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of the  
**SANGGUNIANG  
BAYAN**



**MONCADA, TARLAC**

**EXCERPT FROM THE MINUTES OF THE 20<sup>th</sup> REGULAR SESSION OF THE 11<sup>th</sup> SANGGUNIANG BAYAN OF MONCADA, TARLAC HELD ON THE 28<sup>th</sup> DAY OF NOVEMBER 2022 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.**

**PRESENT:**

<b>HON. RAMON BENITO M. AQUINO</b>	<b>..VICE MAYOR / PRESIDING OFFICER</b>
<b>HON. JANIUS M. YASAY</b>	<b>..MEMBER</b>
<b>HON. ALBERTO C. MARZAN, JR., MD</b>	<b>..MEMBER</b>
<b>HON. THELMAFLOR A. ESPEJO</b>	<b>..MEMBER</b>
<b>HON. GEORGE MICHAEL P. AGUILAR</b>	<b>..MEMBER</b>
<b>HON. CONSTANTE NESTOR A. FAVIS</b>	<b>..MEMBER</b>
<b>HON. EZEKIEL C. RIVERA</b>	<b>..SKF PRESIDENT</b>

**ABSENT:**

<b>HON. RODOLFO C. ESPEJO, JR.</b>	<b>..MEMBER (OFFICIAL LEAVE)</b>
<b>HON. CELESTE A. AYSON</b>	<b>..MEMBER (SICK LEAVE)</b>
<b>HON. GEORGE R. CUCHAPIN, MD</b>	<b>..LnB PRESIDENT (OFFICIAL BUSINESS)</b>

**RESOLUTION NO. 64**  
Series of 2022

**RESOLUTION WAIVING THE RENTAL FEES AND CHARGES INCURRED BY ABOVE SEA LEVEL FROM OCTOBER TO DECEMBER 2022, SUSPENDING FOR THIS PURPOSE CERTAIN PROVISIONS OF THE CONTRACT OF LEASE ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF MONCADA AND ABOVE SEA LEVEL**

**Sponsored by: Coun. Thelmaflor A. Espejo  
Chairperson, Committee on Finance, Ways and Means and Appropriations**

**WHEREAS**, in a letter dated November 18, 2022 from the Municipal Treasurer, it states that Above Sea Level restaurant owned by Ms. Rowena Baldonado is requesting the Municipal Government of Moncada to grant them condonation of their rental fees with the Municipal Government amounting to twelve thousand pesos (Php 12,000.00) per month for the period from October to December 2022, citing very poor sales with their business activity;

**WHEREAS**, the Municipal Government had entered into a contract of lease with the Above Sea Level restaurant to allow the use of Muskada Café, a restaurant building owned by the LGU of Moncada duly established pursuant to Section 17 (j) and Section 22 (d) of Republic Act 7160 or the Local Government Code, which provides that LGUs may sell, lease or encumber their public economic enterprises in their proprietary capacity to generate additional sources of local revenues. The measure is also consistent with Section 18 of the same Code which states that the LGU is vested with local autonomy to create its own sources of revenue for productive, developmental or welfare purposes;

**WHEREAS**, the Sangguniang Bayan of Moncada, cognizant of its mandate granted by Section 447 of RA 7160, had promulgated Resolution No. 147, Series of 2019 which then authorized the Municipal Mayor Estelita M. Aquino to enter into



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a contract of lease with Above Sea Level restaurant, subject to certain terms and conditions consistent with the provisions of existing laws, rules and regulations;

**WHEREAS**, the Above Sea Level consistently and faithfully settled its monthly obligations to the LGU of Moncada from January to December 2020 and from January to December 2021 despite the adverse effects brought by the COVID-19 pandemic to the economy which was worsened by numerous lockdowns;

**WHEREAS**, it is indispensable to grant the request of the aforementioned company to espouse the municipality's socioeconomic efforts to reduce the adverse impact of COVID-19 on the economy and society that persistently affects the livelihood and productive activities of small and medium enterprises due to said economic contraction;

**NOW, THEREFORE**, premises considered, and on motion by Coun. Thelmaflor A. Espejo, duly seconded;

**RESOLVED**, that this Sanggunian, acting on the favorable recommendation of the Committee on Finance, Ways and Means and Appropriations, hereby waives the rental fees and charges incurred by Above Sea Level from October to December 2022, suspending for this purpose certain provisions of the contract of lease entered into by and between the Municipal Government of Moncada and Above Sea Level;

**RESOLVED, FURTHER**, that the Honorable Mayor and Municipal Treasurer shall be authorized to ensure the efficient and effective implementation of this Resolution;

**RESOLVED, FURTHERMORE**, that copies of this Resolution be furnished the Municipal Mayor, the Municipal Treasurer, the Above Sea Level, and all concerned agencies and offices for their information and appropriate action;

**CARRIED.**

**CERTIFIED to have been duly  
ADOPTED on the above-  
mentioned date and place:**

**VICTOR SANDINO S. MOLINA**  
Secretary, Sangguniang Bayan

**ATTESTED AND CERTIFIED  
TO BE DULY ADOPTED:**

**RAMON BENITO M. AQUINO**  
Vice Mayor and Presiding Officer

