

**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 AUGUST 13, 2019 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. Nelson J. Chavez,	“
Hon. Julian B. Villena,	“
Hon. Angelito “Dondon” A. Dimacuha,	ABC-Rep.
Hon. Marjorie A. Manalo,	SK-Fed. Pres.
Hon. Julian Pedro M. Pastor, (O.B.)	Councilor
Hon. Isidra M. Atienza, (O.B.)	“
Hon. Maria Aleth A. Lazarte, (O.B.)	“
Hon. Lorenzo A. Gamboa, Jr., (O.B.)	“

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

RESOLUTION NO. 235 S. 2019

**RESOLUTION FAVORABLY ENDORSING THE PROPOSED DEVELOPMENT
OF AN I.T. BUILDING BY THE XRC MALL DEVELOPER INC.,
FOR PEZA REGISTRATION**

WHEREAS, the Philippine Economic Zone Authority (PEZA) as a government-owned and controlled corporation and is attached to the Department of Trade and Industry, is committed to contribute to the accelerated generation of investments, exports and employment in the Philippines through effective management of public and private economic zones, efficient administration of incentives, utmost delivery of services, focused investment promotions and proactive conduct of development activities;

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 subject to the condition to wit:

- I. To require all PEZA-registered enterprises entitled to PEZA incentives located within the territorial jurisdiction of Batangas City, whether or not they are duly accredited by the Batangas City Government to pay and remit directly to the Batangas City Treasurer the following fees per annum:

Continuation of Resolution No. 235 S. 2019

**RESOLUTION FAVORABLY ENDORSING THE PROPOSED DEVELOPMENT
OF AN I.T. BUILDING BY THE XRC MALL DEVELOPER INC.,
FOR PEZA REGISTRATION**

- | | | |
|------|---|---------------------------|
| a. | Mayor's Permit Fees on Business; | |
| a.1 | Real Estate Developer | P 6,000.00 |
| a.2 | Real/estate Lessor of
Commercial Building | |
| | less than 3 storeys | P 2,000.00 |
| | 3-9 storeys | P 3,000.00 |
| | 10 or more storeys | P 5,000.00 |
| | (Section 78 BCRC of 2009,
Ordinance No. 19 S. 2008) | |
| b. | Professional Tax | P 300.00 |
| | (Section 25 BCRC of 2009) | |
| c. | Occupation Fee | P 150.00 |
| | (Section 79 BCRC of 2009) | |
| d. | Sanitary Permit Fees on all
Businesses based on the
floor area | P 125.00 to
P10,000.00 |
| | Section 81 (13) BCRC of 2009) | |
| e. | Sanitary Permit Fees on all
Establishments based on floor
area | P 125.00 to
P10,000.00 |
| | (Section 81 (11) BCRC of 2009) | |
| f. | Environmental Protection Fees | P 1,000.00 |
| | (Section 82, D-44 BCRC of 2009) | |
| g. | Environmental Inspection and Monitoring | P 800.00 |
| | (Section 143 – E-Code, Ordinance No. 16,
SD. 2010 of Batangas City) | |
| h. | Fire Inspection Fee | |
| | h.1 Commercial buildings or establishments | P 300.00 |
| | h.2 Lessor of real property per unit | P 100.00 |
| | (Section 106, C-3 and 7 BCRC of 2009) | |
| i. | Building Permit Fees – as required by P.D. 1096 or the

National Building Code of the Philippines
(Section 93 BCRC of 2009) | |
| II. | To submit to the Office of the City Assessor of Batangas City sworn declaration of PEZA registered enterprises of their capital equipment, if any to include kind, purchase or acquisition cost, date of purchase/acquisition, date of operation, freightage, insurance and installation costs. | |
| III. | To enforce compliance to Ordinance No. 8 S. 1994 entitled: "The Ordinance Providing Priority in Employment or Work to Qualified Barangay Residents" to all PEZA Registered or Non-PEZA registered enterprises including their Developers/Operators. Further, to require said enterprises, Developers/Operators to submit to the City Government the numbers and classifications of their employees and workers. | |

Continuation of Resolution No. 235 S. 2019**RESOLUTION FAVORABLY ENDORSING THE PROPOSED DEVELOPMENT
OF AN I.T. BUILDING BY THE XRC MALL DEVELOPER INC.,
FOR PEZA REGISTRATION**

WHEREAS, the XRC Mall Developer 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 R.A. 7916 as amended by R.A. 8748, which are granted by law to locators thereof;

WHEREAS, business establishments not registered under the Philippine Economic Zone Authority (PEZA) shall remain to be under the taxing jurisdiction of 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 Proposed Development of an I.T. Building at Xentro Mall Batangas City by the XRC Mall Developer Inc. for PEZA Registration subject to the following conditions:

1. That whatever privilege 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.
3. XRC Mall Developer Inc., IT Locators and business enterprises within the IT Park 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. XRC Mall Developer Inc., IT Locators and business enterprises within the IT Park 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 Project Within the Territorial Jurisdiction of the Barangays Within Batangas City and Providing Penalties for Violation Thereof".
5. XRC Mall Developer Inc., IT Locators and business enterprises within the IT Park 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. XRC Mall Developer Inc. must comply 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;
7. This endorsement may be withdrawn any time on the ground of non-compliance with any of the aforementioned terms and conditions.

Continuation of Resolution No. 235 S. 2019

RESOLUTION FAVORABLY ENDORSING THE PROPOSED DEVELOPMENT OF AN I.T. BUILDING BY THE XRC MALL DEVELOPER INC., FOR PEZA REGISTRATION

RESOLVED FURTHER, that copies of this resolution be forwarded to the Office of the Local Chief Executive, XRC Mall Developer Inc., Philippine Economic Zone Authority (PEZA), Department of Trade and Industry (DTI), the concerned Barangay and all offices concerned for their information and reference.

UNANIMOUSLY APPROVED.”

SPONSOR : COMMITTEE ON LAWS, RULES AND REGULATIONS COMMITTEE ON ENVIRONMENT AND URBAN DEVELOPMENT, LAND USE AND ZONING

I hereby certify that the foregoing Resolution No. 235 S. 2019 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on August 13, 2019.

GERARDO M. DIMAANO Board Secretary III Sangguniang Panlungsod

NOTED:

ATTY. OLIVA D. TELEGATOS Secretary Sangguniang Panlungsod

ATTESTED:

EMILIO FRANCISCO A. BERBERABE JR. Presiding Officer

ODT/GMD/ystingchuy...



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 ENVIRONMENT AND URBAN DEVELOPMENT, LAND USE AND ZONING

SUBJECT : LETTER FROM MR. ALEXANDER M. CRUZ, XRC MALL DEVELOPER INC., REQUESTING ENDORSEMENT FROM THE CITY COUNCIL OF THEIR APPLICATION FOR PEZA REGISTRATION FOR THE DEVELOPMENT OF THE I.T. BUILDING AT XENTROMALL

BACKGROUND:

The subject request for the passage of a resolution was referred to the Joint Committee of the Committee on Laws, Rules and Regulations and Committee on Environment and Urban Development, Land Use and Zoning for its consideration during the Regular Session on July 22, 2019. The Committee held a hearing on April 8, 2019 and in attendance were the following:

Atty. Teodulfo Deguito from the City Legal Office; Mrs. Ditas A. Rivera from BPLO, Engr. Januario B. Godoy from CPDO; Mr. Emmanuel Cortero from PEZA; Mr. Mel Bayato representative of XRC Mall Developer Inc.; Mrs. Marissa C. Argente and Maria Carmen G. Garcia from DTI Batangas. Also present are the Chairperson of the Committee on Laws, Rules and Regulations Coun. Alyssa Renee A. Cruz and Chairperson of the Committee on Environment and Urban Development, Land Use and Zoning Coun. Gerardo A. Dela Roca, and the committee members Coun. Oliver Macatangay, Coun. Nelson Chavez and SK Federation President Marjorie A. Manalo. The other members of the Sangguniang Panlungsod, Councilors Aileen Grace A. Montalbo, Nestor Dimacuha, Karlos Buted, Julian Pedro M. Pastor, Isidra M. Atienza, Maria Aleth Lazarte and Lorenzo A. Gamboa Jr. and the Vice Mayor Emilio Francisco A. Berberabe Jr., were also present during the said committee hearing.

During the committee hearing, the representative from XRC Mall Developer Inc., Mr. Bayato explained and appealed to the Sangguniang Panlungsod for an endorsement for the development of an I.T. Center to be located at the back Xentromall, Batangas City.

He also mentioned that Philippine Economic Zone Authority (PEZA) has already certified and issued a Board Resolution No. 17-142 dated March 14, 2017 giving the XRC Mall developer Inc., a prequalification clearance for the approval of their request. One of the requirements for the approval of the site as an Information Technology Economic Zone is the favorable endorsement of the Sangguniang Panlungsod which has jurisdiction over the proposed site.

The area applied for by XRC Mall Developer 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.



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FINDINGS:

With the view that this request will eventually be favorable to the City of Batangas especially to its inhabitants, the Sangguniang Panlungsod members perceives the essentiality to approve the said request.

RECOMMENDATIONS:

In view of the foregoing, the Committee hereby recommends:

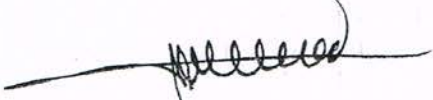
1. The adoption of this Committee Report.
2. The approval of the Resolution hereto attached.


Respectfully submitted, August 9, 2019.

THE JOINT COMMITTEE OF THE COMMITTEE ON LAWS, RULES AND REGULATIONS AND COMMITTEE ON ENVIRONMENT AND URBAN DEVELOPMENT, LAND USE AND ZONING

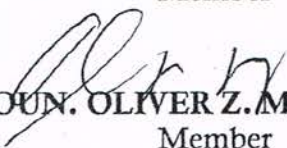
Committee on Laws, Rules and Regulations

COUNCILOR ALYSSA RENEE A. CRUZ
Chairperson


COUN. JULIAN B. VILLENA
Member


COUN. GERARDO A. DELA ROCA
Member

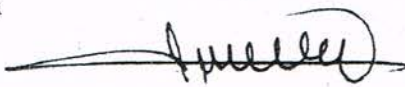

COUN. NELSON J. CHAVEZ
Member

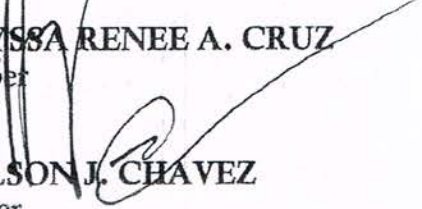

COUN. OLIVER Z. MACATANGAY
Member

Committee on Environment and Urban Development, Land Use and Zoning

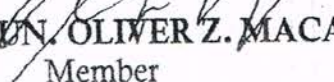
COUNCILOR GERARDO A. DELA ROCA
Chairperson


COUN. ALYSSA RENEE A. CRUZ
Member


COUN. JULIAN B. VILLENA
Member


COUN. NELSON J. CHAVEZ
Member


COUN. MARJORIE MANALO
Member


COUN. OLIVER Z. MACATANGAY
Member


COUN. NESTOR E. DIMACUHA
Member