review and recommendations.


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

SP RECORDS
10032024



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF SAN MIGUEL
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OFFICE OF THE SANGGUNIANG BAYAN

October 02, 2024

SANGGUNIANG PANLALAWIGAN



The Honorable Members of the Sangguniang Panlalawigan of Leyte
Thru: The Sangguniang Panlalawigan Secretary
Provincial Legislative Building,
Candahug, Palo, Leyte

Gentlemen/Ladies:

I have the honor to forward herewith pertinent documents of the Sangguniang Bayan of the Municipality of San Miguel, Leyte for review and approval, to wit:

1. Seventeen (16) copies of Municipal Ordinance No. 2024-004, Series of 2024 entitled: **"AN ORDINANCE CREATING THE POSITIONS OF LOCAL LEGISLATIVE STAFF OFFICER III (LLSO III) AND ADMINISTRATIVE AIDE VI (ELECTRONICS AND COMMUNICATIONS EQUIPMENT TECHNICIAN I) AT THE OFFICE OF THE MUNICIPAL VICE-MAYOR/SANGGUNIANG BAYAN OF SAN MIGUEL, LEYTE AND APPROPRIATING FUNDS THEREFOR**

Kindly acknowledge receipt hereof.

Very truly yours,


BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF SAN MIGUEL
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

THIS IS TO CERTIFY that Municipal Ordinance No. 2024-004, Series of 2024 as embodied under Resolution No. 169, Series of 2024 entitled: **AN ORDINANCE CREATING THE POSITIONS OF LOCAL LEGISLATIVE STAFF OFFICER III (LLSO III) AND ADMINISTRATIVE AIDE VI (ELECTRONICS AND COMMUNICATIONS EQUIPMENT TECHNICIAN I) AT THE OFFICE OF THE MUNICIPAL VICE-MAYOR/SANGGUNIANG BAYAN OF SAN MIGUEL, LEYTE AND APPROPRIATING FUNDS THEREFOR**, was forwarded to the Office of the Municipal Mayor Norman D. Sabdao for approval and signature on September 9, 2024 and up to this date no action was ever communicated to the Office of the Sangguniang Bayan nor a copy of said ordinance was returned to the said office.

Hence, as provided for under Section 54(b) of the Local Government Code of 1991, the same is deemed approved.

Done this 3rd day of October 2024 at San Miguel, Leyte.


BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF SAN MIGUEL
-oOo-

Date: Sept 19, 2024
Time: 11:00 AM

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN, SAN MIGUEL, LEYTE, HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, SAN MIGUEL, LEYTE ON SEPTEMBER 02, 2024

SANGGUNIANG PANLALAWIGAN

RECEIVED
03 OCT 2024
PROVINCE OF LEYTE

PRESENT:

- | | | |
|------------|-------------------------------|--|
| Tested by: | Hon. Protacio Q. Brazil | - Municipal Vice-Mayor/Presiding Officer |
| | Hon. Richard Len B. Lapidario | - SB Member |
| | Hon. Prospero Q. Brazil | - SB Member |
| | Hon. Charlie L. Guy | - SB Member |
| | Hon. Antonio L. Asis | - SB Member |
| | Hon. Otelio U. Babiano, Jr. | - SB Member |
| | Hon. Ruben G. Agner | - SB Member |
| | Hon. Thelma M. Brazil | - SB Member |
| | Hon. Letecia G. Espos | - SB Member |
| | Hon. Samuel P. Salomon | - Ex-Officio Member/President, Liga ng mga Barangay |
| | Hon. Jahlen Hans C. Labarrete | - Ex-Officio Member President, Sanggunian Kabataan Pambayan Pederasyon |

**Resolution No. 169
Series of 2024**

AN ORDINANCE CREATING THE POSITIONS OF LOCAL LEGISLATIVE STAFF OFFICER III (LLSO III) AND ADMINISTRATIVE AIDE VI (ELECTRONICS AND COMMUNICATIONS EQUIPMENT TECHNICIAN I) AT THE OFFICE OF THE MUNICIPAL VICE-MAYOR/SANGGUNIANG BAYAN OF SAN MIGUEL, 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 is 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 Municipal Vice-Mayor/Sangguniang Bayan has become one of the busiest offices in the municipal government dealing with voluminous clerical works, digital archiving of documents and other legislative related functions with only two (2) permanent employees to mention: Local Legislative Staff Assistant II and Administrative Aide IV (Driver II);

WHEREAS, in view of the foregoing and in the interest of effective and efficient legislative office, the creation of the positions of Local Legislative Staff Officer III (LLSO III) and Administrative Aide VI (Electronics and Communications Equipment Technician I) to augment the existing Plantilla positions in the Office of the Municipal Vice-Mayor/Sangguniang Bayan is deemed a necessity;

WHEREFORE, on motion of Hon. Richard Len B. Lapidario and seconded by all members present;

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

**MUNICIPAL ORDINANCE NO. 2024 - 004
Series of 2024**

**Sponsor: HON. RICHARD LEN B. LAPIDARIO
SB Member/Chairman on Rules, Privileges, Ordinances,
Legal Matters and Ways & Means**

Section 1. Title: This Ordinance shall be known and cited as: **“AN ORDINANCE CREATING THE POSITIONS OF LOCAL LEGISLATIVE STAFF OFFICER III (LLSO III) AND ADMINISTRATIVE AIDE VI (ELECTRONICS AND COMMUNICATIONS EQUIPMENT TECHNICIAN I) AT THE OFFICE OF THE MUNICIPAL VICE-MAYOR/SANGGUNIANG BAYAN OF SAN MIGUEL, LEYTE AND APPROPRIATING FUNDS THEREFOR.”**

Certified Correct: **BRYAN NEIL B. BRAZIL**, Secretary to the Sangguniang Bayan

Tested by: **HON. PROTACIO Q. BRAZIL**, Municipal Vice-Mayor/Presiding Officer

Concurred: **HON. RICHARD LEN B. LAPIDARIO**, SB Member; **HON. PROSPERO Q. BRAZIL**, SB Member; **HON. CHARLIE L. GUY**, SB Member

Approved: **HON. ANTONIO L. ASIS**, SB Member

HON. OTHELIO U. BABIANO, JR., SB Member; **HON. RUBEN G. AGNER**, SB Member; **HON. THELMA M. BRAZIL**, SB Member; **HON. LETECIA G. ESPOS**, SB Member; **HON. SAMUEL P. SALOMON**, President, Liga ng mga Barangay; **HON. JAHLEN HANS C. LABARRETE**, President, SKI Pambayang Pederasyon; **ATTY. NORMAN D. SARDADO**, Municipal Mayor

Certified Correct:

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:

Assisted by:

a. The Local Legislative Staff Officer III (LLSO III) shall have the following duties and functions among others, to wit:

- Prepare and finalize drafts of Minutes of the Sangguniang Bayan regular, special and other related meetings of the Sangguniang Bayan;
- Assist the Secretary to the Sangguniang Bayan in the supervision and delegation of work to the staff under the Journal and Minutes Section and in the review of their performance in conformity with established policies/targets and standards;
- Attend the Sangguniang Bayan regular and special sessions, including public/committee hearings and take down notes as bases in the preparation of Minutes of the Session and Public/Committee hearings;
- Research and coordinate with the other offices/agencies and gather data used as reference in the preparation of Minutes of the Session;
- Responsible for preserving and protecting digital information for long-term access and use
- Maintain schedule of the Sangguniang Bayan Members' itinerary, meetings and conferences;
- Act as secretary during committee hearings conducted by the standing committees of the sanggunian;
- Perform other functions and duties as may be assigned by the supervisor/s.

b. The Administrative Aide VI (Electronics and Communications Equipment Technicians) shall have the following duties and functions among others, to wit:

- Secure all electronics and communication devices and other related equipment and maintain its inventory;
- Ensure that all equipment and devices is in good condition and ready to use anytime needed;
- Prepare purchase request or job orders for maintenance of all equipment and keep up to date to upgrade devices;
- Run test and fault diagnostic of equipment and devices to locate and address the problem for replacement, repair or prepare job order if necessary;
- Set-up/install equipment during events, ensure that all needed devices are present, in good condition and installed correctly;

Concurred:

HON. OTHELIO U. BABIANO, JR. SB MEMBER
 HON. RIBEN G. AGNER SB MEMBER
 HON. THELMA M. BRAZIL SB MEMBER
 HON. LETECIA S. SPOS SB MEMBER
 HON. SAULITA P. SALOMON President, Liga ng mga Barangay
 HON. JAHLEN HANS C. LABARRETE President, SK Pambarangay Pedersasyon

HON. RICHARD LEN B. LAPIDARIO SB MEMBER
 HON. PROSPERO V. BRAZIL SB MEMBER
 HON. CHARLIE L. GUY SB MEMBER

HON. BRYAN NEIL G. BRAZIL Secretary to the Sangguniang Bayan
 HON. FROTADO Q. BRAZIL Municipal Vice-Mayor/President of Officer

Approved:
 ATTY. NORMAN D. SABBADO Municipal Mayor

HON. RUBEN G. AGNER
SB MEMBER

HON. RICHARD LENE B. LAPIDARIO
SB MEMBER

HON. THELMA M. BRAZIL
SB MEMBER

HON. PROSPERO Q. BRAZIL
SB MEMBER

HON. CHARLIE L. GUY
SB MEMBER

HON. ANTONIO L. ASIS
SB MEMBER

HON. SAMUEL P. SALOMON
President, Liga ng mga Barangay

HON. JAHLEN HANS C. LABARRETE
President, SK Pambayang Pederasyon

Concurred by:

- Perform preventive maintenance, regularly schedule the inspection of equipment to avoid issues and potential downtime, keep a log of maintenance tasks and equipment that needs to be addressed; and
- Perform other functions and duties as may be required by the supervisor/s.

Section 4. Salary Grade and Funding Source. The position of Local Legislative Staff Officer III (LLSO III) shall bear Salary Grade Sixteen (16) and the position of Administrative Aide VI (Electronics and Communications Equipment Technician I) shall bear Salary Grade Six (6) which shall be charged against the appropriation for Personal Services for fiscal year 2025 of the Office of the Municipal Vice-Mayor/Sangguniang Bayan of the Local Government of San Miguel, Leyte.

Section 5: Appointment and Qualification. The position of Local Legislative Officer III (LLSO III) and Administrative Aide VI (Electronics and Communications Equipment Technician I) shall be appointed by the Municipal Vice Mayor upon the recommendation of the Sangguniang Bayan Members in accordance with the civil service laws and rules, and that the appointee shall have met the following qualification standards set by the Civil Service Commission:

POSITION	EDUCATION	EXPERIENCE	TRAINING	ELIGIBILITY
Local Legislative Staff Officer III (LLSO III)	Bachelor's Degree	One (1) year relevant experience	At least four (4) hours of relevant training	Career Service (Professional) Second Level Eligibility
Administrative Aide VI (Electronics and Communications Equipment Technician I)	At least two (2) years College level	None required	None required	Career Service (Sub-Professional) First Level Eligibility


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.

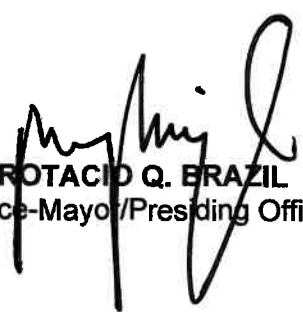
Section 6. Repealing Clause. Any previous ordinances, rules and regulations or parts thereof that are in conflict/inconsistent with any provisions of this ordinance are hereby repealed, amended or modified accordingly.

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

UNANIMOUSLY APPROVED - **September 02, 2024**

HEREBY CERTIFY to the correctness of the foregoing resolution/ordinance.


BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan

Attested by:

HON. PROTACIO Q. BRAZIL
Municipal Vice-Mayor/Presiding Officer

Approved:
ATTY. NORMAN D. SABDAO
Municipal Mayor



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF SAN MIGUEL
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OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

THIS IS TO CERTIFY that Municipal Ordinance No. 2024-004, Series of 2024 as embodied under Resolution No. 169, Series of 2024 entitled: **AN ORDINANCE CREATING THE POSITIONS OF LOCAL LEGISLATIVE STAFF OFFICER III (LLSO III) AND ADMINISTRATIVE AIDE VI (ELECTRONICS AND COMMUNICATIONS EQUIPMENT TECHNICIAN I) AT THE OFFICE OF THE MUNICIPAL VICE-MAYOR/SANGGUNIANG BAYAN OF SAN MIGUEL, LEYTE AND APPROPRIATING FUNDS THEREFOR**, has been posted in three (3) conspicuous places within the municipality and shall remain posted for three (3) consecutive weeks.

Done this 2nd day of October 2024 at San Miguel, Leyte.

BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan

