



Republic of the Philippines
MUNICIPALITY OF LINGAYEN
Province of Pangasinan

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Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF LINGAYEN, PANGASINAN HELD AT THE SESSION HALL ON AUGUST 20, 2019.

PRESENT : SBM JOHN SILVESTER A. TAPIA – Temporary Presiding Officer
SBM Mac Dexter G. Malicdem
SBM Jay Mark Kevin D. Crisostomo
SBM Jonathan Carl R. Arcinue
SBM Ramon Anselmo M. Cuaresma
SBM Sheila V. Castañeda
SBM Randall Q. Bernal
SBM Ricardo R. Ferrer
SBM Darwin B. Jimenez – Liga President
SBM Gabriel Ivan C. Tuazon – SK President

ABSENT : Vice Mayor Judy DI. Vargas

RESOLUTION NO. 50, S-2019

CONFIRMING THE APPOINTMENT OF ATTY. DOMINIQUE C. EVANGELISTA AS MUNICIPAL LEGAL OFFICER, THIS MUNICIPALITY.

WHEREAS, Atty. Dominique C. Evangelista was appointed by the Municipal Mayor to be the Municipal Legal Officer of this municipality pursuant to R.A. 7160 otherwise known as the New Local Government Code of 1991;

WHEREAS, there is a need to fill up the position of the Municipal Legal Officer in order that said office can continuously provide legal services to its constituents as well as support to the Mayor and to the municipality in the implementation of programs and projects related to legal services;

WHEREAS, the legal officer, the chief legal counsel of the Local Government Unit (LGU), shall take charge of office for legal services and shall formulate measures for the consideration of the sanggunian and provide legal assistance and support to the mayor in carrying out the delivery of basic services;

WHEREAS, the legal officer shall:

- (a) *Represent the local government unit in all civil actions and special proceedings wherein the local government unit or any official thereof, in his official capacity, is a party: Provided, That in actions or proceedings where a component city or municipality is a party adverse to the provincial government or to another component city or municipality, a special legal officer may be employed to represent the adverse party;*

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- (b) When required by the mayor, or sanggunian, draft ordinances, contracts, bonds, leases and other instruments involving any interest of the local government unit and provide comments and recommendations on any instruments already drawn;
- (c) Render his opinion in writing on any question of law when requested to do so by the mayor or sanggunian;
- (d) Investigate or cause to be investigated any local official or employee for administrative neglect or misconduct in office and recommend appropriate action to the mayor or sanggunian, as the case may be;
- (e) Investigate or cause to be investigated any person, firm or corporation holding any franchise or exercising any public privilege for failure to comply with any term or condition in the grant of such franchise or privilege and recommend appropriate action to the mayor or sanggunian, as the case may be;
- (f) When directed by the mayor or sanggunian, initiate and prosecute, in the interest of the local government unit concerned, any civil action on any bond, lease or other contract upon any breach or violation thereof.

WHEREAS, in addition thereto, the legal officer shall recommend measures to the sanggunian and advise the mayor, as the case may be, on all other matters related to upholding the rule of law; Be in the frontline of protecting human rights and prosecuting any violations thereof, particularly those which occur during and in the aftermath of man-made or natural disasters and calamities; and exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance;

WHEREAS, the appointment of the Municipal Legal Officer is optional for the municipal government and the term of office is coterminous with that of his appointing authority as specified in Section 481 (a) of R.A. 7160, otherwise known as the 1991 Local Government Code;

WHEREFORE, on motion of SBM Jay Mark Kevin D. Crisostomo duly seconded by all, be it:

RESOLVED AS IT IS HEREBY RESOLVED, to confirm the appointment of Atty. Dominique C. Evangelista as Municipal Legal Officer, this municipality.


RESOLVED FURTHER, that copies of this resolution be furnished the Civil Service Commission (CSC), Lingayen, Pangasinan, the Chief Administrative Officer, Municipal Budget Officer, Municipal Accountant, Assistant Municipal Treasurer and the appointee for their information and files.

UNANIMOUSLY APPROVED. AUGUST 20, 2019.

CERTIFIED CORRECT:


JOHN SILVESTER A. TAPIA
Temporary Presiding Officer

ATTESTED:


GENARO L. VALENCERINA, JR.
Secretary to the Sanggunian

APPROVED:


LEOPOLDO N. BATAOIL
Municipal Mayor



Received by

 8/28/19

MRS. CHRISTINA C. MIA

