



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304



BAGONG PILIPINAS

ORDINANCE NO. 22-11 S. 2024

AN ORDINANCE RATIFYING THE FOUR HUNDRED FORTY-FIVE MILLION PESOS (P 445,000,000.00) LOAN AGREEMENT BETWEEN THE CITY GOVERNMENT OF BATANGAS AND LANDBANK OF THE PHILIPPINES INCLUDING ALL TERMS AND CONDITIONS PROVIDED THEREIN, SUBJECT TO ALL LAWS AND EXISTING LEGAL RULES AND PROCEDURES

SPONSOR : SP MEMBER KARLOS EMMANJUEL A. BUTED
Chairman, Committee on Appropriations

WHEREAS, Section 458 (2) iii of Republic Act 7160 otherwise known as the Local Government Code of 1991 provides that the Sangguniang Panlungsod has the power to:

"Subject to the provisions of Book II of this Code and upon the majority vote of all the members of the Sangguniang Panlungsod, authorize the City Mayor to negotiate and contract loans and other forms of indebtedness";

WHEREAS, the Sangguniang Panlungsod of Batangas City issued Resolution No. 22-70 S. 2024, authorizing the City Mayor Beverley Rose A. Dimacuha to avail the drawdown and sign all pertinent documents in relation thereto;

WHEREAS, the Land Bank of the Philippines requires, among others, an ordinance expressly ratifying certain provisions of the Loan Agreement entered into by the City Mayor.

NOW THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED, by the Sangguniang Panlungsod, by virtue of the powers vested in it by law, in Session assembled, that:

SECTION 1. - The following enactment and documents be ratified in their entirety, including all provisions, terms and conditions stipulated therein, to wit:

- a) **AUTHORITY OF THE CITY MAYOR.** This Ordinance grants authority to the City Mayor to enter into, or otherwise ratifies agreement already entered into by the City Mayor, for obtaining a loan from the Land Bank of the Philippines in the maximum amount allowable within the Local Government Unit's paying capacity.

HON. NELSON J. CHAVEZ

HON. ARMANDO C. LAZARTE

HON. OLIVER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA ROSE F. MACARAIG

HON. KARLOS EMMANJUEL A. BUTED

HON. HAMILTON G. BLANCO

HON. ALYSSA RENEE A. CRUZ

HON. MARCUS MANUEL D. CASTILLO

HON. ANGELITO DONDON A. DIMACUHA

HON. MICHAEL C. VILLENA

HON. LORENZO A. GAMBOA, JR.

HON. ISRAEL M. ATIENZA

HON. ZESTER CARLO M. HERNANDEZ

HON. JOSE JONASH LUIS F. TOLENTINO



Continuation of Ordinance No. 22-11 S. 2024

AN ORDINANCE RATIFYING THE FOUR HUNDRED FORTY-FIVE MILLION PESOS (P 445,000,000.00) LOAN AGREEMENT BETWEEN THE CITY GOVERNMENT OF BATANGAS AND LANDBANK OF THE PHILIPPINES INCLUDING ALL TERMS AND CONDITIONS PROVIDED THEREIN, SUBJECT TO ALL LAWS AND EXISTING LEGAL RULES AND PROCEDURES .

b) The Term Loan amounting to FOUR HUNDRED FORTY-FIVE MILLION PESOS (P 445,000,000.00) approved by the Land Bank of the Philippines on May 15, 2024, is subject to the following terms and conditions as stated in General Conditions and Special Conditions of the attached Loan Agreement.

c) **TENOR.** Up to fifteen (15) years, inclusive of three (3) years grace period on principal.

d) **AVAILABILITY.** The Loan shall be available for drawdown by the Borrower with one (1) year from date of signing.

e) **INTEREST RATE.**

If Variable: At LANDBANK prevailing lending rate at the time of availment, subject to quarterly repricing

If Fixed: At applicable reference rate of the fixing period plus applicable spread based on credit rating

The LGU shall have one-time option to change interest pricing from fixed to variable or vice versa.

f) **COLLATERAL.** Assignment of 20% of National Tax Allotment

SECTION 2. PURPOSE OF THE LOAN. - The City Government of Batangas hereby identified projects to be financed by the Loan; and is listed in the Annual Investment Plan or Development Plan:

HON. NELSON J. CHAVEZ

HON. ARMANDO C. LAZARTE

HON. QUVER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANIBREA LOISE F. MACARAIG

HON. KARLOS EMMANJUEL A. BUTED

HON. HAMILTON G. BLANCO

HON. ALYSSA RENEE A. CRUZ

HON. MARCUS MANUEL D. CASTILLO

HON. ANGELITO DONDON A. DIMACUHA

HON. MICHAEL C. VILLENA

HON. JORENZO A. GAMBOA JR.

HON. SIDRA M. ATIENZA

HON. ZESTER CARLO M. HERNANDEZ

HON. JOSE JONASH LUIS F. TOLENTINO



Continuation of Ordinance No. 22-11 S. 2024

AN ORDINANCE RATIFYING THE FOUR HUNDRED FORTY-FIVE MILLION PESOS (P 445,000,000.00) LOAN AGREEMENT BETWEEN THE CITY GOVERNMENT OF BATANGAS AND LANDBANK OF THE PHILIPPINES INCLUDING ALL TERMS AND CONDITIONS PROVIDED THEREIN, SUBJECT TO ALL LAWS AND EXISTING LEGAL RULES AND PROCEDURES.

Term Loan 30	Construction of City Cemetery Phase 2	P 90,000,000.00
Term Loan 31	Rehabilitation of Teacher's Conference Center	P 200,000,000.00
Term Loan 32	Construction of New City Social Welfare and Development Office (CSWDO) Building and City Youth Development Office Building	P 155,000,000.00

SECTION 3. APPROVAL, AUTHORIZATION AND DESIGNATION ON THE TERMS AND CONDITIONS. - The Sangguniang Panlungsod hereby approves/ratifies the following specific covenants entered into by the City Mayor contained in the Loan Agreement with the Land Bank of the Philippines:

- Ratification of the loan agreement with the Land Bank of the Philippines;
- The authority of the local chief executive to sign, execute, and deliver any and all promissory notes, deeds of assignment, and other necessary documents;
- The direction to the City Treasurer and City Accountant to enter the loan in the appropriate books of account of the City Government of Batangas;
- The designation of Land Bank of the Philippines as the official depository bank of the NTA or any specified collateral as security for the loan;
- The commitment of the City Government of Batangas in the amount for loan repayment in its Annual Budget until the loan, interest, and other charges are fully paid;

HON. NELSON J. CHAVEZ

HON. ARMANDO C. LA HARTE

HON. OLIVER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOISE F. MACARAIG

HON. KARLOS EMMANUEL A. BUTED

HON. HAMILTON G. BLANCO

HON. ALYSSA RENEE A. CRUZ

HON. MARCUS MANUEL D. CASTILLO

HON. ANGELITO DONDON A. DIMACUHA

HON. MICHAEL C. VILLENA

HON. JORENZA A. GAMBORA JR.

HON. SIDRAY ATIENZA

HON. ZESTER CARLO M. HERNANDEZ

HON. JOSE JONASH LUIS F. TOLENTINO



Continuation of Ordinance No. 22-11 S. 2024

AN ORDINANCE RATIFYING THE FOUR HUNDRED FORTY-FIVE MILLION PESOS (P 445,000,000.00) LOAN AGREEMENT BETWEEN THE CITY GOVERNMENT OF BATANGAS AND LANDBANK OF THE PHILIPPINES INCLUDING ALL TERMS AND CONDITIONS PROVIDED THEREIN, SUBJECT TO ALL LAWS AND EXISTING LEGAL RULES AND PROCEDURES

f. The authority to Land Bank of the Philippines to deduct and set-off or deduct amounts from any deposits or funds of the City Government of Batangas with the Land Bank of the Philippines and apply the same payment of the Loan, interest, and other amounts due thereon.

SECTION 4. APPROVAL, AUTHORIZATION, DESIGNATION ON THE SPECIAL CONDITIONS. - The Sangguniang Panlungsod hereby approves, authorizes, and designates the following provisions on the Special Conditions of the Loan Agreement:

- a. All previous representations, acts, warranties and all the terms and condition of the loan;
- b. The mortgage/assignment of certain personal and/or real properties and declaring that the properties are collaterals are patrimonial and not actually devoted to public use, prohibiting the conversion of said properties to public use or service;
- c. The Loan is secured by the Deed of Assignment of the 20% of the National Tax Allotment, and other income, revenues, and collections as collateral/security to the loan obtained, declaring them to be available and not restricted by law or its other obligations;
- d. The direction to the City Treasurer and City Accountant to enter the loan in the appropriate books of account of the Batangas City Government;
- e. The designation of Land Bank of the Philippines as the official depository bank for NTA and as the major depository bank for the deposits, revenues and collections, which designation shall not be revoked while the loan obligations remain outstanding;
- f. The commitment of the City Government of Batangas in the amount for loan repayment in its Annual Budget until the loan, interest, and other charges are fully paid;

HON. WESLEY CHAVEZ

HON. ARMANDO C. LAZARTE

HON. OWYER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOISE F. MACARANG

HON. KARLOS EMMANUEL A. BUTED

HON. HAMILTON G. BLANCO

HON. ALYSSA RENEE A. CRUZ

HON. MARCUS MANUEL D. CASTILLO

HON. ANGELITO DONDON A. DIMACUHA

HON. MICHAEL C. VILLENA

HON. LORENZO A. GAMBOA JR.

HON. HIDRA M. ATIENZA

HON. ZESTER CARLO M. HERNANDEZ

HON. JOSE JONASH LUIS F. TOLENTINO



Continuation of Ordinance No. 22-11 S. 2024

AN ORDINANCE RATIFYING THE FOUR HUNDRED FORTY-FIVE MILLION PESOS (P 445,000,000.00) LOAN AGREEMENT BETWEEN THE CITY GOVERNMENT OF BATANGAS AND LANDBANK OF THE PHILIPPINES INCLUDING ALL TERMS AND CONDITIONS PROVIDED THEREIN, SUBJECT TO ALL LAWS AND EXISTING LEGAL RULES AND PROCEDURES.

- g. The authority of Land Bank of the Philippines to deduct for set-off and/or deduct amounts from general funds or Special Education Fund (SEF) of the Batangas City Government with the Land Bank of the Philippines and to apply the same to the payment of the loan or in any portion thereof, or interests and penalties thereon as may be deemed necessary by the Land Bank of the Philippines;
- h. The waiver of confidentiality of information on investment/bank deposit

SECTION 5. SEPARABILITY CLAUSE. - If for any reason any part of this ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected shall continue to be in full force and effect.

SECTION 6. REPEALING CLAUSE. - All ordinances, rules and regulations, orders of parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 7. EFFECTIVITY. - This Ordinance shall take effect upon approval of the City Mayor.

ENACTED by the Sangguniang Panlungsod this 27th day of May, 2024.

ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:

ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer

APPROVED:

BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: JUN 04 2024

HON. NELSON J. CHAVEZ

HON. ARMANDO C. LAZARTE

HON. OLIVER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOISE F. MACARAIG

HON. KARLOS EMMANUEL A. BUTED

HON. HAMILTON G. BLANCO

HON. MARCUS MANUEL D. CASTILLO

HON. ANGELITO DONDON A. DIMACUHA

HON. MICHAEL C. VILLENA

HON. LORENZO A. GAMBOJA JR.

HON. ISIDRA M. ATIENZA

HON. ZESTER CARLO M. HERNANDEZ

HON. JOSE JONASH LUIS F. TOLENTINO



**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 MAY 27, 2024 AT THE SANGGUNIAN SESSION HALL**

PRESENT:

Hon. Alyssa Renee A. Cruz	Presiding Officer
Hon. Hamilton G. Blanco,	Sangguniang Panlungsod Member
Hon. Karlos Emmanjuel A. Buted,	”
Hon. Andrea Loise F. Macaraig,	”
Hon. Nestor E. Dimacuha,	”
Hon. Oliver Z. Macatangay,	”
Hon. Armando C. Lazarte,	”
Hon. Nelson J. Chavez,	”
Hon. Jose Jonash Luis F. Tolentino,	”
Hon. Zester Carlo M. Hernandez,	”
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. Marcus Manuel D. Castillo,	SK Pederasyon President

“On motion of SP Member Buted seconded by SP Members Chavez and Lazarte, the following Resolution was Adopted:

RESOLUTION NO. 22-276 S. 2024

**ADOPTING THE REPORT OF THE COMMITTEE ON APPROPRIATIONS AND
APPROVING THE ORDINANCE RATIFYING THE FOUR HUNDRED FORTY-FIVE
MILLION PESOS (P445,000,000.00) LOAN AGREEMENT BETWEEN THE CITY
GOVERNMENT OF BATANGAS AND LAND BANK OF THE PHILIPPINES
INCLUDING ALL TERMS AND CONDITIONS PROVIDED THEREIN, SUBJECT TO
ALL LAWS AND EXISTING LEGAL RULES AND PROCEDURES**


RESOLVED, to adopt the report of the Committee on Appropriations and the recommendations stated therein and approving the Ordinance Ratifying the Four Hundred Forty-Five Million Pesos (P445,000,000.00) loan agreement between the City Government of Batangas and Land Bank of the Philippines including all terms and conditions provided therein, subject to all laws and existing legal rules and procedures.

UNANIMOUSLY APPROVED.”

Continuation of Resolution No. 22-276 S. 2024

ADOPTING THE REPORT OF THE COMMITTEE ON APPROPRIATIONS AND APPROVING THE ORDINANCE RATIFYING THE FOUR HUNDRED FORTY-FIVE MILLION PESOS (P445,000,000.00) LOAN AGREEMENT BETWEEN THE CITY GOVERNMENT OF BATANGAS AND LAND BANK OF THE PHILIPPINES INCLUDING ALL TERMS AND CONDITIONS PROVIDED THEREIN, SUBJECT TO ALL LAWS AND EXISTING LEGAL RULES AND PROCEDURES

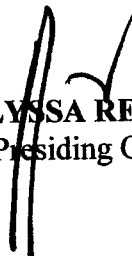
I hereby certify that the foregoing Resolution No. 22-276 S. 2024 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on May 27, 2024.


LUNINGNING A. AQUINO
Board Secretary III

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer



Republic of the Philippines
Batangas City
Office of the Sangguniang Panlungsod

From the Desk of: HON. KARLOS EMMANJUEL A. BUTED
(043) 233 – 2745 keab.sp2021@gmail.com

COMMITTEE REPORT

BACKGROUND:

The subject is the letter from City Mayor Beverley Rose A. Dimacuha endorsing the necessary documents for the Loan Agreement between Land Bank of the Philippines and the City Government of Batangas.

The Committee on Appropriations held a committee meeting last May 24, 2024 and in attendance were the following:

SANGGUNIANG PANLUNGSOD MEMBERS:

- | | |
|------------------------------------|---------------------------------------|
| Hon. Atty. Alyssa Renee A. Cruz | City Vice Mayor and Presiding Officer |
| Hon. Karlos Emmanjuel A. Buted | Chairman, Committee on Appropriations |
| Hon. Nestor E. Dimacuha | Member, Committee on Appropriations |
| Hon. Lorenzo A. Gamboa, Jr. | " |
| Hon. Isidra M. Atienza | " |
| Hon. Hamilton G. Blanco | Sangguniang Panlungsod Member |
| Hon. Andrea Loise F. Macaraig | " |
| Hon. Armando C. Lazarte | " |
| Hon. Oliver Z. Macatangay | " |
| Hon. Jose Jonash Luis F. Tolentino | " |
| Hon. Angelito Dondon A. Dimacuha | ABC President |

PROPONENTS:

- | | |
|--------------------------|------------------------------|
| Mr. Manolo Perlada | City Budget Officer |
| | City Budget Office |
| Ms. Maria Diane E. Pafia | Accountant II |
| | City Accounting Office |
| Ms. Arminda Madayag | OIC – City Treasurer |
| | City Treasurer's Office |
| Ms. Joan Sinas | Account Officer |
| | Batangas Lending Center, LBP |

Rosemarie D. Hernandez
ROSEMARIE D. HERNANDEZ
Board Secretary IV
5/27/24 10:30 am



Republic of the Philippines
Batangas City
Office of the Sangguniang Panlungsod

From the Desk of: HON. KARLOS EMMANJUEL A. BUTED
(043) 233 – 2745 keab.sp2021@gmail.com

FINDINGS:

The Committee on Appropriations briefly made an overview of the subject and hereby finds the following:

1. The Committee members and the Sangguniang Panlungsod members find that the Ordinance needed in this matter shall cover the ₱ 445 Million drawdown.
2. The following priority projects are to be financed by the loan drawdown:

Term Loan 30	Construction of City Cemetery Phase 2	₱ 90,000,000.00
Term Loan 31	Rehabilitation of Teacher's Conference Center	₱ 200,000,000.00
Term Loan 32	Construction of New City Social Welfare and Development Office (CSWDO) Building and City Youth Development Office Building	₱ 155,000,000.00

RECOMMENDATIONS:

Considering that the committee finds no legal impediments, the same hereby recommends:

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

Respectfully submitted, May 27, 2024.



Republic of the Philippines
Batangas City
Office of the Sangguniang Panlungsod

From the Desk of: HON. KARLOS EMMANJUEL A. BUTED
(043) 233 - 2745 keab.sp2021@gmail.com

THE COMMITTEE ON APPROPRIATIONS


HON. KARLOS EMMANJUEL A. BUTED
Chairman


HON. NESTOR E. DIMACUHA
Member


HON. LORENZO A. GAMBOA, JR.
Member


HON. NELSON J. CHAVEZ
Member


HON. ISIDRA M. ATIENZA
Member