



OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO HELD ON APRIL 7, 2017 AT THE SANGGUNIANG BAYAN SESSION HALL

PRESENT:

- | | |
|-------------------------------|-----------------------------|
| Hon. Dexter R. Gonzales | Temporary Presiding Officer |
| Hon. Dennes M. Faner | Sangguniang Bayan Member |
| Hon. Edezer F. Acheron | Sangguniang Bayan Member |
| Hon. Elpidio N. Contreras Jr. | Sangguniang Bayan Member |
| Hon. Edwin C. Acheron | Sangguniang Bayan Member |
| Hon. Teresita S. Bantugan | Sangguniang Bayan Member |
| Hon. Tulay M. Caring | IPs Representative |

ABSENT:

- | | |
|-----------------------------|-------------------------------------|
| Hon. Ramon G. Magbanua | Acting Municipal Mayor |
| Hon. German S. Acosta | Sangguniang Bayan Member -Leave- |
| Hon. Guillermo G. Salas Jr. | Sangguniang Bayan Member -Leave- |
| Hon. Enrico C. Villas | Pangulo, Liga ng mga Barangay -O.B. |

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RESOLUTION NO. 17-04-080

RESOLUTION REQUESTING THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT THRU THE MUNICIPAL LOCAL GOVERNMENT OPERATION OFFICER, MR. THREEKS FONTAMILLAS TO RENDER LEGAL OPINION REGARDING THE LETTER OF THE ACTING MUNICIPAL MAYOR, HON. RAMON G. MAGBANUA DATED APRIL 5, 2017 TO HON. DEXTER R. GONZALES DIRECTING HIM TO ACT AS ACTING MUNICIPAL VICE MAYOR AND THE PRESIDING OFFICER OF THE SANGGUNIANG BAYAN

"WHEREAS, the Municipal Mayor, the Honorable Ernilo C. Villas is on vacation leave starting April 5, 2017 up to May 10, 2017;

"WHEREAS, Vice Mayor Ramon G. Magbanua assumed the position as Acting Municipal Mayor in accordance with law and to adhere to the letter of the Municipal Mayor directing him to act as Acting Municipal Mayor effective April 5, 2017 until his return;

"WHEREAS, on the other hand, on that same day, the Acting Municipal Mayor, the Honorable Ramon G. Magbanua sent a letter to SB Member Dexter R. Gonzales directing him to act as Acting Municipal Vice Mayor including that as the Presiding Officer of the Sanggunian until the return of the Municipal Mayor ;

"WHEREAS, Sections 44 and 46 Title I, Book I of the Local Government Code of 1991 and Article 83, Rule XIV of the Rules and Regulations Implementing the Local Government Code of 1991 provide the rules that shall govern in case of vacancies in the positions of the Elective Local Officials and when the rule of succession shall apply as stated in sections mentioned herein;


"WHEREAS, SB Member Dexter Gonzales at the start of the regular on April 7, 2017 assumed to preside by virtue of the letter to him by Hon. Ramon Magbanua directing him to act as Acting Municipal Vice Mayor and at the same time to act as the Presiding Officer where SB Member Edezer Aceron rose in a motion on a point of information asking the legal basis of the assumption to preside by SB Member Dexter Gonzales causing confusion among the members of the Sanggunian on what provision of the law should apply in case there is temporary vacancy in the position of the Local Chief Executive and whether the rule on succession is applicable in case the Vice Mayor will act as Acting Municipal Mayor;


"WHEREAS, the Department of Interior and Local Government thru the MLGOO, Mr. Threeks Fontamillas is hoped to clarify the issue that shall help to enlighten the members of the Sangguniang Bayan of Bulalacao and further provide legal interpretation on the provisions of the Local Government Code of 1991; Now, therefore, be it

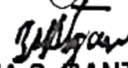
RESOLVED AS IT IS HEREBY RESOLVED, To: Request the Department of Interior and Local Government thru the Municipal Local Government Operation Officer, Mr. Threeks Fontamillas to render legal opinion regarding the letter of the Acting Municipal Mayor, Honorable Ramon G. Magbanua dated April 5, 2017 to Honorable Dexter R. Gonzales directing him to act as Acting Municipal Vice Mayor and the Presiding Officer of the Sangguniang Bayan;

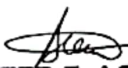
ON MOTION of SB Member Edezer F. Aceron duly seconded by SB Member Edwin C. Aceron, SB Member Elpidio N. Contreras Jr. and SB Member Teresita S. Bantugan foregoing was..


APPROVED": April 7, 2017, Bulalacao, Oriental Mindoro.



HON. DENNES M. FANER
 SB Member


HON. ELPIDIO N. CONTRERAS JR.
 SB Member



HON. TERESITA S. BANTUGAN
 SB Member


HON. EDEZER F. ACERON
 SB Member


HON. EDWIN C. ACERON
 SB Member


HON. TULAY M. CARING
 IPM Representative

CERTIFIED TRUE AND CORRECT:


PERILITA L. PAZ
 Secretary to the Sanggunian

ATTESTED:


HON. DEXTER R. GONZALES
 Acting Municipal Vice Mayor/
 Temporary Presiding Officer

APPROVED:


HON. RAMON G. MAGBANUA
 Acting Municipal Mayor
 Date Signed: _____