

RECEIVED

DATE: 1-5-07

REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC

DATE OUT  
DATE: 1-5-07  
BY: [Signature]

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE TENTH  
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE  
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD  
BUILDING ON JANUARY 04, 2007

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BY: [Signature]

PRESENT:

Hon. Nepomuceno P. Aparis I,	Vice Mayor & Presiding Officer
Hon. Jose S. Serafica,	City Councilor, Minority Floor Leader
Hon. Manuel T. Fiel,	City Councilor, Assist. Minority Floor Leader
Hon. Eduardo P. Tan,	City Councilor
Hon. Claudio P. Larrazabal,	City Councilor, Majority Floor Leader
Hon. Mariano Y. Corro,	City Councilor
Hon. Fe S. Lladoc,	City Councilor
Hon. Gregorio A. Yrastorza, Jr.	City Councilor
Hon. Sotero M. Pepito,	City Councilor
Hon. Jose C. Alfaro, Jr.,	City Councilor
Hon. Cheryl A. Arcuino,	Ex-Officio City Councilor, SK Federation President

ABSENT:

Hon. Ruben R. Capahi,	(Sick Leave)	City Councilor
Hon. Emeterio Y. Larrazabal, Jr.,	(Sick Leave),	Ex-Officio
City Councilor, Chapter President, Liga ng mga Barangay ng Ormoc		

RESOLUTION NO. 2007-003

A RESOLUTION APPROVING, CONFIRMING AND RATIFYING ALL PREVIOUS REPRESENTATIONS AND WARRANTIES AND ALL TERMS AND CONDITIONS OF THE LOAN AGREEMENT, AND OTHER SUPPORTING DOCUMENTS AND AUTHORIZING THE HONORABLE MAYOR ERIC C. CODILLA, TO SIGN ALL DOCUMENTS PERTAINING TO THE LOAN ENTERED INTO BY AND BETWEEN THE CITY GOVERNMENT OF ORMOC, LEYTE REPRESENTED BY ITS HONORABLE MAYOR ERIC C. CODILLA AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY ITS LENDING CENTER HEAD, MR. TEOFILO U. SISON, JR. IN THE AMOUNT OF FIFTY MILLION PESOS ONLY (P50,000,000.00) FOR THE PURPOSE OF REIMBURSEMENT OF COST OF CONSTRUCTION OF NEW CITY HALL BUILDING- PHASE II AND TO SECURE THE SAME WITH THE ASSIGNMENT OF INTERNAL REVENUE ALLOTMENT (IRA) AND IRA RECEIVABLES PER NOTICE OF PAYMENT SCHEDULE (NPS), SUBJECT TO ALL LAWS, RULES AND REGULATIONS.

WHEREAS, the City Government of Ormoc, Leyte has a receivable from 2000-2001 Internal Revenue Allotment amounting to P50,013,757.00;

WHEREAS, the City Government of Ormoc, Leyte has premised its decision to implement the above mentioned project, and in order for the Local Government Unit to finance the reimbursement of said project, it must be able to secure financing or loan from credit institutions;

WHEREAS, the LAND BANK OF THE PHILIPPINES has offered the CITY GOVERNMENT OF ORMOC, LEYTE a financing scheme for the reimbursement of the above mentioned projects;



WHEREAS, the City Government of Ormoc has envisioned the construction of the New City Hall Building- Phase II as among the priority project of the LGU and is included in its Annual Investment Plan (AIP) and City Development Plan (CDP);

WHEREAS, among the requirements of LAND BANK OF THE PHILIPPINES are the Deed of Assignments of Internal Revenue Allotment (IRA) and IRA Receivables Notice of Payment Schedules (NPS)

WHEREFORE, on the motion of City Councilor Mariano Y. Corro, Chairman, Laws and Ordinances, severally seconded by City Councilors Sotero M. Pepito, Jose C. Alfaro, Jr. and Manuel T. Fiel; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to approve, confirm, ratify all previous representations and warranties of the HONORABLE MAYOR ERIC C. CODILLA, and all terms and conditions of the loan agreement, Deed of Assignment of Internal Revenue Allotment and Notice of Payment Schedule, Promissory Notes and other pertinent documents, contracts undertakings, certifications, deeds, notes, papers entered into by and between the CITY GOVERNMENT OF ORMOC, LEYTE, represented by the HONORABLE MAYOR ERIC C. CODILLA and LAND BANK OF THE PHILIPPINES, represented by TEOFILO U. SISON, JR.;

RESOLVED FURTHER, THAT THIS SANGGUNIANG SHALL:

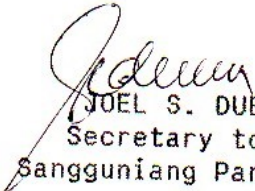
1. Commit not to contract other loan/ credit with other creditor banks as to impair the LGU's paying capacity for the duration of the loan with LAND BANK OF THE PHILIPPINES;
2. Direct the City Government of Ormoc Treasurer and Accountant to enter the loan in the appropriate books to the LGU;
3. Designate LAND BANK OF THE PHILIPPINES as the LGU's major depository bank for IRA, which designation shall not be revoked while the loan obligations remain outstanding and directing the LGU's Secretary to provide a copy of this resolution to the Department of Budget Management (DBM) or other IRA administering office;
4. Appropriate the following amounts in the LGU's annual budget;
  - loan repayment until the principal, interest and other charges are fully paid.
  - the required LGU equity
  - the repairs and maintenance of the project and equipment
  - the insurance premium payment
  - other statutory and contractual obligation
5. Authorize LBP to earmark on a periodic basis from the internal Revenue Allotment account the amount equivalent for the ensuing amortization (in accordance with loan amortization schedule) as soon as the current allotment is received from DBM and debit the earmarked amount on due date;
6. Authorize LBP to deduct for set-off/ and or deduct amount from any deposits of funds for the LGU with LBP and apply the same to payment of the loan or any portion thereof, or interest and penalties thereon as maybe deemed necessary by LBP.


ADOPTED, January 04, 2007


RESOLVED, FINALLY, the copy of this resolution be furnished the LAND BANK OF THE PHILIPPINES, the City Treasurer of their information and guidance.

CARRIED UNANIMOUSLY.

WE HEREBY CERTIFY to the correctness of the foregoing resolution.

  
JOEL S. DUERO  
Secretary to the  
Sangguniang Panlungsod


  
JOSE S. SEDAFICA  
City Councilor  
Minority Floor Leader

  
MANUEL T. FIEL  
City Councilor  
Assist. Minority Floor Leader


EDUARDO P. TAN  
City Councilor

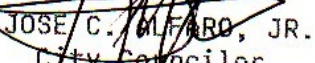
  
CLAUDIO P. LARRAZABAL  
City Councilor  
Majority Floor Leader

  
MARIANO Y. CORRO  
City Councilor

  
FE S. LLADOC  
City Councilor

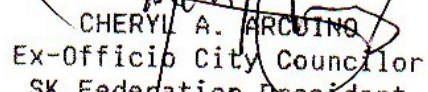
  
GREGORIO A. YRASTORZA, JR.  
City Councilor

  
SOTERO M. PEPITO  
City Councilor

  
JOSE C. MUFARO, JR.  
City Councilor


RUBEN R. CAPAH  
City Councilor  
(Sick Leave)

EMETERIO Y. LARRAZABAL, JR.  
Ex-Officio City Councilor  
Chapter President  
Liga ng mga Barangay ng Ormoc  
(Sick Leave)


  
CHERYL A. ARCTING  
Ex-Officio City Councilor  
SK Federation President



ATTESTED:

  
NEPOMUCENO P. APARIS I  
Vice Mayor & Presiding Officer

APPROVED:

  
ERIC C. CODILLA  
City Mayor

JAN 0 8 2007

(Date)

SUBSCRIBED AND SWORN to before me at \_\_\_\_\_,  
Philippines, this \_\_\_\_\_ day of \_\_\_\_\_, 2007, the affiant  
executing to me his Community Tax Certificate No. \_\_\_\_\_ issued  
on \_\_\_\_\_ at \_\_\_\_\_.

NOTARY PUBLIC

DOC. NO. \_\_\_\_\_  
PAGE NO. \_\_\_\_\_  
BOOK NO. \_\_\_\_\_  
SERIES OF 2006.