



Republic of the Philippines
Province of Laguna
MUNICIPALITY OF LOS BAÑOS
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN
Municipal Hall, National Highway, Brgy. Timugan,
Los Baños, Laguna 4030 Philippines
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**EXCERPTS FROM THE MINUTES OF THE THIRD (3RD) REGULAR SESSION OF
THE SANGGUNIANG BAYAN HELD ON JULY 25, 2022 AT THE SANGGUNIANG
BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS,
LAGUNA.**

Present :	Vice Mayor Josephine H. Sumangil - Evangelista, Presiding Officer S.B. Member Leren Mae M. Bautista S.B. Member Marlo PJ A. Alipon S.B. Member Jonathan Bryan S. Siytiap S.B. Member Miko C. Pelegrina S.B. Member Mark Lester B. Dizon S.B. Member Benedicto S. Alborida S.B. Member Mike Dexter A. Concio S.B. Member Arlene P. delos Santos, LIGA President S.B. Member Jozlyn N. Manansala, SK Federation President Secretary Dona T. Alborida Ms. Felomina I. Lincallo. LLSO I
Absent :	S.B. Member Julius A. Molinawe, (On-Leave)
Visitor :	Mr. Kent Hermie A. Marciano, Dep.Ed Ms. Francesca Gabrielle O. Perez, LBCES student Ms. Aleli Teresa L. San Agustin, LAPRISADA-LB Ms. Regine KarlaP. Bagalanon, LAPRISADA-LB Ms. Tes Depano, LAPRISADA-LB

RESOLUTION NO. 2022 – 21

RESOLUTION RESCINDING RESOLUTION NO. 2022-100: “RESOLUTION RETURNING THE COMPLAINT FILED BY MS. SUSAN GUTIERREZ OCAMPO AGAINST HONORABLE ARLENE P. DELOS SANTOS DUE TO LACK OF JURISDICTION OF THE SANGGUNIANG BAYAN AS STIPULATED IN PARAGRAPH (B) OF SECTION 61 OF RA 7160 ALSO KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991”.

Author : Councilor Mark Lester B. Dizon

WHEREAS, Ms. Susan G. Ocampo, resident of Barangay Bambang, Los Baños, Laguna, filed a verified complaint against Honorable Arlene P. Delos Santos before the Office of the Sangguniang Bayan on May 26, 2022;

WHEREAS, upon the recommendation of the Administrative Investigative Committee (AIC) of the previous sanggunian, the august body resolved to return the complaint citing lack of jurisdiction through the passage of Resolution No. 2022-100 on May 27, 2022;

WHERERAS, on July 14, 2022, a Motion for Reconsideration of the abovementioned Resolution was filed by Ms. Ocampo along with the original verified complaint. The correspondence was read during the Second Regular Session of the new set of sanggunian on July 18, 2022 and was referred to the newly-reconstituted AIC of the same;

WHEREAS, the AIC convened to discuss the Motion for Reconsideration on July 21, 2022. The meeting was attended by all the members and Ms. Michiko R. Escalante, DILG-MLGOO of Los Baños;

WHEREAS, during the conduct of the Third Regular Session on July 25, 2022, the august body agreed to grant the request of the complainant to hear and try the case before the Sanggunian taking into consideration the arguments cited, to wit:

- a. Although Honorable Arlene P. Delos Santos is an ex-officio member of this sanggunian, it does not make her an elected municipal official;
- b. There is no question that she is an elected barangay official;
- c. The complaint filed against Hon. Delos Santos is in relation to her capacity as a Punong Barangay;
- d. According to Section 61 Paragraph (c) of RA 7160, otherwise known as the Local Government Code of 1991:

Section 61. Form and Filing of Administrative Complaints. – A verified complaint against any erring local elective official shall be prepared as follows:

xxx

xxx

xxx

(c) “A complaint against any elective Barangay Official shall be filed before the Sangguniang Panlungsod or Sangguniang Bayan concerned whose decision will be final and executory.”;

- e. In view of the above-cited provision, DILG Opinion No. 105 s. 2010, in response to the query of Atty. Petron F. Fradejas, states that ***“it is clear that a verified complaint against any erring barangay elective official, in your case the Punong Barangay, shall be filed before the Sangguniang Bayan”***, and;
- f. Based on the above provision of the Code, DILG Opinion No. 2016-005 dated January 28, 2016, in response to the query of the President of Liga ng mga Barangay in San Benito, Surigao del Norte, states that ***“...the Sangguniang Bayan is the Disciplining Authority and consequently the Investigating Authority in administrative complaints filed against barangay officials...”***.

NOW THEREFORE, on motion of Councilor Mark Lester B. Dizon duly seconded by Councilor Jonathan Bryan S. Siytiap and approved by all the councilors present;



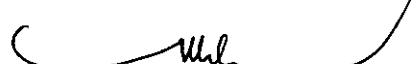
3.00 Resolution No. 2022-21

07/25/2022

RESOLVED, AS IT IS HEREBY RESOLVED by the Sangguniang Bayan of Los Baños, to rescind Resolution no. 2022-100: "Resolution Returning the Complaint Filed by Ms. Susan Gutierrez Ocampo Against Honorable Arlene P. Delos Santos Due to Lack of Jurisdiction of the Sangguniang Bayan as Stipulated in Paragraph (b) of Section 61 of RA 7160 also known as the Local Government Code of 1991" and thus granting the Motion for Reconsideration filed by Ms. Susan G. Ocampo.

UNANIMOUSLY APPROVED : July 25, 2022

I HEREBY CERTIFY to the correctness of the above-quoted Resolution.


DONA T. ALBORIDA
Secretary to the Sangguniang Bayan

CERTIFIED ADOPTED:


HON. JOSEPHINE H. SUMANGIL - EVANGELISTA
Vice Mayor / Presiding Officer