

**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 OCTOBER 10, 2023 AT THE SAMPAGUITA FARM,
SAMPAGA, BATANGAS CITY**

PRESENT:

Hon. Alyssa Renee A. Cruz	Presiding Officer
Hon. Hamilton G. Blanco,	Sangguniang Panlungsod Member
Hon. Karlos Emmanjuel A. Buted,	”
Hon. Nestor E. Dimacuha,	”
Hon. Oliver Z. Macatangay,	”
Hon. Armando C. Lazarte,	”
Hon. Nelson J. Chavez,	”
Hon. Jose Jonash Luis F. Tolentino,	”
Hon. Isidra “Ched” M. Atienza,	”
Hon. Lorenzo A. Gamboa, Jr.,	”
Hon. Michael C. Villena,	”
Hon. Angelito Dondon A. Dimacuha,	Liga ng mga Barangay President
Hon. Marjorie A. Manalo,	Sangguniang Kabataan President
Hon. Andrea Loise F. Macaraig, (On Leave)	Sangguniang Panlungsod Member
Hon. Zester Carlo M. Hernandez, (On Leave)	”

“On motion of SP Member Gamboa, seconded by SP Member Chavez, the following Resolution was Adopted:

RESOLUTION NO. 22-398 S. 2023

**RESOLUTION RECOMMENDING TO THE CHIEF EXECUTIVE THRU THE
BATANGAS CITY LEGAL OFFICE THE ISSUANCE OF A CEASE AND DESIST
ORDER FOR ALL NEW AND ONGOING CONSTRUCTION DEVELOPMENT AND
ACTIVITY IN MONTEMARIA CORPORATION, MABACONG-PAGKILATAN,
BATANGAS CITY**

WHEREAS, Section 16 Chapter 2, Title One, Book 1 of RA 7160 states that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, Montemaria Corporation established the Montemaria Batangas pilgrimage spanning eight (8) hectares of land to house different religious and commercial sites located at Barangay Mabacong and Pagkilatan, Batangas City;

Continuation of Resolution No. 22-398 S. 2023

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BATANGAS CITY**

WHEREAS, it was found that projects and activities being done inside the premises of Montemaria have no corresponding permits from the local and national government, clearly violating several national and local laws, rules and regulations including but not limited to Labor Code of the Philippines, National Building Code of the Philippines, PD 1568, RA 11058, RA 7160 Sec. 458 (2) (10), Batangas City Integrated Zoning Ordinance, Ordinance No. 8, S. 1994, Ordinance No. 1 S. 2020;

WHEREAS, the following shall be complied with before further development can proceed within the premises of Montemaria;

- a. Secure a Resolution of No Objection from the Sangguniang Pambarangay of Pagkilatan, Batangas City with corresponding Memorandum of Agreement;
- b. Secure Environmental Compliance Certificate (ECC) from the Department of Environment and Natural Resources (DENR);
- c. Secure Site Development Permit from the City Government of Batangas and Resolution Approving Locational Clearance and Development Permit from Sangguniang Panlungsod in accordance with the Batangas City Comprehensive Land Use Plan (CLUP);
- d. Pay corresponding fees such as Barangay Clearance for their contractual employees;
- e. Secure Business Permit;
- f. Comply with the occupational safety regulations, and priority employment stipulated in Sec. 3 of Batangas City Ordinance No. 8, S. 1994;
- g. Create their own Solid Waste Management Plan, particularly, to manage their garbage disposal;
- h. Submit Traffic Management Plan and Master Development Plan to the City Government of Batangas; and
- i. Clarification on the ownership of the circumferential road inside Montemaria compound with the Department of Public Works and Highways (DPWH).

WHEREAS, numerous complaints from Barangay Pagkilatan, Batangas City concerning the issue were received by the Sangguniang Panlungsod;

WHEREAS, the Batangas City Government has to take action to address the issue;

NOW THEREFORE, be it resolved, as it is hereby resolved by the Sangguniang Panlungsod Members in a Regular Session assembled, to recommend to the Chief Executive thru the City Legal Office the Issuance of Cease and Desist Order for all new construction development and activity in Montemaria Corporation, Mabacong-Pagkilatan, Batangas City.


Continuation of Resolution No. 22-398 S. 2023

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RESOLVED FURTHER, to furnish the Chief Executive, the City Legal Office, City Engineer's Office, City Planning and Development Office, City Environment and Natural Resources Office, Business Permit and Licensing Office, City Assessors' Office, Sangguniang Barangay of Pagkilatan, Batangas City, Montemaria Corporation, and Fluvion Real Estates and Development at Montemaria, Inc. a copy of this resolution for their information.

UNANIMOUSLY APPROVED."

I hereby certify that the foregoing Resolution No. 22-398 S. 2023 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on October 10, 2023.


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer

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Republic of the Philippines
Province of Batangas
Batangas City
SANGGUNIANG PANLUNGSOD
COMMITTEE OF THE WHOLE

COMMITTEE REPORT

SUBJECT: LETTER FROM SANGGUNIANG PAMBARANGAY OF PAGKILATAN,
BATANGAS CITY REGARDING VARIOUS ISSUES CONCERNING
THE MANAGEMENT OF MONTEMARIA SHRINE

BACKGROUND

The letter from Barangay Pagkilatan, Batangas City regarding various issues concerning Montemaria Shrine located in their barangay was referred to the Committee of the Whole to be chaired by the Committee on Engineering and Public Works thru Resolution Number 22-349 Series of 2023 last August 29, 2023 during the Regular Session of the Sangguniang Panlungsod held in Sampaguita Farm, Barangay Sampaga, Batangas City .

The Committee Hearing regarding the subject matter conducted by the aforementioned Committee last Tuesday, October 3, 2023 at 11:00 o'clock in the morning was attended by the following: Coun. Lorenzo A. Gamboa, Jr. - Chairman, Committee on Engineering and Public Works; Coun. Nestor Dimacuha; Coun. Isidra Atienza; Coun. Nelson Chavez; Coun. Karlos Emmanjuel Buted; SK Fed. Pres. Marjorie Manalo; Coun. Oliver Macatangay; Coun. Jose Jonash Luis Tolentino; Coun. Hamilton Blanco; ABC Pres. Angelito Dondon Dimacuha; Coun. Michael Villena; Coun. Armando Lazarte; Coun. Zester Carlo Hernandez; and Vice Mayor Alyssa Renee Cruz.

Also in attendance were Engr. Raul L. Bejasa, Project Coordinator of Fluvion Real Estates and Development at Montemaria, Inc. and Mr. Jose Pastor, Jr., Montemaria Operations Manager; Barangay Captain Pablo M. Aguda, Jr., Kgwd. Mariano Arellano, Kgwd. Dalmacio Dote, Kgwd. Gregoria Ceniza, Kgwd. Leoncia Gayeta, and Kgwd. Deborah Belen, all of Pagkilatan, Batangas City; Ms. Myla M. Pagayon, Supervising Admin Officer of the City Legal Office; Engr. Amy C. Untalan, Asst. City Engineer of the City Engineer's Office; Engr. Roselyn G. Berberabe, Zoning Officer IV and Architect Marie Charmaine M. Dimailig, Zoning Officer I of the City Planning and Development Office; Ms. Guadalupe Tumambing Department Head of the City Assessor's Office; Ms. Ditas A. Rivera and Ms. Mary Grace Cabatay from the Business Permit and Licensing Office; Mr. Oliver Gonzales from the City Environment and Natural Resources Office.

DISCUSSIONS/OBSERVATIONS/FINDINGS

An overview was provided by the Barangay Chairman of Pagkilatan, Batangas City, Hon. Pablo Aguda, Jr. followed by the response from Fluvion Real Estates and Development at Montemaria, Inc., Engr. Raul Bejasa. During the discussion, it was found that the projects and activities being done inside the premises of Montemaria Shrine have no corresponding permits from the local and national government, clearly violating several national and local laws, rules and regulations including but not limited to the Labor Code of the Philippines, National Building Code of the Philippines, PD 1568, RA 11058, RA 7160 Sec. 458 (2) (10), Batangas City Integrated Zoning Ordinance, Ordinance No. 8, S. 1994, Ordinance No. 1, S. 2020.



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Furthermore, it was determined that future development of the site aims towards reselling.

A cease and desist order shall be issued by the City Government of Batangas until such time Montemaria Corporation complied with all necessary permits needed before resuming construction and improvement activities such as:

1. Secure a Resolution of No Objection from the Sangguniang Barangay of Pagkilatan, Batangas City with corresponding Memorandum of Agreement;
2. Secure Environmental Compliance Certificate (ECE) from the Department of Environment and Natural Resources (DENR);
3. Secure Site Development Permit from the City Government of Batangas and Resolution Approving the Locational Clearance and Development Permit from the Sangguniang Panlungsod in accordance with the Batangas City Comprehensive Land Use Plan (CLUP);
4. Pay corresponding fees such as Barangay Clearances for their contractual employees;
5. Secure Business Permit;
6. Comply with the occupational safety regulations, and priority employment stipulated in Sec. 3 and 7 of Batangas City Ordinance No. 8, S. 1994;
7. Create their own Solid Waste Management Plan, particularly, to manage their garbage disposal;
8. Submit Traffic Management Plan and Master Development Plan to the City Government of Batangas; and
9. Clarification on the ownership of the circumferential road inside Montemaria compound with the Department of Public Works and Highways (DPWH).

RECOMMENDATIONS

In accordance to the proceedings and based on the observations, discussions and findings during the Committee Hearing, the Committee of the Whole chaired by the Committee on Engineering and Public Works propose following recommendations:

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



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Batangas City
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COMMITTEE OF THE WHOLE

Respectfully submitted this 9th day of October 2023.


COUN. LORENZO GAMBOA, JR.
Chairman


COUN. HAMILTON BLANCO
Member


COUN. NESTOR DIMACUHA
Member


COUN. KARLOS EMMANJUEL BUTED
Member


COUN. ISIDRA ATIENZA
Member


COUN. JOSE JONASH LUIS TOLENTINO
Member


COUN. MICHAEL VILLENA
Member

COUN. ZESTER CARLOS HERNANDEZ
Member


COUN. NELSON CHAVEZ
Member


SK. FED. PRES. MARJORIE MANALO
Member


COUN. ARMANDO LAZARTE
Member


ABC PRES. ANGELITO DONDON DIMACUHA
Member


COUN. OLIVERMACATANGAY
Member