



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
South Wing, Provincial Capitol Building
South Capitol Road, Bacolod City, Negros Occidental 6100
Tel. Nos. 435-7698 * 447-5657 * 707-8075

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD, NEGROS OCCIDENTAL ON THE 25TH DAY OF JUNE 2024.

Present:

Hon. Valentino Miguel J. Alonso	Temporary Presiding Officer
Hon. Rommel T. Debulgado	Member - 1 st District
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Samson C. Mirhan	Member - 2 nd District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Mayvelyn L. Madrid	Member - SK
Hon. Julius Martin D. Asistio	Member-PCL

Absent:

Hon. Jeffrey P. Ferrer	(O.L.)	Vice Governor
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On Official Business:

Hon. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Richard Julius L. Sablan	Member - ABC

RESOLUTION NO. 0745
Series of 2024

RESOLUTION DECLARING CITY ORDINANCE NO. 5, SERIES OF 2024, ENTITLED: AN ORDINANCE ESTABLISHING A LOCAL COLLEGE IN THE CITY OF SILAY, PROVINCE OF NEGROS OCCIDENTAL, TO BE KNOWN AS THE "ROBERTO L. JALANDONI SILAY CITY COLLEGE" AND GRANTING ITS CHARTER, PROVIDING FOR THE RULES, REGULATIONS AND PERTINENT GUIDELINES FOR ITS ESTABLISHMENT AND OPERATIONS THEREOF AND FOR OTHER PURPOSES, AS A VALID ENACTED ORDINANCE

WHEREAS, Section 56 of the Local Government Code of 1991 expresses the reviewing power of the Sangguniang Panlalawigan on Component City and Municipal Ordinances and Resolutions declaring the Ordinance or Resolution valid if it's consistent with the law or invalid in whole or in part if the Sangguniang Panlalawigan finds the Ordinance or Resolution to be beyond the power conferred upon the Sangguniang Panlungsod or Sangguniang Bayan concerned;

WHEREAS, City Ordinance No. 5, series of 2024 of the City of Silay establishing a local college in the City of Silay, Negros Occidental to be known as the "Roberto L. Jalandoni Silay City College" and granting its charter, providing for the rules, regulations and pertinent guidelines for its establishment and operations thereof and for other purposes, was submitted for review by the City of Silay to the Sangguniang Panlalawigan of Negros Occidental;

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(Page 2, Res. No. 0745, series of 2024)

WHEREAS, after prompt examination by the Provincial Legal Office, it is the recommendation of the said Office that the subject Ordinance is within the conferred power of the Sangguniang Panlungsod of Silay to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, it is the fundamental duty of the State to make quality education accessible to all Filipinos (Sec. 1, Art. XIV, 1987 Philippine Constitution). Local government units, in exercising their powers for efficient governance, are mandated to support the development of self-reliant technological capabilities and enhance economic prosperity (Sec. 16, RA 7160). One of the basic services and facilities that LGUs are mandated to provide is education, as supported by Section 17 (a)(b)(2)(viii)(ix) of the Local Government Code of 1991 (RA 7160), which stipulates:

Section 17. Basic Services and Facilities.

(a) Local government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to this Code. Local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provisions of the basic services and facilities enumerated herein.

(b) Such basic services and facilities include, but are not limited to, the following:

(viii) Infrastructure facilities intended primarily to service the needs of the residents of the municipality and which are funded out of municipal funds including, but not limited to, municipal roads and bridges; school buildings and other facilities for public xxx schools; xxx.

WHEREAS, the subject ordinance is consistent with the Local Government Code, to wit:

Section 458. Powers, Duties, Functions and Compensation. - (a) 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 shall

(5) Approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 17 of this Code, and in addition to said services and facilities, shall:

(x) Subject to the availability of funds and to existing laws, rules and regulations, establish and provide for the operation of vocational and technical schools and similar post-secondary institutions and, with the approval of the Department of Education, Culture and Sports, fix and collect reasonable fees and other school charges on said institutions, subject to existing laws on tuition fees;

(x) Subject to the availability of funds and to existing laws, rules and regulations, establish and provide for the operation of vocational and technical schools and similar post-secondary institutions and, with the approval of the Department of Education, Culture and Sports, fix and collect reasonable fees and other school charges on said institutions, subject to existing laws on tuition fees;

WHEREAS, Ordinance No. 5, Series of 2024, of the City of Silay aims to establish Silay City College, a local academic institution providing tertiary education and technical-vocational courses to Silay's constituents. While the ordinance complies with all relevant laws and policies regarding its creation, this Office would like to highlight Article IV, Section 2, which states:



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"SECTION 2. Revenues. As may be permitted by law, the College is hereby authorized to generate revenue as may be necessary to raise the funds needed for the purpose aforementioned, subject to the approval of the BOT." This provision implies the income-generating nature of the school, permitted by Section 18 of RA 7160. This Office respectfully reminds the Sanggunian of LGU-Silay to comply with the public hearing and publication requirements as stipulated in Sections 187 and 188 of the same Code when imposing these revenue measures.

WHEREAS, the reviewing authority of the Sangguniang Panlalawigan finds no irregularity that follow thereto as a result of the thorough scrutiny of the Provincial Legal Officer;

NOW THEREFORE, premises considered, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr. unanimously seconded by all the members present during the regular session of the Sangguniang Panlalawigan of Negros Occidental, resolved, as it hereby resolves, to pass and approve this resolution to wit:

RESOLUTION DECLARING CITY ORDINANCE NO. 5, SERIES OF 2024, ENTITLED: AN ORDINANCE ESTABLISHING A LOCAL COLLEGE IN THE CITY OF SILAY, PROVINCE OF NEGROS OCCIDENTAL, TO BE KNOWN AS THE "ROBERTO L. JALANDONI SILAY CITY COLLEGE" AND GRANTING ITS CHARTER, PROVIDING FOR THE RULES, REGULATIONS AND PERTINENT GUIDELINES FOR ITS ESTABLISHMENT AND OPERATIONS THEREOF AND FOR OTHER PURPOSES, AS A VALID ENACTED ORDINANCE

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

HON. VALENTINO MIGUEL J. ALONSO
Temporary Presiding Officer

ATTESTED:


JESSICA E. ALOVERA
Legislative Staff Officer V
OIC- Legislative Division