



**EXCERPTS FROM THE MINUTES OF THE FOURTEENTH (14TH) REGULAR SESSION OF
THE SANGGUNIANG BAYAN HELD ON OCTOBER 24, 2022 AT THE SANGGUNIANG
BAYAN SESSION HALL, NATIONAL HIGHWAY,
BRGY. TIMUGAN, LOS
BAÑOS, LAGUNA.**

Present : Vice Mayor Josephine 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 Julius A. Molinawe
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
Ms. Dona T. Alborida, Secretary to the Sangguniang Bayan
Ms. Felomina I. Lincallo, LLSO I

Absent : None

Visitor : None

RESOLUTION NO. 2022-186

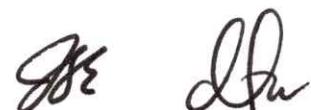
A RESOLUTION APPROVING AND ADOPTING THE MUNICIPAL TRICYCLE PEDICAP FRANCHISING AND REGULATORY BOARD (MTPFRB) RESOLUTION NO. 2022-09, DATED OCTOBER 21, 2022 ENTITLED “RESOLUTION APPROVING THE REQUEST OF MR. JIMMY B. VILLEGRAS, A QUALIFIED BENEFICIARY OF THE MUNICIPALITY’S E-TRIKE PROJECT, FOR A REFUND OF A PORTION OF HIS CONTRIBUTION TO THE GENERAL FUND IN VIEW OF THE DISCONTINUANCE OF THE E-TRIKE PROJECT IN ACCORDANCE TO THE PROVISIONS SET FORTH IN THE SIGNED MEMORANDUM OF AGREEMENT.”


Author : **Councilor Marlo PJ A. Alipon, MPA, REE, RMP**

WHEREAS, municipalities and cities, through their respective sanggunians, are granted the power to regulate the operation of tricycles and grant franchises within their respective jurisdictions subject to the guidelines prescribed by the Department of Transportation and Communication (DOTC) pursuant to Sections 447 (3) (vi) and 458 (3) (vi) of the Local Government Code of 1991;

WHEREAS, the Sangguniang Bayan of Los Baños enacted Municipal Ordinance 2011-1082 dated October 17, 2011 entitled “New Municipal Ordinance on the Franchise and Operation of Motorized Tricycles in Los Baños, Laguna to be known as the “New Ordinance for Tricycles in the Municipality of Los Baños”/ *Bagong Kautusang Pam bayan na Nagsasaad ng Pagpapaprangkisa at Pamamahala ng Operasyon sa Lahat ng Traysikel na may Motor sa Bayan ng Los Baños, Laguna na Tatawaging “Bagong Ordinansa para sa mga Traysikel sa Bayan ng Los Baños”*;

WHEREAS, the same Ordinance states the powers and functions of the Municipal Tricycle Pedicab Franchising and Regulatory Board (MTPFRB) as a policy making body and define the Tricycle Regulatory Unit (TRU) as the implementing body of the Board under the management and supervision of the Office of the Municipal Mayor;



WHEREAS, the Municipality of Los Baños is a participant of a project anchored on electric-driven vehicles which shall be under the direct supervision of the Mayor through the TRU;

WHEREAS, the DOE E-Trike project beneficiaries were screened pursuant to the conditions set forth in the E-Trike Deployment Plan of the Municipality of Los Baños. Twenty-four (24) Tricycle Operators' and Drivers' Association (TODA) Presidents qualified as beneficiaries of the said project;

WHEREAS, on March 9, 2020, Ordinance No. 2020-1986 entitled "An Ordinance Governing the Operation of the E-Trikes in the Municipality of Los Baños, Laguna and Providing Guidelines Thereto", also known as the "E-Trike Ordinance of Los Baños" was enacted by the Sangguniang Bayan;

WHEREAS, on September 22, 2022, Mr. Jimmy B. Villegas, a qualified beneficiary of the Municipality's E-Trike Project, sent a letter addressed to Hon. Marlo PJ A. Alipon requesting for a refund of his contribution for the Target Ownership Fee;

WHEREAS, the MTPFRB convened to discuss the said request. Provisions under the signed Memorandum of Agreement were discussed, specifically:

"*The SECOND PARTY shall:*

6. *Be entitled to a refund of a portion of his contribution to the General Fund in case of revocation of this agreement or discontinuance of the E-Trike Project for causes not attributable to the SECOND PARTY based on the following schedule, to wit:"*

No. of Years of Operation	Refund
Below 1 year	75% of GF contribution
1 – 2 years	50%
2 – 3 years	25%
More than 3 years	5%

WHEREAS, after careful study and deliberation, the Sangguniang Bayan Members agreed to approve the request of Mr. Jimmy Villegas;

NOW THEREFORE, on motion of Councilor Marlo PJ A. Alipon duly seconded by Councilor Mark Lester B. Dizon and unanimously approved by all the councilors present;

RESOLVED, AS IT IS HEREBY RESOLVED, a Resolution approving and adopting the Municipal Tricycle Pedicap Franchising and Regulatory Board (MTPFRB) Resolution No. 2022-09, dated October 21, 2022 entitled "Resolution approving the request of Mr. Jimmy B. Villegas, a qualified beneficiary of the Municipality's E-Trike Project, for a refund of a portion of his contribution to the general fund in view of the discontinuance of the E-Trike project in accordance to the provisions set forth in the signed Memorandum of Agreement."

UNANIMOUSLY APPROVED : October 24, 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