

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON MARCH 9, 2021 AT THE SANGGUNIANG SESSION HALL**

PRESENT:

Hon. Emilio Francisco A. Berberabe Jr.,	Presiding Officer
Hon. Alyssa Renee A. Cruz,	Councilor
Hon. Aileen Grace A. Montalbo,	“
Hon. Nestor E. Dimacuha,	“
Hon. Karlos Emmanjuel A. Buted,	“
Hon. Gerardo A. Dela Roca,	“
Hon. Oliver Z. Macatangay,	“
Hon. Julian B. Villena,	“
Hon. Michael Thomas T. Pastor,	“
Hon. Angelito “Dondon” A. Dimacuha,	ABC-Rep.
Hon. Marjorie A. Manalo,	SK-Fed. Pres.
Hon. Nelson J. Chavez,	Councilor
Hon. Isidra “Ched” M. Atienza,	“
Hon. Maria Aleth A. Lazarte,	“
Hon. Lorenzo A. Gamboa, Jr.,	“

“On motion of Councilor Dela Roca duly seconded, the following Resolution was Adopted:

RESOLUTION NO. 54 S. 2021

**INTERPOSING NO OBJECTION TO THE QUARRY PROJECT OF PRIME ROCK
PHILIPPINES, INC. IN BARANGAY STO. NIÑO, BATANGAS CITY**

WHEREAS, Prime Rock Philippines Inc. intends to operate a quarry project in Barangay Sto. Niño, Batangas City;

WHEREAS, the project is endorsed by the Sangguniang Barangay of Sto. Niño, Batangas City;

WHEREAS, the City Planning and Development Office finds that the project proponent Prime Rock Philippines, Inc. possesses all the qualifications for the operation of quarry project;

WHEREAS, environmental laws and other pertinent regulation have been complied with by the proponent;

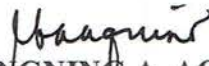
NOW THEREFORE, be it resolved as it is hereby resolved by the Sangguniang Panlungsod in session assembled to interpose no objection to the quarry project by Prime Rock Philippines Inc. in Barangay Sto. Niño, Batangas City.

UNANIMOUSLY APPROVED.”

Continuation of Resolution No. 54 S. 2021

INTERPOSING NO OBJECTION TO THE QUARRY PROJECT OF PRIME ROCK PHILIPPINES, INC. IN BARANGAY STO. NIÑO, BATANGAS CITY

I hereby certify that the foregoing Resolution No. 54 S. 2021 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on March 9, 2021.


LUNINGNING A. AQUINO
Board Secretary III

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:

 
EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

COMMITTEE REPORT

**To : The Honorable Presiding Officer
And Members of the Sangguniang Panlungsod**

**From : The Committee on Environment, Urban Development, Land Use and
Zoning**

**Subject : Letter from the City Mayor Beverley Rose A. Dimacuha endorsing the
request of Mr. Manuel Ting Ley, President of the Primerock Philippines,
Inc., for an Undertaking Interposing No Objection from the City
Government of Batangas for its Aggregates Quarry Project located at
Lot No. 1270 pt., in Brgy. Sto. Niño, Batangas City.**

COMMENTS:

Referred to the Committee on Environment, Urban Development, Land Use and Zoning the above request for study comments and recommendations.

A hearing was conducted on March 3, 2020 by the Committee. In attendance were Mr. Victorino Dinglasan Barangay Captain of Barangay Sto. Niño, Batangas City; Mr. Pedro E. Ehora and Mr. Martiniano Comia, Rufina Gloria Agtay, Pedro Delen, Roy Cortez, Alberto Hernandez, Severiano Caig, from Sto. Niño, Batangas City. Ms. Jenny Rivero from Sto. Niño, Batangas City as representative from PRIMEROCK Philippines, Inc. Quarry Project. From CPDO, Ms. Roselyn G. Berberabe and Mrs. Delia M. Licarte; from City ENRO Margarita Godoy and Ailyn A. Montero; Coun. Gerardo A. Dela Roca, Chairman and Members of the Committee Coun. Villena, Coun. Cruz, Coun. Macatangay, Coun. Nestor Dimacuha, Coun. Chavez and Coun. Manalo. Also present were Councilors: Montalbo, Pastor, Buted, Atienza, Lazarte, Gamboa, Angelito Dondon Dimacuha and the Vice Mayor Dr. Emilio Francisco A. Berberabe, Jr.

The project site is located at Sitio Centro, Brgy. Sto. Niño, Batangas City. The quarrying activity will be conducted at Lot No. 1270 pt. with an area of approximately thirty thousand seven (30,007) square meters, owned by Mr. Pablo Delen. The site is approximately one hundred ninety-one (191) meters away from the Sto. Niño National High School, and approximately four hundred thirty four (434) meters away from the barangay road going to Brgy. Haligue Kanluran, Batangas City and more or less one hundred ninety meters away from the barangay road going to Sitio Papayahan, Brgy. Sto. Niño, Batangas City.

The project site is within the designated Agricultural Development Zone (ADZ) per the Batangas City Zoning Ordinance.

FINDINGS:

During the Committee Hearing Coun. Nestor Dimacuha required the submission of proof that a public hearing was conducted in the barangay among the affected residents. Since the barangay deemed it late to conduct a public hearing at that time, they conducted a signature campaign to solicit the opinion and conformity of barangay residents to the project. Councilor Nestor Dimacuha also pointed out the performance of Corporate Social Responsibility by the project proponent, which the latter committed to undertake.

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement ("Agreement") is entered into this 26th day of January 2020, at Barangay Sto.Niño, Batangas City, Batangas, Philippines, by and between:

PRIME ROCK PHILIPPINES INC., a corporation duly organized and existing under the laws of the Republic of the Philippines, with office address at # 6 Diosdado Macapagal Avenue, Hobbies of Asia, Pasay City, Philippines, duly represented herein by **Mr. Manuel T. Ley** hereinafter referred to as the "**First Party**".

And

Barangay Sto.Niño of Batangas City, a duly constituted and existing local government unit with office address at Barangay Sto.Niño, Batangas City, Province of Batangas, duly represented herein by its **Sangguniang Barangay Members and Barangay Chairman Victorino E. Dinglasan**, to be known herein as the "**Second Party**".

For purposes of this Agreement, both First and Second Parties are to be collectively known as "**Parties**".

Witnesseth that:

Whereas, First Party will quarry a parcel of lot located at Barangay Sto.Niño, Batangas City, which lot are particularly described as follows, to wit:

"A parcel of lot shall cover a total land area of Thirty Thousand (30,000) square meters covered by TD No. 0094-00148"

Whereas, the First Party has Project Description stating the following concerns;

- The Aggregates Quarry Project shall have maximum annual extraction rate not to exceed **Nineteen Thousand Nine Hundred (19,900) metric tons** of aggregate materials.
- Extraction of aggregate materials shall only utilize a backhoe, payloader, and dump truck.
- There shall be NO blasting activity to be performed.
- The project components shall include the following : screening facilities ,mechanical extraction area, bunk house, stockpile areas, diesel fuel containing drums, and other related support facilities.

Whereas, the said Aggregates Quarry Project of the First Party mention above once completed and operational will be of beneficial help to Second Party in terms of local taxes, employment, economy and such other benefits attendant thereto;

Whereas, in order to concretize the said benefits that Second Party may from the project and eventual operation of First Party Aggregate Quarry Operation within formers territorial jurisdiction, there is a need for both Parties to enter into this Agreement;

Wherefore, in view of the above *whereas clauses*, Parties have mutually entered into this Agreement to the following terms and stipulations to wit:

1. During the duration of quarrying activities, First Party, in its commitment to Second Party, binds itself to perform the following:
 - a. Ensure the safety of the residents of the Second Party and their respective properties
 - b. Ensure, see to it and implement appropriate measures for the safety of the entire community and the environment of the Second Party

c. Ensure that the agreement and conditions stated on the Barangay Resolution No.001 Series of 2020 will be strictly observed and executed

d. Provide employment to the qualified residents

e. Perform its Corporate Social Responsibility which involves the following activities, to wit:

- Provide Sports Development and Other Youth Development Activities
- Provide livelihood programs especially for women and out of school youth
- Provide scholarship programs to qualified students within the Second Party's Community
- Provide Medical/Health Assistance especially to the Senior Citizen and PWD's.
- Provide additional source of water supply to Second Party's Community ✓
- Such other activities / programs that will benefit the residents and the entire Second Party's community

This Agreement is entered into between Parties herein solely for the benefit of the entire Barangay Sto. Niño within the bounds of relevant laws and are not intended to violate any laws, rules, or regulations.

IN WITNESS WHEREOF, Parties have hereunto set their hands on the date and place above written.



MR. MANUEL T. LEY

President

For First Party, Prime Rock Philippines Inc.



HON. VICTORINO E. DINGLASAN

BARANGAY CHAIRMAN

For Second Party, Brgy. Sto. Niño



HON. RUFINA GLORIA C. AGTAY

For Second Party, Brgy. Sto. Niño



HON. PEDRO C. DELEN

For Second Party, Brgy. Sto. Niño



HON. LEANDRO C. RAMIREZ

For Second Party, Brgy. Sto. Niño



HON. PEDRO E. EBORA

For Second Party, Brgy. Sto. Niño



HON. ALBERTO D. HERNANDEZ

For Second Party, Brgy. Sto. Niño



HON. MARTINIANO C. COMIA

For Second Party, Brgy. Sto. Niño



HON. ROY C. CORTEZ

For Second Party, Brgy. Sto. Niño

HON. JOHN PAULO M. ALON

For Second Party, Brgy. Sto. Niño

Signed in the Presence of:

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
CITY OF BATANGAS) S.S

X PASAY CITY X

BEFORE me, a notary public for and in the City of Batangas had this 14th day of September 2020 personally appeared the following:

NAME	ID NO.	VALID UNTIL
<u>MANUEL Ley</u>	<u>PF02 9324A</u>	<u>5/2/2028</u>
<u>PEDRO EBORA</u>	<u>SBK-453</u>	
<u>VICTORINO DINLANSAN</u>	<u>DDI-91-057842</u>	<u>11/2/2022</u>
<u>LEONROD RAMIREZ</u>	<u>CRA-0111-57298950</u>	
<u>MARTINIANO COMITA</u>	<u>448-805-916-000</u>	
<u>PEDRO DELEN</u>	<u>SBK-451</u>	
<u>RUFING GLORIA AGTAY</u>	<u>SBK-450</u>	

Known to me and to me known to be the same persons who executed the foregoing instrument and they acknowledged to me that the same is their own free and voluntary act and deed and institutions they represent.

OCT 01 2020

This instrument refers to a Memorandum of Agreement consisting of 3 pages, including this page where this acknowledgement is written, and which is signed by the parties concerned on each and every page thereof.

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Page No. 3
Book No. 111
Series of 2020

J. Angel
ATTY JOVINO R. ANGEL
NOTARY PUBLIC
UNTIL DECEMBER 31, 2020
SUITE 1 WHITE HOUSE
170 VILLARUEL STREET PASAY CITY
PTR NO.: 7027688 1/7/20 PASAY
IBP NO.: 105427 1/7/20 PASIG
MCLE COMPLIANCE NO.: VI-D 02224-4/A/419
ROLL OF ATTORNEY'S NO.: 28761
NOTARIAL COMMISSION NO.: 19-27

UNDERTAKING


To Whom It May Concern:

The Barangay Government of Sto.Niño, Batangas City, Batangas pursuant to Sangguniang Barangay Resolution/Ordinance No. 029 Series of 2015 and ammended by Resolution No. 001 Series of 2020 interposes NO OBJECTION to the Aggregates Quarry project of PRIME ROCK PHILIPPINES, INC, with area of 3 hectares located at Sitio Central, Sto.Niño, Batangas city provided that the permit applicant shall faithfully comply with all the existing laws, rules, and regulations relative to the proposed project. The allowance shall be subject to revocation anytime when public safety and interest so require particularly when there is a violation of existing laws, rules and regulation.

Furthermore, this office undertakes to regularly monitor the quarrying activities and shall act upon all complaints and will jointly take responsibility with concerned agencies in addressing incidents caused by the proponent or by act of nature.

Non compliance by the proponent of the conditions of this undertaking shall be ground for cancellation, revocation, and termination of the permit issued.

Issued upon request of PRIME ROCK PHILIPPINES INC. this 14th day of September 2020 at Barangay Sto.Niño, Batangas City for whatever legal purpose it may serve.


VICTORINO E. DINGLASAN
Prof. Dr. Lic. # D01-91. 0578242
Punong Barangay

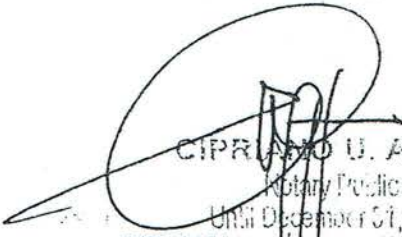
SUBSCRIBED AND SWORN TO BEFORE ME this 09th 09 2020
2020.

Doc. No. 324

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CIPRIANO U. ASILO
Notary Public
Until December 31, 2020
PTR # 3591589 / JAN 2, 2020 / Bata. City
IBP Lifetime No. 03991 / Atty's Roll No. 37927
Not Commission No. 2018-25711N-154-157-021