



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

RESOLUTION NO. 97, S. 2016

A RESOLUTION INTERPOSING NO OBJECTION TO THE APPLICATION OF UPSHOT LEISURE AND BAR CORPORATION TO ESTABLISH AND OPERATE AN ELECTRONIC BINGO (E-BINGO) IN BATANGAS CITY SUBJECT TO ALL EXISTING LAWS, RULES AND REGULATIONS

WHEREAS, Upshot Leisure and Bar Corp. has signified its intention to operate and manage an Electronic Bingo (E-Bingo) Boutique with business address at Batangas Intercom Center, Rizal Ave., Brgy. 09, Batangas City;

WHEREAS, Philippine Amusement and Gaming Corporation (PAGCOR) require establishments such as Upshot Leisure and Bar Corp. to secure a "Resolution of No Objection" from the City where the said business units shall be operating prior to PAGCOR's issuance of a Grant of Authority;

WHEREAS, the Upshot Leisure and Bar Corp. in their letter to the City Vice Mayor dated 13th of May, 2015 requested for assistance regarding their intention to establish and operate the said business unit for the purpose of complying to new PAGCOR requirements;

WHEREAS, the applicant discussed to the members of the committee, other members of the Sangguniang Panlungsod, Honorable Vice Mayor and other representatives from concerned departments of the city government necessary information relevant to their operation including that of vicinity map with respective measurements;

WHEREAS, the committee hearing that transpired last 29th of May 2015 conducted by the Committee on Games and Amusement, Sangguniang Panlungsod members, representatives of the proponent corporation and the zoning officials of the CPDO lead to the finality explaining all matters relevant thereto with necessary recommendations that the proponent shall comply;

WHEREAS, the Sangguniang Panlungsod as one of the fundamental branches of the City Government of Batangas, confirms that it interposes no objection to the application of Upshot Leisure and Bar Corp. to operate and manage an E-Bingo in Batangas City provided that the same is in accordance with the city's zoning ordinance and other ordinances set forth by the City of Batangas to protect the general welfare of its constituents;

NOW THEREFORE, be it resolved, as it hereby resolves by the Sangguniang Panlungsod of Batangas in session assembled to interpose, as it hereby interposes no objection to the application of Upshot Leisure and Bar Corp. to operate and manage an Electronic Bingo (E-Bingo) to be located in Batangas Intercom Center, Rizal Ave., Brgy. 09, Batangas City, subject to all existing laws, rules and regulations and in compliance sine qua non to the following conditions to wit:

1. The proponent shall comply with all the requirements of the concerned national and local agencies and all other applicable and necessary provisions of existing laws, rules, ordinance and regulations relative to the operations of the proponent.
2. No expansion, alteration and improvement shall be made by the proponent in its location and operation without prior clearance from Philippine Amusement and Gaming Corporation (PAGCOR) and Sangguniang Panlungsod.



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

3. The proponent shall be responsible and shall implement strict control over the admission of persons under 21 years of age shall be administered in the gaming area as stated in Presidential Decree No. 1869 otherwise known as "consolidating and amending Presidential Decree Nos. 1067-A, 1067-B, 1067-C, 1399 and 1632, relative to the franchise and powers of the Philippine Amusement and Gaming Corporation (PAGCOR) under Title IV, Section 14, No. 2.c;"
4. The proponent shall furnish the committee with the following documents prior to its operation:
 - a. Securities and Exchange Commission Registration, Deposit paid-up capital in the Authorized Agent Bank (AAB) and obtain bank certificate of deposit, Notarize articles of incorporation and treasurer's affidavit at the notary and details of the operation including contingency emergency measures.
 - b. Barangay clearance/permit from the host barangays and locational clearance from the City Planning and Development Office.
5. The proponent shall adhere to its commitment to conduct activities of corporate social responsibilities particularly to its host barangays.
6. The proponent shall comply to the rules and regulations of the Philippine Amusement and Gaming Corporation (PAGCOR) particularly to the quantity of machines and its ratio to the prescribed space and shall always be subject to any ordinances that shall be enacted by the Sangguniang Panlungsod prescribing guidelines in regulating such establishments of its nature in the City of Batangas.
7. The proponent shall not conduct or stop any activity/operation in the event that there will be an activity of worship within the area of the commercial establishment where it is located;
8. The proponent shall comply with the provisions set forth by Ordinance No. 1, Series of 2012 otherwise known as "The Anti Smoking Ordinance of 2012" of Batangas City.
9. The proponent shall settle/pay all the required taxes, fees and charges required and/or to be imposed by the City government of Batangas.
10. The proponent shall at any time, even without prior notice, allow authorized city government officials and employees for the sole purpose of conducting an on-the-spot inspection and monitoring.
11. Any misinterpretation, false statements or allegations relevant to the issuance of this decision/clearance shall be a sufficient cause for its revocation.
12. The transfer of ownership shall carry with it the responsibility of complying with all the above mentioned conditions of which the transfer shall be made known to this body through a written notification by herein grantee within fifteen (15) days from such transfer.
13. The transfer of venue shall carry with it the responsibility of complying with all the stated conditions including that there shall be no violation, the transfer shall be made known to the committee through a written notification by herein grantee within fifteen (15) days from such transfer.
14. The proponent shall be responsible for any activity that will endanger the general welfare, safety and health of not just the residents of its host barangays but its clientele as well and in the event of such incident if proven valid shall cause for the revocation of the permit issued to the proponent and shall immediately cause the termination, cancellation and stoppage of its operation.



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

15. This resolution shall be deemed to be invalid, null and void, unless otherwise that an Inspection Report from the City Planning and Development Office stating that the proposed venue and its distance away from the prescribed institutions passed the regulated measurement of the City as well as of Philippine Amusement and Gaming Corporation (PAGCOR) as per Road Measurement, Radial Measurement and the Google Map, shall be attached as it is an integral part of this Resolution.
16. The proponent shall comply to the provisions set forth by City Ordinance No. 8, Series of 1994 otherwise known as, "Ordinance Providing Priority in Employment or Work to Qualified Barangay Residents.

RESOLVED FURTHER, that the finality of this resolution deemed to be the final condition that shall be an integral part of this resolution, the applicant shall obtain a letter of consent/letter of no objection from the Honorable City Mayor Eduardo B. Dimacuha.

RESOLVED FINALLY, that copies of this Resolution be sent to the Local Chief Executive, City Planning and Development Office and City Treasurer and other agencies concerned for information and guidance.

APPROVED UNANIMOUSLY, March 21, 2016

COUN. GLENN M. ALDOVER

COUN. HAMILTON G. BLANCO

COUN. SERGE REX M. ATIENZA

COUN. ALYSSA CRUZ-ATIENZA

COUN. MA. KRISTINE JOSEFINA G. BALMES

COUN. CLAUDETTE U. AMBIDA

COUN. AILEEN GRACE A. MONTALBO

COUN. ARMANDO C. LAZARTE

COUN. GERARDO A. DELA ROCA

COUN. JULIAN B. VILLENA

ABC PRES. ANGELITO A. DIMACUHA

I hereby certify that the foregoing Resolution No. 97, S.2016 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on March 21, 2016.

ATTY. OLIVA D. TELEGATOS

Secretary
Sangguniang Panlungsod
Batangas City

Attested By:

EMILIO FRANCISCO A. BERBERABE JR.

Presiding Officer
Sangguniang Panlungsod
Batangas City



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

COMMITTEE REPORT

SUBMITTED BY : COMMITTEE ON GAMES AND AMUSEMENT

SUBJECT : Letter of Request from Upshot Leisure and Bar Corp. for assistance towards their application to establish and operate an Electronic Bingo Boutique.

COMMENTS:

Referred to the Committee on Games and Amusement is the above request for study, comment and recommendation as per the letter of Mr. Carlo E. Valdehueza, General Manager of Upshot Leisure and Bar Corp., to the Honorable Vice Mayor.

A hearing was conducted on May 29, 2015 by the Committee attended by its members Councilor Gerardo A. Dela Roca and Councilor Glenn Aldover with the presence of other members of the Sangguniang Panlungsod, Vice Mayor Jun Berberabe, Councilor Alyssa Cruz-Atienza, Councilor Armando Lazarte, Councilor Julian Villena. Also present were Mr. Roberto Bucanegra and Alex Gonda both from City Planning and Development Office. Representatives from the proponent are likewise present, Mr. Nelson C. Reyes. However, on a letter dated 10th of February 2016, the proponent stated that their priority and preferred site was awarded to another bingo operator with the request that a non-specific Resolution be granted that the committee declined. Nevertheless, on March 21, the Committee received a letter from the proponent submitting their new venue/site wherein as stated on the attached document dated 18th of March 2016 will be on Batangas Intercom Center, Rizal Ave., Brgy. 16, Batangas City.

During the committee hearing, the following points were raised:

1. Compliance to the requirements and guidelines of the Philippine Amusement and Gaming Corporation and existing laws, rules and regulations of the City of Batangas that was verified by the City Planning and Development Office that there is no impediment with regards to the venue.
2. Strict compliance to the prohibited persons that will enter the establishment to play such as but not limited to government personnel, police and members of the armed forces particularly minors or students that includes the posting of pertinent notices that will prevent the aforementioned persons from entering.
3. The venue shall be used only for the sole purpose of electronic bingo (e-bingo) and shall not in any way include other gaming activity such as but not limited to poker, e-games and table games.
4. The proponents will comply with all local government taxes and fees and shall likewise secure necessary permits. The proponent will accommodate and/or conduct activities of corporate social responsibility and adhere to the ordinance on the priority of employment.
5. The committee also deems that it is necessary to enact an ordinance that will regulate the operation and number of such establishment.

RECOMMENDATION:

In view thereof, the Committee recommends:

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

Respectfully submitted, March 21, 2016.

COMMITTEE ON GAMES AND AMUSEMENT

COUN. SERGIE REX M. ATIENZA
Chairman

COUN. GERARDO A. DELA ROCA
Member

COUN. GLENN M. ALDOVER
Member



Republic of the Philippines
Batangas City

INSPECTION REPORT

PROPOSED PROJECT : **E – BINGO**

LOCATION : **Dela Cruz Bldg.
Rizal Avenue St., Brgy. 09,
Poblacion, Batngas city**

PROJECT PROPONENT : **Upshot Leisure and Bar Corp.
By: Carlo E. Valdehueza**

FINDINGS :

Distances of the following from E – BINGO site.

| CHURCH / SCHOOL | RADIAL MEASUREMENT |
|---|--------------------|
| 1. Hope Christian School | 217.4 meters |
| 2. University of Batangas | 218.2 meters |
| 3. Golden Gate Colleges (High School Department) | 241.6 meters |
| 4. Basilica of Immaculate Concepcion | 273.0 meters |
| 5. Saint Bridget College | 295.0 meters |
| 6. Divine Child Academy | 308.0 meters |
| 7. Holy Child School | 386.0 meters |

**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 MARCH 21, 2016 AT THE SANGGUNIANG SESSION HALL**

PRESENT:

| | |
|---|-------------------|
| Hon. Emilio Francisco A. Berberabe Jr., | Presiding Officer |
| Hon. Glenn M. Aldover, | Councilor |
| Hon. Claudette U. Ambida-Alday, | “ |
| Hon. Hamilton G. Blanco, | “ |
| Hon. Aileen Grace A. Montalbo, | “ |
| Hon. Sergie Rex M. Atienza, | “ |
| Hon. Armando C. Lazarte, | “ |
| Hon. Alyssa Renee A. Cruz-Atienza, | “ |
| Hon. Gerardo A. dela Roca, | “ |
| Hon. Ma. Kristine Josefina G. Balmes, | “ |
| Hon. Julian B. Villena, | “ |

ABSENT:

Hon. Angelito “Dondon” A. Dimacuha, (ABC-Rep.)

“On motion of Councilor Atienza seconded by Councilor Lazarte, the following Resolution was Adopted:

RESOLUTION NO. 97 S. 2016

**A RESOLUTION INTERPOSING NO OBJECTION TO THE APPLICATION OF UPSHOT
LEISURE AND BAR CORPORATION TO ESTABLISH AND OPERATE AN ELECTRONIC
BINGO (E-BINGO) IN BATANGAS CITY SUBJECT TO ALL EXISTING LAWS, RULES AND
REGULATIONS**

WHEREAS, Upshot Leisure and Bar Corp. has signified its intention to operate and manage an Electronic Bingo (E-Bingo) Boutique with business address at Batangas Intercom Center, Rizal Ave., Brgy. 09, Batangas City;

WHEREAS, Philippine Amusement and Gaming Corporation (PAGCOR) require establishments such as Upshot Leisure and Bar Corp. to secure a “Resolution of No Objection” from the City where the said business units shall be operating prior to PAGCOR’s issuance of a Grant of Authority;

WHEREAS, the Upshot Leisure and Bar Corp. in their letter to the City Vice Mayor dated 13th of May, 2015 requested for assistance regarding their intention to establish and operate the said business unit for the purpose of complying to new PAGCOR requirements;

WHEREAS, the applicant discussed to the members of the committee, other members of the Sangguniang Panlungsod, Honorable Vice Mayor and other representatives from concerned departments of the city government necessary information relevant to their operation including that of vicinity map with respective measurements;

WHEREAS, the committee hearing that transpired last 29th of May 2015 conducted by the Committee on Games and Amusement, Sangguniang Panlungsod members, representatives of the proponent corporation and the zoning officials of the CPDO lead to the finality explaining all matters relevant thereto with necessary recommendations that the proponent shall comply;

WHEREAS, the Sangguniang Panlungsod as one of the fundamental branches of the City Government of Batangas, confirms that it interposes no objection to the application of Upshot Leisure and Bar Corp. to operate and manage an E-Bingo in Batangas City provided that the same is in accordance with the city’s zoning ordinance and other ordinances set forth by the City of Batangas to protect the general welfare of its constituents;

Continuation of Resolution No. 97 S. 2016

A RESOLUTION INTERPOSING NO OBJECTION TO THE APPLICATION OF UPSHOT LEISURE AND BAR CORPORATION TO ESTABLISH AND OPERATE AN ELECTRONIC BINGO (E-BINGO) IN BATANGAS CITY SUBJECT TO ALL EXISTING LAWS, RULES AND REGULATIONS

NOW THEREFORE, be it resolved, as it hereby resolves by the Sangguniang Panlungsod of Batangas City in session assembled to interpose, as it hereby interposes no objection to the application of Upshot Leisure and Bar Corp. to operate and manage an Electronic Bingo (E-Bingo) to be located in Batangas Intercom Center, Rizal Ave., Brgy. ~~09~~, Batangas City, subject to all existing laws, rules and regulations and in compliance sine qua non to the following conditions to wit:

1. The proponent shall comply with all the requirements of the concerned national and local agencies and all other applicable and necessary provisions of existing laws, rules, ordinance and regulations relative to the operations of the proponent.
2. No expansion, alteration and improvement shall be made by the proponent in its location and operation without prior clearance from Philippine Amusement and Gaming Corporation (PAGCOR) and Sangguniang Panlungsod.
3. The proponent shall be responsible and shall implement strict control over the admission of persons under 21 years of age shall be administered in the gaming area as stated in Presidential Decree No. 1869 otherwise known as "consolidating and amending Presidential Decree Nos. 1067-A, 1067-B, 1067-C, 1399 and 1632, relative to the franchise and powers of the Philippine Amusement and Gaming Corporation (PAGCOR) under Title IV, Section 14, No. 2.c;"
4. The proponent shall furnish the committee with the following documents prior to its operation:
 - a. Securities and Exchange Commission Registration, Deposit paid-up capital in the Authorized Agent Bank (AAB) and obtain bank Certificate of deposit, Notarize articles of incorporation and treasurer's affidavit at the notary and details of the operation including contingency emergency measures.
 - b. Barangay clearance/permit from the host barangays and locational clearance from the City Planning and Development Office.
5. The proponent shall adhere to its commitment to conduct activities of corporate social responsibilities particularly to its host barangays.
6. The proponent shall comply to the rules and regulations of the Philippine Amusement and Gaming Corporation (PAGCOR) particularly to the quantity of machines and its ratio to the prescribed space and shall always be subject to any ordinances that shall be enacted by the Sangguniang Panlungsod prescribing guidelines in regulating such establishments of its nature in the City of Batangas.
7. The proponent shall not conduct or stop any activity/operation in the event that there will be an activity of worship within the area of the commercial establishment where it is located;
8. The proponent shall comply with the provisions set forth by Ordinance No. 1, Series of 2012 otherwise known as "The Anti Smoking Ordinance of 2012" of Batangas City.
9. The proponent shall settle/pay all the required taxes, fees and charges required and/or to be imposed by the City Government of Batangas.
10. The proponent shall at any time, even without prior notice, allow authorized city government officials and employees for the sole purpose of conducting an on-the-spot inspection and monitoring.
11. Any misinterpretation, false statements or allegations relevant to the issuance of this decision/clearance shall be a sufficient cause for its revocation.

Continuation of Resolution No. 97 S. 2016

A RESOLUTION INTERPOSING NO OBJECTION TO THE APPLICATION OF UPSHOT LEISURE AND BAR CORPORATION TO ESTABLISH AND OPERATE AN ELECTRONIC BINGO (E-BINGO) IN BATANGAS CITY SUBJECT TO ALL EXISTING LAWS, RULES AND REGULATIONS

12. The transfer of ownership shall carry with it the responsibility of complying with all the above mentioned conditions of which the transfer shall be made known to this body through a written notification by herein grantee within fifteen (15) days from such transfer.
13. The transfer of venue shall carry with it the responsibility of complying with all the stated conditions including that there shall be no violation, the transfer shall be made known to the committee through a written notification by herein grantee within fifteen (15) days from such transfer.
14. The proponent shall be responsible for any activity that will endanger the general welfare, safety and health of not just the residents of its host barangays but its clientele as well and in the event of such incident if proven valid shall cause for the revocation of the permit issued to the proponent and shall immediately cause the termination, cancellation and stoppage of its operation.
15. This resolution shall be deemed to be invalid, null and void, unless otherwise that an Inspection Report from the City Planning and Development Office stating that the proposed venue and its distance away from the prescribed institutions passed the regulated measurement of the City as well as of Philippine Amusement and Gaming Corporation (PAGCOR) as per Road Measurement, Radial Measurement and the Google Map, shall be attached as it is an integral part of this Resolution.
16. The proponent shall comply to the provisions set forth by City Ordinance No. 8, Series of 1994 otherwise known as, "Ordinance Providing Priority in Employment or Work to Qualified Barangay Residents.

RESOLVED FURTHER, that the finality of this resolution deemed to be the final condition that shall be an integral part of this resolution, the applicant shall obtain a letter of consent/letter of no objection from the Honorable City Mayor Eduardo B. Dimacuha.

RESOLVED FINALLY, that copies of this Resolution be sent to the Local Chief Executive, City Planning and Development Office and City Treasurer and other agencies concerned for information and guidance.


APPROVED UNANIMOUSLY, March 21, 2016."

**SPONSORED BY : COUN. SERGIE REX M. ATIENZA
COMMITTEE ON GAME AND AMUSEMENT**

I hereby certify that the foregoing Resolution No. 97 S. 2016 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on March 21, 2016.

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

COMMITTEE REPORT

SUBMITTED BY : COMMITTEE ON GAMES AND AMUSEMENT

SUBJECT : Letter of Request from Upshot Leisure and Bar Corp. for assistance towards their application to establish and operate an Electronic Bingo Boutique.

COMMENTS:

Referred to the Committee on Games and Amusement is the above request for study, comment and recommendation as per the letter of Mr. Carlo E. Valdehueza, General Manager of Upshot Leisure and Bar Corp., to the Honorable Vice Mayor.

A hearing was conducted on May 29, 2015 by the Committee attended by its members Councilor Gerardo A. Dela Roca and Councilor Glenn Aldover with the presence of other members of the Sangguniang Panlungsod, Vice Mayor Jun Berberabe, Councilor Alyssa Cruz-Atienza, Councilor Armando Lazarte, Councilor Julian Villena. Also present were Mr. Roberto Bucanegra and Alex Gonda both from City Planning and Development Office. Representatives from the proponent are likewise present, Mr. Nelson C. Reyes. However, on a letter dated 10th of February 2016, the proponent stated that their priority and preferred site was awarded to another bingo operator with the request that a non-specific Resolution be granted that the committee declined. Nevertheless, on March 21, the Committee received a letter from the proponent submitting their new venue/site wherein as stated on the attached document dated 18th of March 2016 will be on Batangas Intercom Center, Rizal Ave., Brgy. 16, Batangas City.

During the committee hearing, the following points were raised:

1. Compliance to the requirements and guidelines of the Philippine Amusement and Gaming Corporation and existing laws, rules and regulations of the City of Batangas that was verified by the City Planning and Development Office that there is no impediment with regards to the venue.
2. Strict compliance to the prohibited persons that will enter the establishment to play such as but not limited to government personnel, police and members of the armed forces particularly minors or students that includes the posting of pertinent notices that will prevent the aforementioned persons from entering.
3. The venue shall be used only for the sole purpose of electronic bingo (e-bingo) and shall not in any way include other gaming activity such as but not limited to poker, e-games and table games.
4. The proponents will comply with all local government taxes and fees and shall likewise secure necessary permits. The proponent will accommodate and/or conduct activities of corporate social responsibility and adhere to the ordinance on the priority of employment.
5. The committee also deems that it is necessary to enact an ordinance that will regulate the operation and number of such establishment.

RECOMMENDATION:

In view thereof, the Committee recommends:

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

Respectfully submitted, March 21, 2016.

COMMITTEE ON GAMES AND AMUSEMENT


COUN. GERARDO A. DELA ROCA
Member


COUN. SERGIO REX M. ATIENZA
Chairman


COUN. GLENN M. ALDOVER
Member