



Republic of the Philippines
PROVINCE OF NEGROS ORIENTAL
CITY OF BAYAWAN
Office of the Sangguniang Panlungsod

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE CITY COUNCIL OF BAYAWAN, NEGROS ORIENTAL ON NOVEMBER 20, 2018 AT 2 P.M. AT THE LIGA NG MGA BARANGAY BUILDING.

RECORDS OF ATTENDANCE

HON. ISMAEL P. MARTINEZ	(Presiding Officer)	Present
HON. PETER PAUL F. RENACIA		Present
HON. HENRY E. CARREON, JR.		Present
HON. ERNESTO T. TIJING		Present
HON. MARK FIDENCIO L. AURELIA		On Leave
HON. JONAS M. TRIAS		On Leave
HON. SHARLOU F. JAMIN		Present
HON. NARCISO N. CASIPONG		Present
HON. NICO ANGELO L. LIM		Present
HON. MERLITA R. GAUDIEL		Present
HON. DANILO G. LAMIS		Present
HON. SEVERINO SALVADOR M. CAPULSO	(LNMB Vice President)	Present
HON. TRISTAN GOLD T. TORRILLO	(SK Federated President)	Present

RESOLUTION NO. 898

“WHEREAS, Section 21 of the 1987 Philippine Constitution clearly states that the “State shall promote comprehensive rural development...”;

“WHEREAS, Section 16 and 17 of RA 7160 defines that every Local Government Unit shall exercise the powers which are essential to the promotion of the general welfare and enhance economic prosperity and to provide basic agricultural support services, respectively;

“WHEREAS, in the past Two (2) years, the Local Government of Bayawan City has emplaced a direct intervention program with the aim to improve on productivity and increase local farm income;

“WHEREAS, one of the major programs is the Plantation Crops Production Program, providing a package of input support to farmers comprising of tractor in plowing and harrowing, fertilizers and technical assistance;

“WHEREAS, despite this direct assistance, farm activities are still hampered because of the decreasing number of available farm labor that is readily available during land preparation, production, harvest and post-harvest periods;

“WHEREAS, in plantation areas, especially in sugarcane fields, cutting and loading services during harvest is a big problem among many farmers;

“WHEREAS, this dilemma has negatively affected the productivity of most farms due to delayed harvesting, thus reduced cane quality;

“WHEREAS, in answer to the pressing problem on lack of manpower and laborers in sugarcane areas, there shall be available cane loading service to sugarcane farmers provided by the Local Government Unit of Bayawan City;

“WHEREAS, such service is in support to the existing Plantation Crops Production Program which aims to improve local household income;

“WHEREFORE, on motion of Honorable Councilor Narciso N. Casipong and duly seconded by Honorable Severino Salvador M. Capulso, LNMB Vice President, the Council

“RESOLVED, To enact, as it hereby enacts the following ordinance:

ORDINANCE NO. 68

AN ORDINANCE ON THE PROVISION OF PACKAGE OF EQUIPMENT TO FARMERS AND FARMERS’ ORGANIZATIONS IN SUPPORT TO THE PLANTATION CROPS PRODUCTION PROGRAM AND ADOPTING THE IMPLEMENTING GUIDELINES THEREOF

Be it ordained that:

SECTION 1. *Title.* This ordinance shall be known as “An Ordinance on the Provision of Package of Equipment to Farmers and Farmers’ Organizations in Support to the Plantation Crops Production Program and Adopting the Implementing Guidelines Thereof”;

SECTION 2. *Definition of Terms.* For the purpose of this ordinance the following terms are defined as follows:

- 1) Agricultural Sugarcane Technician – highly skilled worker hired by the LGU particularly to provide agricultural extension services to farmers and undertake project implementation to the target communities of different LGU priority programs and projects in agriculture. These Agricultural Sugarcane Technicians are frontline, on-site agricultural service providers based in the barangays and undertake a supervised scheme of project implementation to farmer beneficiaries.
- 2) Cane loader/Cane loading equipment – a mechanical farm equipment used to load sugarcane stalks to a hauling truck after harvesting/cutting. It is usually mounted to a farm tractor and is operated by a cane loader operator and/or farm tractor operator. Cane loaders make faster cane loading time up to 3 hours only compared to conventional manual loading that takes 8 hours for 14 tons of cane/truck.
- 3) Cane loading service - a harvest support service on sugarcane loading during harvesting. Cane loading using a mechanical loader is an efficient method that reduces loading time to only 3 hours per 14-ton cane. Cane loaders can either be tractor mounted or as a single self-propelled unit.
- 4) Cane Loader Operator/Farm Tractor Operator – a person who operates the cane loading equipment/farm tractor.
- 5) Cluster barangays - a group of barangays adjacent to each other in location that allows efficient agricultural service delivery by grouping them together.
- 6) Farm Tractor – a mechanical farm equipment used in plowing, harrowing, rotavating, etc. agricultural fields. Bigger capacity farm tractors are also used in hauling and loading farm materials and products, using additional farm accessories such as cane loader. LGU farm tractors are available in 90HP and 55HP units.
- 7) Farmers’ Association or FA – a group of farmers associated for a common purpose. It is an organization duly formed and accredited by a government

authority to attest its legitimacy based on existing laws, rules and regulations (DOLE, SEC, etc.).

- 8) Farmers' Cooperative – a duly registered group of farmers duly accredited with the Cooperative Development Authority of the Philippines and whose existence is bounded by the provisions of RA 9520 (The Cooperative Code of 2008).
- 9) Plantation Crops Production Program – is one of the priority programs of the LGU which aims to increase local household income. A package of input support and land preparation assistance is given to qualified farmer-beneficiaries up to a maximum of 4 hectares/farmer. The Program follows employs a required farm diversification scheme, requiring a minimum of 10% of the total are applied under the Program to be planted with perennial crops such as cacao, banana, rubber and the likes.
- 10) Rent-to-own – a scheme of financial arrangement with farmers associations/cooperatives that employs the use of farm equipment on rental basis, the cost payable in monthly/quarterly/annual amortization, as the case may be, until the cost is fully paid, based on agreed terms and conditions covered by a Memorandum of Agreement.
- 11) Memorandum of Agreement – a legal document binding two parties – the LGU and Farmers' Association/Cooperative- stipulating the terms and responsibilities in the implementation of the cane loading service project.

SECTION 3. *General Implementing Guidelines.*

A. Package of equipment and qualified beneficiaries

1. Sugarcane loading equipment shall be provided to farmers or their farmers' associations and cooperatives as harvest support comprised of matching 4WD Tractors and Cane Loaders for a reasonable service fee.
2. Farmers' associations or cooperatives with existing farm tractors shall be provided with Cane Loading equipment on a rent-to-own scheme, payable in five (5) years.
3. Farmers' associations and cooperatives which shall receive a package of equipment (90HP Tractor + Cane Loader) will manage the operation as an enterprise and will have an observation period of one (1) year prior to granting of full ownership by the LGU based on a rent-to-own scheme, the price of the unit shall be based on the depreciated value at the time of signing the Agreement;

SECTION 4. *Collection of Service fee.* There shall be a considerable service fee for the cane loading service availed of from LGU-operated and managed cane loaders to be collected by the City Treasury Office. A fee shall be charged at One Hundred Twenty Pesos (PhP120.00) per ton of cane loaded and shall be paid immediately after the release of quedan.

SECTION 5. *Management of Cane loading service project.* The cane loading service shall be wholly under the management of the LGU Bayawan City through the City Agriculture Office – Tractor Operations Section.

SECTION 6. *Procedure.* Specifically, the process of availing cane loading service shall be as follows:

a. By Individual farmer

- 1) Farmer signs request form through the Agricultural Sugarcane Technician of the concerned barangay. Priority clients are those beneficiaries of the Plantation Crops Program.
- 2) Duly signed request form shall be issued by the Dispatcher for cane loading service and shall be given to the Tractor Operator/Cane Loader Operator. A copy of which shall be provided to the Agricultural Sugarcane Technician for proper guidance.
- 3) The dispatching of cane loaders shall be on a cluster barangay basis and will be determined by the Agricultural Sugarcane Technician. Only tractor/s with cane loaders assigned to the respective barangay shall provide the service requested for.
- 4) A farmer is required to submit gross cane weight from the sugar mill to the Agriculture Office. A billing statement shall be issued by the City Agriculture Office indicating the amount to be paid based on the actual volume of canes loaded by the requesting farmer.
- 5) In case of cane loading service availed through the farmers' association/cooperative, the Association/Cooperative policy shall be followed.

b. By Farmers' Organization

- 1) A Memorandum of Agreement with the beneficiary Farmers' Association / Cooperative shall be made relevant to the distribution and use of Tractor and Cane Loading equipment.
- 2) For one year, the beneficiary farmers' association/cooperative provided with a package of equipment will employ a 2/3 : 1/3 sharing scheme, net of operator share of PhP500.00 and maintenance cost of PhP2,000.00 (*meaning, 2/3 share of income to LGU Bayawan City and 1/3 share to farmers' association/cooperative managing the operation*) on a per hectare basis.

SECTION 7. *Information, Education and Communication Campaign.* Upon approval of this ordinance, the city through the City Agriculture Office, shall conduct massive information, education and communication campaigns through farmer assemblies and other barangay-based meetings to enable the wider information dissemination of the program.

SECTION 8. *Monitoring.* Regular monitoring of farm activities shall be the responsibility of the Agricultural Sugarcane Technicians in the barangays. Coordination activities shall be facilitated by the City Agriculture Office. Second level monitoring of project implementation shall be collaborated with the City Project Monitoring & Evaluation Committee (CPMEC).

SECTION 9. *Separability Clause.* If any part of this ordinance is declared as unconstitutional or unlawful, such declaration shall not affect the other parts or sections hereof that are not declared unlawful or unconstitutional.

SECTION 10. *Repealing Clause.* All previous ordinances inconsistent with this ordinance shall be deemed repealed or modified accordingly.

SECTION 11. *Effectivity.* This ordinance shall take effect after compliance with the provisions of R.A. 7160, the Local Government Code of 1991.

“Enacted.”

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I hereby certify to the correctness of the foregoing resolution.

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JULIUS T. ESPARTERO
Secretary to the Sangguniang Panlungsod

ATTESTED:


ISMAEL P. MARTINEZ
Vice Mayor
Presiding Officer

APPROVED: 11 DEC 2018


PRYDE HENRY A. TEVES
Mayor

Copy for:

- The Honorable Provincial Board, Dumaguete City