

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON DECEMBER 5, 2017 AT THE SANGGUNIANG SESSION HALL**

PRESENT:

Hon. Angelito "Dondon" A. Dimacuha,	Acting Presiding Officer
Hon. Aileen Grace A. Montalbo,	Councilor
Hon. Glenn M. Aldover,	"
Hon. Sergie Rex M. Atienza,	"
Hon. Alyssa Renee A. Cruz,	"
Hon. Oliver Z. Macatangay,	"
Hon. Armando C. Lazarte,	"
Hon. Karlos Emmanjuel A. Buted,	"
Hon. Julian B. Villena,	"
Hon. Gerardo A. Dela Roca,	"
Hon. Nestor E. Dimacuha,	"

ABSENT:

Hon. Emilio Francisco A. Berberabe Jr.,	(On Official Business)
Hon. Hamilton G. Blanco	Councilor
Hon. Nelson J. Chavez,	"

"On motion of Councilor Atienza seconded by Councilor Villena, the following Resolution was Adopted:

RESOLUTION NO. 364 S.2017

**A RESOLUTION FAVORABLY ENDORSING TO THE PHILIPPINE ECONOMIC ZONE
AUTHORITY THE APPLICATION OF CREATIVE HOTEL CONCEPTS TO DEVELOP
A 4.3 HECTARE INFORMATION TECHNOLOGY PARK (IT PARK "THE FORUM AT
PONTEFINO ESTATES") INSIDE PONTEFINO ESTATES AT BARANGAY
PALLOCAN SILANGAN, BATANGAS CITY, SUBJECT TO ALL LEGAL AND
EXISTING RULES AND REGULATIONS**

WHEREAS, received by the Sangguniang Panlungsod for appropriate action a letter dated November 20, 2017 from the Office of the City Mayor with an attached letter of request dated September 15, 2017 of Ms. Fely T. Ramos, SVP Chief Operating Officer of Creative Hotel Concepts, Inc., requesting for an endorsement to the Philippine Economic Zone Authority (PEZA) for their application for the registration of a 4.3-hectare property inside Pontefino Estates at Barangay Pallocan Silangan, this city, as Information Technology Park to be known as "The FORUM at Pontefino Estates";

WHEREAS, Republic Act. No. 7196 or the Special Economic Zone Act of 1995, as amended by Republic Act No. 8748, together with its Implementing Rules and Regulations, prescribes that prior to the endorsement of the subject area as Special Economic Zone, PEZA Board necessitates an endorsement of the Sangguniang Bayan / Panlungsod for the development of the proposed economic zone;

Continuation of Resolution No. 364 S. 2017

A RESOLUTION FAVORABLY ENDORSING TO THE PHILIPPINE ECONOMIC ZONE AUTHORITY THE APPLICATION OF CREATIVE HOTEL CONCEPTS TO DEVELOP A 4.3 HECTARE INFORMATION TECHNOLOGY PARK (IT PARK "THE FORUM AT PONTEFINO ESTATES") INSIDE PONTEFINO ESTATES AT BARANGAY PALLOCAN SILANGAN, BATANGAS CITY, SUBJECT TO ALL LEGAL AND EXISTING RULES AND REGULATIONS

WHEREAS, the Creative Hotel Concepts, Inc. IT Park "The FORUM at Pontefino Estates" project is expected to promote the flow of investments, both foreign or local, which is expected to generate employment opportunities thereby negating the effect it may have the city's revenue collection brought about by the fiscal incentives under Section 23 and exemptions from national and local taxes under Section 24 of RA 7916 as amended by RA 8748, which are granted by law to locators thereof;

WHEREAS, Creative Hotel Concepts, Inc. and business enterprises within the IT Park "The FORUM at Pontefino Estates" shall comply with the City Ordinance No. 8 Series of 1994 entitled "An Ordinance Providing Priority in Employment of Work to Qualified Barangay Residents on Business Establishment and Infrastructure Projects Within the Territorial Jurisdiction of the Barangays Within Batangas City and Providing Penalties for Violation Thereof" and likewise provide the city government of the list of its manpower requirements and the listing of training centers/schools in which nearly qualified/potential candidates can be sent for training and subsequently considered for employment. The said corporation will likewise require every company or IT locator who will locate inside the IT Park "The FORUM at Pontefino Estates" to comply to the same undertaking to the City Government of Batangas;

NOW THEREFORE, be it resolved, as it is hereby resolved by the Sangguniang Panlungsod of Batangas, by virtue of the powers vested in it by law, in session assembled, to favorably endorse the application of Creative Hotel Concepts to develop a 4.3 hectare Information Technology park (IT Park "The FORUM at Pontefino Estates") inside Pontefino Estates at Barangay Pallocan Silangan, Batangas City, subject to all legal and existing rules and regulations and the following terms and conditions:

1. That whatever privileges granted by law shall only be extended to PEZA registered locators exclusively engaged in Information Technology (IT) Enterprises and related activities;
2. That the PEZA tax incentives shall only be applicable and be availed by PEZA registered enterprises/businesses engaged in international IT services in which PEZA committed to regularly provide an updated list to the City Government/Sangguniang Panlungsod.

Continuation of Resolution No. 364 S. 2017

**A RESOLUTION FAVORABLY ENDORSING TO THE PHILIPPINE ECONOMIC ZONE
AUTHORITY THE APPLICATION OF CREATIVE HOTEL CONCEPTS TO DEVELOP
A 4.3 HECTARE INFORMATION TECHNOLOGY PARK (IT PARK "THE FORUM AT
PONTEFINO ESTATES") INSIDE PONTEFINO ESTATES AT BARANGAY
PALLOCAN SILANGAN, BATANGAS CITY, SUBJECT TO ALL LEGAL AND
EXISTING RULES AND REGULATIONS**

3. Creative Hotel Concepts, IT Locators and business enterprises within the IT Park "The FORUM at Pontefino Estates") shall provide the City Government of Batangas, every three (3) months a list of their manpower requirements, including the criteria for employment selection of prospective employees;
4. Creative Hotel Concepts, IT Locators and business enterprises within the IT Park "The FORUM at Pontefino Estates") shall hire qualified residents of Batangas City for their manpower requirements in compliance to City Ordinance No. 8 Series of 1994 entitled "An Ordinance Providing Priority in Employment of Work to Qualified Barangay Residents on Business Establishment and Infrastructure Projects Within the Territorial Jurisdiction of the Barangays Within Batangas City and Providing Penalties for Violation Thereof";
5. Creative Hotel Concepts, IT Locators and business enterprises within the IT Park "The FORUM at Pontefino Estates") shall pay the Mayor's Permit fee on business or realty fees, and other fees and charges prescribed by the City Government of Batangas;
6. The Creative Hotel Concepts, Inc./Pontefino Estates committed to provide a fire and police substation facility to ensure peace and order and address public safety and possible natural/man-made calamities.
7. The Creative Hotel Concepts, Inc./Pontefino Estates committed to provide an alternate access to their area totally apart from what was stipulated on their proposal to avoid projected heavy traffic congestion on the vicinity, backed with a traffic management plan that will address the volume of vehicles will be generated.
8. Creative Hotel Concepts, Inc./Pontefino Estates is likewise expected to provide sufficient necessary parking spaces, provision of greening and designated smoking area and facility that conforms to the Department of Health required specifications within their respective area.

Continuation of Resolution No. 364 S. 2017

A RESOLUTION FAVORABLY ENDORSING TO THE PHILIPPINE ECONOMIC ZONE AUTHORITY THE APPLICATION OF CREATIVE HOTEL CONCEPTS TO DEVELOP A 4.3 HECTARE INFORMATION TECHNOLOGY PARK (IT PARK "THE FORUM AT PONTEFINO ESTATES") INSIDE PONTEFINO ESTATES AT BARANGAY PALLOCAN SILANGAN, BATANGAS CITY, SUBJECT TO ALL LEGAL AND EXISTING RULES AND REGULATIONS

9. Implementation and compliance to the City Ordinance No. 16 Series of 2010 entitled "An Act Providing for the Environment Code of Batangas City" otherwise known as the E-Code.


10. This endorsement may be withdrawn any time on the ground of non-compliance with any of the aforementioned terms and conditions.

RESOLVED FURTHER, that copies of this resolution be forwarded to the Office of the Local Chief Executive, City Administrators' Office, City Planning and Development Office, City Treasurer, Creative Hotel Concepts, Inc./Pontefino Estates, Philippine Economic Zone Authority (PEZA) and all offices concerned for their information and reference.

UNANIMOUSLY APPROVED by the Sangguniang Panlungsod this 5th day of December 2017.

I hereby certify that the foregoing Resolution No. 364 S. 2017 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on December 5, 2017.




ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:


ANGELITO "DONDON" A. DIMACUHA
Acting Presiding Officer

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Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

COMMITTEE REPORT

SUBMITTED BY : **JOINT COMMITTEE ON LAWS, RULES AND REGULATIONS AND
COMMITTEE ON COMMERCE, TRADE AND INDUSTRY**

SUBJECT : Forwarded letter from the City Mayor with the attached letter from Fely T. Ramos, Creative Hotel Concepts, Inc. SVP, Chief Operating Officer requesting endorsement from the City Council for their application for PEZA Registration for the development of an Information Technology Park (IT Park) inside Pontefino Estates at Barangay Pallocan Silangan, Batangas City.

COMMENTS/ RECOMMENDATION:

Referred to the Committee on Laws, Rules and Regulations and Committee on Commerce Trade and Industry is the above request for study, comment and recommendation.

A hearing was conducted on November 24, 2017 attended by the Acting Chairman and members of the committee and other members of the Sangguniang Panlungsod. Also present were City Planning and Development Officer Engr. Januario B. Godoy, Ms. Josefina de Ocampo of City Treasurer's Office, City legal Officer Atty. Teodulfo A. Deguito, City Administrator Atty. Narciso Macarandang, City Assessor Ms. Judy Tumaming, Ms. Emelita Untalan from City Engineers Office, Ms. Fely T. Ramos of Creative Hotel Concepts, Inc./Pontefino Estates, and Mr. Emmanuel D. Cortero from Philippine Economic Zone Authority (PEZA).

During the hearing along with pertinent legal opinions and concerns, the following points were raised:

- a. Creative Hotel Concepts, Inc., intends to develop the 4.3 hectare property inside their Pontefino Estates alone without any help or joint venture from outside industries or businesses to be an IT Park that that requires prior endorsement of the subject area as Special Economic Zone to the PEZA Board as per Republic Act. No. 7196 or the Special Economic Zone Act of 1995, as amended by Republic Act NO. 8748, together with its Implementing Rules and Regulations;
- b. The area applied for by Creative Hotel Concepts, Inc. and requested to be endorsed to PEZA conforms or is compatible to the prescribed particular use as per the City Planning and Development Officer.
- c. That the PEZA tax incentives shall only be applicable and be availed by PEZA registered enterprises/businesses engaged in international IT services in which PEZA committed to regularly provide an updated list to the City Government/Sangguniang Panlungsod.
- d. The Creative Hotel Concepts, Inc./Pontefino Estates committed to provide a fire and police substation facility to ensure peace and order and address public safety and possible natural/man-made calamities.
- e. The Creative Hotel Concepts, Inc./Pontefino Estates committed to provide an alternate access to their area totally apart from what was stipulated on their proposal to avoid projected heavy traffic congestion on the vicinity, backed



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- f. with a traffic management plan that will address the volume of vehicles will be generated.
- g. Creative Hotel Concepts, Inc./Pontefino Estates is likewise expected to provide sufficient necessary parking spaces, provision of greening and designated smoking area and facility that conforms to the Department of Health required specifications within their respective area.
- h. Implementation and compliance to the City Ordinance No. 8 Series of 1994 entitled "An Ordinance Providing Priority in Employment of Work to Qualified Barangay Residents on Business Establishment and Infrastructure Projects within the Territorial Jurisdiction of the Barangays within Batangas City and Providing Penalties for Violation Thereof".
- i. Implementation and compliance to the City Ordinance No. 16 Series of 2010 entitled "An Act Providing for the Environment Code of Batangas City" otherwise known as the E-Code.
- j. A MOA with PEZA and the City Government with regards to IT Parks/Zones in general may be feasible to insure priority of employment, payment of regulatory fees or mayor's permit, and taxability of certain businesses to be established, such as commercial and retail businesses, including, supplies, materials and general services.

In view thereof, the Committee recommends:

1. The adoption of this Committee Report.
2. The approval of the required Resolution hereto attached.

Respectfully submitted December 5, 2017.

**THE JOINT COMMITTEE ON LAWS, RULES AND REGULATIONS AND COMMITTEE ON
TRADE COMMERCE AND INDUSTRY**


COUN. SERGIO REX M. ATIENZA
Acting Chairman


COUN. JULIAN B. VILLENA
Chairman


COUN. GERARDO A. DELA ROCA
Member


COUN. AILEEN GRACE A. MONTALBO
Member


COUN. ARMANDO C. LAZARTE
Member