



PAMAHALAANG BAYAN NG TAYTAY TANGGAPAN NG SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 131st REGULAR SESSION OF THE 11th
SANGGUNIANG BAYAN, TAYTAY, RIZAL, HELD ON APRIL 11, 2022, 1:17 PM AT
THE SESSION HALL OF THE MUNICIPAL BUILDING, TAYTAY, RIZAL

PRESENT:

Hon. Michell B. Bermundo	-	Vice Mayor/Presiding Officer
Hon. Sophia Priscilla L. Cabral	-	Councilor
Hon. Ma. Jeca B. Villanueva	-	“
Hon. Patrick John P. Alcantara	-	“
Hon. Joanne Marie P. Calderon	-	“
Hon. Ceferino R. Resurreccion Jr.	-	“
Hon. Kyle Georic Y. Gacula	-	“
Hon. Ma. Elaine T. Leonardo	-	“
Hon. Philip Jeison J. Cruz	-	“
Hon. Frank Luster L. Santos	-	LnB President
Hon. Zyrell May B. Villanueva	-	SK Federation President

Introduced & Sponsored by: Coun. Kyle Georic Y. Gacula
Co-Sponsored by: Vice Mayor Michell B. Bermundo
Coun. Sophia Priscilla L. Cabral
Coun. Ma. Jeca B. Villanueva
Coun. Patrick John P. Alcantara
Coun. Joanne Marie P. Calderon
Coun. Ceferino R. Resurreccion Jr.
Coun. Ma. Elaine T. Leonardo
Coun. Philip Jeison J. Cruz
LnB Pres. Frank Luster L. Santos
SK Fed. Pres. Zyrell May B. Villanueva

RESOLUTION NO. 446 series of 2022

**A RESOLUTION DECLARING IN REVIEW, PARTICULAR ITEMS OF
APPROPRIATION IN THE ANNUAL BUDGET OF BARANGAY DOLORES FY
2022, UNDER ITS APPROPRIATION ORDINANCE NO. 01 SERIES OF 2021, AS
INOPERATIVE IN PART, FOR BEING CONTRARY TO, OR IN EXCESS OF
THE MAXIMUM AMOUNT PRESCRIBED BY LAW**

WHEREAS, Appropriation Ordinance No. 01 series of 2021 of the Sangguniang Barangay of Dolores, Taytay, Rizal, which appropriated the amount of One Hundred Four Million Eight Hundred Ninety-Six Thousand and Thirty-Eight Pesos (Php 104,896,038.00) as their Annual Budget FY 2022, was submitted for review to the Sangguniang Bayan as required by Section 333 of RA 7160 otherwise known as the Local Government Code of 1991;

WHEREAS, on January 14, 2022 however, the majority members of the Sangguniang Barangay of Dolores have jointly raised in their letter to the Sangguniang Bayan substantive issues which tainted both the regularity of the budgetary process and the legality of the said appropriation ordinance and stating among other things the lack of the approved minutes, official session was

not held for such purpose, and that the member who purportedly moved for the approval of the disputed measure has not actually made such motion;

WHEREAS, to resolve the impasse in the review process brought about by the issues raised thereto, the Sangguniang Bayan through its Resolution No. 416 s. of 2022, has returned the subject Appropriation Ordinance No. 01 s. 2021, to the Sangguniang Barangay of Dolores for proper adjustment and rectification after declaring the same to be inoperative in its entirety;

WHEREAS, on February 11, 2022, an unsigned transmittal letter was sent to the Office of the Vice Mayor, Hon. Michell B. Bermundo and attached therein copy of the documents related to budget for 2022 together with a copy of Resolution 98 entitled "A resolution submitting to the Honorable Sangguniang Bayan of Taytay, Rizal, the copies of signed ordinance and resolution in relation to Barangay Dolores FY 2022 Budget and confirming its legality in accordance with law and internal procedures";

WHEREAS, Section 333 of RA 7160 specifically vests to the Sangguniang Bayan the power to review barangay ordinance authorizing annual appropriation in order to ensure compliance of the same with law;

WHEREAS, the Audited Statement of Financial Performance of Barangay Dolores showed a total income of Fifty-Six Million Nine Hundred Thirty-Seven Thousand Five Hundred Forty-Six Pesos and Sixty-One Centavos (Php 56,937,546.61), and 55% of which is Thirty-One Million Three Hundred Fifteen Thousand and Six Hundred Fifty Pesos (Php 31,315,650.00); thus item of appropriation for personal services under the subject Ordinance No. 01 s. 2021, in the amount of Thirty-Nine Million Nine Hundred Fifty-Eight Thousand Eighty-Four Pesos and Seventy-Five Centavos (Php 39,958,084.75) has far exceeded the 55% limitation by Eight Million Six Hundred Forty-Two Thousand Four Hundred Thirty-Four Pesos and Eleven Centavos (Php 8,642,434.11) which is contrary to or in excess of the maximum amount prescribed by law;

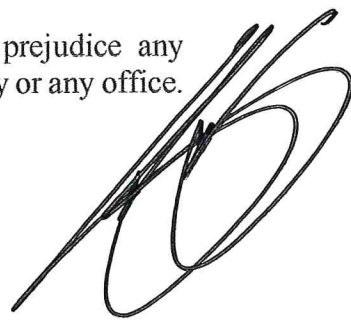
WHEREAS, item of appropriation for Senior Citizen has similarly exceeded the statutory allocation of 1% maximum limitation based on the total amount appropriated as the annual budget and such would necessitate proper adjustment, for it to be compliant with existing law on the subject;

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved, by the 11th Sangguniang Bayan of Taytay, Rizal, in session duly assembled, hereby DECLARES IN REVIEW, ITEMS OF APPROPRIATION IN THE ANNUAL BUDGET OF BARANGAY DOLORES FY 2022, UNDER ITS APPROPRIATION ORDINANCE NO. 01 SERIES OF 2021, PARTICULARLY ON ITEMS FOR PERSONAL SERVICES AND SENIOR CITIZEN, AS INOPERATIVE IN PART, FOR BEING CONTRARY TO, OR IN EXCESS OF THE MAXIMUM AMOUNT PRESCRIBED BY LAW.

RESOLVED FURTHER, that the Barangay Treasurer of Barangay Dolores, Taytay, Rizal, shall not make further disbursement from the above stated items of appropriation as herein declared inoperative, until such time that the proper adjustment is made therefor.

RESOLVED FURTHERMORE, that in no case shall the lump sum amount appropriated as the SK Fund equivalent to 10% of the total annual budget, be affected by the disallowance herein declared, and the SK of Dolores being financially independent from the Sangguniang Barangay, can now proceed in the disbursement of its funds for the implementation of its programs, projects and activities, subject to DBM / DILG / NYC Joint Memorandum Circular No. 1 s. 2019 which prescribed guidelines for the use of SK Fund.

RESOLVED MUCH FURTHERMORE, that this Resolution shall not prejudice any judicial or administrative proceedings that is pending or may be filed in court, agency or any office.

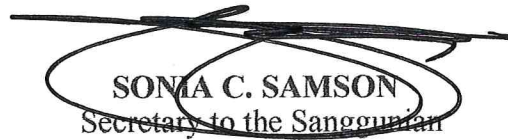


RESOLVED FURTHERMOST, that the Sangguniang Barangay of Dolores shall strictly comply with the conditions set forth in the review and recommendation of the OIC – Municipal Budget Officer, dated April 7, 2022, which shall form as an integral part of this Resolution.

RESOLVED FINALLY, that copies of this Resolution be furnished to all concerned for their information and appropriate action.

ADOPTED, this 11th day of April, 2022, 2:31 PM at the Sangguniang Bayan Session Hall, Municipality of Taytay, Province of Rizal.

I HEREBY CERTIFY, to the correctness of the foregoing Resolution which was duly adopted by the Sangguniang Bayan of Taytay on second reading on April 11, 2022 and was passed on third and final reading on April 11, 2022 during the 131st Regular Session held on the 11th day of April, 2022.


SONIA C. SAMSON
Secretary to the Sangguniang
Officer-in-Charge

ATTESTED AND CERTIFIED TO BE DULY
ADOPTED BY HER HONOR


HON. MICHELL B. BERMUNDO
Municipal Vice Mayor/Presiding Officer