EXCERPT FROM THE MINUTES OF THE 13TH REGULAR SESSION OF SANGGUNIANG PANLUNGSOD OF CITY OF SANTA ROSA, LAGUNA HELD ON THURSDAY, APRIL 14, 2016 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL.

Presents:

1. Hon. ARNEL DC. GOMEZ - City Vice-Mayor & Presiding Officer
2. Hon. LUISITO B. ALGABRE - SP Member
3. Hon. MYTHOR C. CENDANA - SP Member
4. Hon. ERIC T. PUZON - SP Member
5. Hon. ANTONIA T. LASERNA - SP Member
6. Hon. PAULINO Y. CAMACLANG, Jr. - SP Member
7. Hon. PETRONIO C. FACTORIZA - SP Member
8. Hon. RAYMOND RYAN F. CARVAJAL - SP Member
9. Hon. LAUDEMER A. CARTA - SP Member
10. Hon. EDWARD FERNANDITO S. TIONGCO - SP Member

Absent:

1. Hon. MA. THERESA C. AALA - SP Member
2. Hon. RODRIGO B. MALAPITAN - SP Member, ABC President

RESOLUTION NO. 125-2016
Sponsored and Authored by: Hon. EDWARD F. S. TIONGCO
Chairman Committee on Finance and Appropriations
CO-SPONSORS:
- Hon. MA. THERESA C. AALA
- Hon. LUISITO B. ALGABRE
- Hon. MYTHOR C. CENDANA
- Hon. ERIC T. PUZON
- Hon. ANTONIA T. LASERNA
- Hon. PAULINO Y. CAMACLANG, Jr.
- Hon. PETRONIO C. FACTORIZA
- Hon. RAYMOND RYAN F. CARVAJAL
- Hon. LAUDEMER A. CARTA

A RESOLUTION REQUESTING THE SANGGUNIANG PANLALAWIGAN TO RECONSIDER AND FURTHER EVALUATE PROVINCIAL BOARD RESOLUTION NO. 101, S. 2016 ON THE BASIS OF THE DOCUMENTS SUBMITTED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF SANTA ROSA, LAGUNA.

WHEREAS, the Sangguniang Panlungsod of the City of Santa Rosa, Laguna submitted to the Sangguniang Panlalawigan the Appropriation Ordinance No. 2058-2015 attached the Committee Reports on the Budget Review, Veto Message of the Hon. City Mayor Arlene B. Arcillas and City Ordinance No. 2065-2016- Overriding the Veto Message of the Hon. City Mayor last March 18, 2016;

WHEREAS, a Committee Hearing for the review of the Appropriation Ordinance No. 2058-2015, Veto Message of the Hon. City Mayor Arlene B. Arcillas and City Ordinance No
Page 2 of Resolution No. 125-2016

2065-2016 – Overriding the Veto Message of the Hon. City Mayor by the Sangguniang Panlalawigan was held last March 28, 2016, the same date of Provincial Board Resolution No. 101, S. 2016;

WHEREAS, the Sangguniang Panlungsod received Resolution No. 101, S. 2016 of the Sangguniang Panlalawigan last April 04, 2016 thru LBC, declaring the Appropriation Ordinance No. 2058-2015 “An Ordinance Appropriating The Amount of One Billion Seven Hundred Ninety Nine Million Sixty Two Thousand Six Hundred Eighty One Pesos and Twelve Centavos (P1,799,062,681.12) to be made available as Appropriations of the City Government of Santa Rosa to be taken from the income certified as reasonably collectible by the Local Finance Committee for the Calendar Year 2016” INOPERATIVE IN ITS ENTIRETY;

WHEREAS, in its Resolution No. 101, S. 2016, the Sangguniang Panlalawigan stated that “the Sangguniang Panlungsod is in no instance have the power to lessen/slashed the annual estimated income of the City Government, the power to determine the same rest on the Local Finance Committee as approved by the Local Chief Executive”;

WHEREAS, the Sangguniang Panlalawigan further stated that “the Sangguniang Panlungsod neither have the power to substitute the proposed Annual Budget of the Chief Executive of their own version considering the same is an Executive Budget”.

WHEREAS, the Sangguniang Panlungsod would like to reiterate that it did not lessen/slashed the annual estimated income of the City Government but rather reviewed the budget items incorporated in the Proposed Annual Budget, Annual Investment Plan (AIP) and Gender and Development Plan and Budget (GPB) submitted by the Local Finance Committee all at the same time, for the purpose of determining whether public funds shall be judiciously utilized for the promotion of the general welfare. (Section 16 Republic Act 7160). Some items were not justified during the budget review and even after the Committee reports were submitted to the departments concerned, which prompted the Sangguniang Panlungsod to slash unexplained appropriations, with considerations that the Executive department can request for a supplemental budget to the Sangguniang Panlungsod when need arise, attached details of the requested supplemental budget;

WHEREAS, Ordinance No. 2058-2015 clearly states the Appropriation amounting to One Billion Seven Hundred Ninety Nine Million Sixty Two Thousand Six Hundred Eighty One Pesos and Twelve Centavos (P1,799,062,681.12) to be made available as Appropriations of the City Government of Santa Rosa to be taken from the Income Certified as reasonably collectible by the Local Finance Committee For The Calendar Year 2016. The Appropriation Ordinance did not state anything about changing or determining the estimated income of the City Government;

WHEREAS, City Ordinance No. 2058-2015 adhered to Section 324 of Republic Act 7160 regarding Budgetary Requirements and in fact allotted and approved for the following items that promotes the General Welfare of the City’s constituents:

A. General Services : P619,830,475.87
B. Economic Services : 163,477,541.00
C. Social Services : 402,225,882.58
D. Special Accounts : 210,958,559.20
E. Other Budgetary Requirements : 402,570,222.11

WHEREAS, Section 458 of the Local Government Code states "that the Sangguniang Panlungsod, as the legislative body of the city, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the city as provided for under Section 22 of this Code” and Item No. 2 letter (i) of the same section states that among
the powers, duties and functions of the SP is to "Approve the annual and supplemental budgets of the city government and appropriate funds for specific programs, projects, services and activities of the city, or for other purposes not contrary to law, in order to promote the general welfare of the city and its inhabitants;"

WHEREAS, the system of **checks and balances**, as laid out in Articles I, II, and III, is an important part of the **Constitution**. With **checks and balances**, each of the three branches of government can limit the powers of the others. This way, no one branch becomes too powerful, and the people's freedom shall be safeguarded;

WHEREAS, pursuant to the Local Government Code, the Executive Budget that is prepared by the Local Chief Executive constitutes a proposed budget that is subject for the review and approval of the Sanggunian, and the Sanggunian, as the legislative body of the local government unit, has the power and the mandate to scrutinize the proposed budget, and to pass the necessary appropriation ordinance;

WHEREAS, the Sanggunian's power to appropriate funds cannot, and should not, be interpreted as merely putting a stamp of approval automatically to whatever proposed budget is submitted by the Local Chief Executive, as the Sanggunian must exercise its discretion and legislative wisdom in approving a final budget for the local government unit;

WHEREAS, the Sangguniang Panlalawigan's Resolution No. 101, S. 2016 is a very dangerous precedent, and adverse even to the Sangguniang Panlalawigan itself, as the resolution diminishes and devalues the powers given by law to the local legislative bodies, and surrenders to the local chief executives the power to appropriate funds;

NOW, THEREFORE, on motion of SP Member Hon. EDWARD F. S. TIONGCO, duly seconded by All Members;

THE SANGGUNIANG PANLUNGSOD RESOLVED to enact a Resolution requesting the Sangguniang Panlalawigan to re-consider and further evaluate Provincial Board Resolution No. 101, S. 2016 on the basis of the documents submitted by the Sangguniang Panlungsod of the City of Santa Rosa, Laguna.

RESOLVED FURTHER, to furnish copies of this Resolution to the Sangguniang Panlalawigan and all concerned, for their information.

UNANIMOUSLY APPROVED.

CERTIFICATION:

I hereby certify to the correctness of the above quoted Resolution.

[Signature]

CYNTHIA M. GOMEZ
Secretary to the Sangguniang Panlungsod

[Signature]

MA. THERESA C. AALA
SB Member

[Signature]

MYTHOR C. CENDAÑA
SB Member

[Signature]

LUI SITO R. ALGABRE
SB Member

[Signature]

ERIC T. PUZON
SB Member
ANTONIA T. LASERNA  
SB Member

PETRONIO G. FACTORIZA  
SB Member

LAUDEMER A. CARTA  
SB Member

RODRIGO B. MALAPITAN  
SB Member, ABC President

PAULINO Y. CAMACUANG Jr.  
SB Member

RAYMOND RYAN F. CARVAJAL  
SB Member

EDWARD FERNANDITO S. TIONGCO  
SB Member

ATTESTED BY:

ARNE DC. GOMEZ  
City Vice-Mayor/Presiding Officer