

DRAKENSTEIN MUNICIPALITY

**MINUTES OF AN ORDINARY VIRTUAL MEETING OF THE MUNICIPAL COUNCIL HELD ON FRIDAY,
26 FEBRUARY 2021 AT 09:00.**

PRESENT: Councillors (see attendance register)

Senior Officials:	Dr J H Leibbrandt	(City Manager)
	Mr B Brown	(Chief Financial Officer)
	Mr S Johaar	(Executive Director: Corporate Services)
	Mr M Wüst	(Executive Director: Engineering Services)
	Mr G Esau	(Executive Director: Community Services)
	Ms L Waring	(Executive Director: Planning and Development)
	Mr A V Marais	(Senior Manager: Legal and Administrative Services)
	Ms R Geldenhuys	(Manager: Communication and Marketing)
	Mr G Dippenaar	(Chief Risk Officer)
	Ms C September	(Manager IDP)
	Mr F P Goosen	(Manager: Administrative Support Services)
	Mr P January	(Senior Administrative Officer)

ABSENT: Councillors (see attendance register)



A Welcoming by the Speaker

The Speaker welcomed everybody to the Council meeting.

B Election of Acting Speaker

Not applicable.

1. CONSIDERATION OF APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE FROM COUNCIL/COMMITTEE MEETINGS
OORWEGING VAN AANSOEKE DEUR RAADSLEDE VIR VERLOF VAN AFWESIGHEID VAN RAAD/KOMITEEVERGADERINGS
UKUQWALASELWA KWEZICELO ZOCEBA ZOKUNGABIKO KWIBHUNGA/KWINTLANGANISO ZEBHUNGA

1. Cllr A Bekeer - Apology;
2. Cllr D S Blanckenberg - Apology;
3. Cllr M J le Hoe - Apology;
4. Cllr A Luggola - Apology;
5. Cllr M D Nobula - Apology; and
6. Cllr J Smit - Apology.

2. CONFIRMATION OF MINUTES
BEKRAGTIGING VAN NOTULES
UKUQINISEKISWA KWEMIZUZU

The minutes of the Ordinary meeting of the Municipal Council held on 27 January 2021 was **confirmed as correct**.

2.1 IMPLEMENTATION OF COUNCIL DECISIONS
IMPLEMENTERING VAN RAADSBESLUIE
UKUMISELWA KWEZIGQIBO ZEBHUNGA WESIGQEBA

Noted.

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3. MINUTES: MAYORAL COMMITTEE
NOTULE: BURGEMEESTERSKOMITEE
IMIZUZU: IKOMITI KASODOLOPHU WESIGQEBA

The minutes of the following meetings of the Mayoral Committee were **noted**:

- i. Ordinary meeting held on 21 January 2021;
- ii. Ordinary virtual meeting held on 27 January 2021; and
- iii. Confidential virtual meeting held on 27 January 2021.

4. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR/DEPUTY EXECUTIVE MAYOR
VERKLARINGS EN MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER/UITVOERENDE ONDERBURGEMEESTER
INGXELO KUNYE NOQHAKAMSHELWANO NGU SODOLOPHU WESIGQEBA ISEKELA LIKASODOLOPHU WESIGQEBA

The Executive Mayor thanked the City Manager and his team for the ceremony held in honour of the front line workers.

5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER
VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER
INGXELO KUNYE NOQHAKAMSHELWANO NGU SOMLOMO

The Speaker made the following announcements:

1. Congratulated councillors who celebrated their birthdays in February;
2. Reminded ward councillors to submit the minutes and attendance register of at least one ward committee meeting to the Office of the Speaker before 12h00 on 05 March 2021 for the March 2021 stipends to proceed;
3. Reminded ward councillors that late submission of the mentioned documents may lead to a delay in the payment of the stipends on 31 March 2021;
4. It is the duty of ward councillors to inform the Office of the Speaker of changes to their Ward Committees due to resignation, death and re-location to another ward or town to make sure such persons do not receive the March 2021 stipends scheduled for 31 March 2021; and
5. Ward Projects 2020/2021: Amendments must be made to the submitted R45 000 Projects. The Speaker undertook to liaise with the relevant ward councillors.



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5.1 DISCLOSURE OF INTERESTS BY COUNCILLORS/OFFICIALS
VERKLARING VAN BELANGE DEUR RAADSLEDE/AMPTENARE
UKUBHENGEZA KOMDLA NGOCEBA/AMAGOSA

1. Cllr L Niehaus in terms of item 7.4 in the main agenda; and
2. The City Manager and Executive Directors in respect of item 12.3 in the confidential agenda.

6. STATUTORY MATTERS
STATUTÊRE SAKE
IMIBA YOMTHETHO

None.

7. CONSIDERATION OF REPORTS
OORWEGING VAN VERSLAE
UKUQWALASELWA KWEENGXELO

7.1 POLICY FOR THE BESTOWAL OF ALDERMAN/ALDERLADY STATUS TO MEMBERS OF COUNCIL
BELEID VIR DIE TOEKENNING VAN RAADSHEER/RAADSDAME STATUS AAN LEDE VAN DIE RAAD
UMGAQO-NKQUBO WOKUNGENISWA KWE-NDODA YEBHUNGA/INKOSIKAZI YEBHUNGA KUMALUNGU EBHUNGA

UNANIMOUSLY RESOLVED that

The revised Policy for the Bestowal of Alderman/Alderlady status to members of Council be approved.

Meeting: Council 26/02/2021	Submitted by Department: Corporate Services	Author/s: F Goosen	Referred from: Mayco 17/02/2021
Ref No: 3/8/6 x 3/B	RESPONSIBLE DEPARTMENT:		
Coll No: 1723165	DUE DATE:		
PAR: 1-3	ACTION: 1. Implement decision 2. Update policy folder and place on intranet 3. Update Municipal website	1. ED Corporate Services 2. Administration 3. Communication	



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7.2 FINAL APPROVAL: GRANTING OF RIGHT TO USE OF A PORTION OF ERF 10186, VAN DER STEL STREET, PAARL TO MIQLAT (NPO REGISTRATION NUMBER 2000/030785/08) (WARD 22)
FINALE GOEDKEURING: TOESTAAN VAN GEBRUIKSREG VIR 'N GEDEELTE VAN ERF 10186, PAARL AAN MIQLAT (NPO REGISTRASIE NOMMER 2000/030785/08) (WYK 22)
ISIQINISEKISO SOKUGQIBELA: UKUNIKWA KWELUNGELO LOKUSETYENZISWA KWESIQENDU SE-ERF 10186, VAN DER STEL STREET, PAARL KWI-MIQLAT (INOMBOLO YOBHALISO LWENPO 2000/030785/08) (WADI 22)

UNANIMOUSLY RESOLVED that

1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations read together with Paragraph 13 of the Asset Transfer Policy (2020) final approval be granted for a right to use a portion of Erf 10186, 54177 ha, Van der Stel Street, Paarl to Miqlat (NPO Registration No 2000/030785/08) for purposes of a community and sports facility, subject to the standard conditions of agreement as well as the following terms and conditions:
 - 1.1 The property be used free of charge as provided for in terms of the abovementioned Policy, as the facility is used to the benefit of the broader community and the applicant has invested substantial own capital in respect of the sport facilities on the site;
 - 1.2 The agreement endures for a period of 3 (three) years as from 1 October 2020;
 - 1.3 The property only be used for a community and sport facility and no other purposes, specifically of a political nature;
 - 1.4 The property remain accessible to the public;
 - 1.5 The water consumption for the facilities be paid by Miqlat;
 - 1.6 All existing conditions of the agreement remain applicable;
 - 1.7 The Use Agreement make provision for the use of one of the sport fields by the Paarl East Cricket Club for their league commitments and also be made available to the soccer club for practices and matches during the period that the Fairyland soccer field is upgraded;
 - 1.8 Miqlat will be responsible for payment of all municipal services, connections fees and services consumption, etc. if applicable;
 - 1.9 All administrative, technical and legal requirements be adhered to; and
 - 1.10 No sub-leasing without the approval of the municipality.



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2. It be noted that the proposed agreement was advertised in the local press for objections, comments, representations or counter proposals/offers from other interested parties, and that none was received; and
3. In terms of paragraph 13 of the Asset Transfer Policy, the usage of the property be by way of direct negotiation as the transaction entails a renewal of an existing use agreement as well as the property can only be utilised by the applicant.

Meeting: Council 26/02/2021		Submitted by Department: Corporate Services	
Ref No: 15/4/1 (10186)P		Author/s: N Williams	
Coll No: 1722329		Referred from: Mayco 17/02/2021	
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
1-3	Implement decision	ED Corporate Services	

7.3 FINAL APPROVAL: RENEWAL OF LEASE OF MUNICIPAL PROPERTY, A PORTION OF ERF 14733 PAARL, BORSSENBERG STREET TO MPACT OPERATIONS (PTY) LTD T/A VERSAPAK (WARD 31)
FINALE GOEDKEURING: HERNUWING VAN VERHURING MUNISIPALE EIENDOM, 'N GEDEELTE VAN ERF 14773 PAARL, BORSSENBERGSTRAAT AAN MPACT OPERATIONS (BKB) BPK H/A VERSAPAK (WYK 31)
ISIQINISEKISO SOKUGQIBELA: UKUHLAZIYWA KOKUQESHISWA KWEPROPATI KAMASIPALA, ISIQENDU SE-ERF 14733 PAARL, BORSSENBERG STREET KWI MPACT OPERATIONS (PTY) LTD T/A VERSAPAK (WADI 31)

UNANIMOUSLY RESOLVED that

1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations read together with Paragraph 13 of the Asset Transfer Policy (2020), final approval be granted to lease a portion of the municipal property situated on a portion Erf 14733, Borssenberg Street Paarl measuring ± 1 018m² in extent, to Mpac Operations (Pty) Ltd t/a Versapak for parking, purposes, subject to the normal lease conditions as well as the following further conditions:
 - 1.1 The property will be leased at a market related rental amount of R3 663,93 per month (VAT excluded, 4% escalation per annum included) as determined by an independent valuer;
 - 1.2 A lease period of 5 (five) years will apply as from 1 June 2020;
 - 1.3 The subject property only be used for parking purposes and no other purpose;
 - 1.4 All legal requirements and technical conditions as laid down by the technical departments be adhered to;
 - 1.5 The Lessee be responsible for payment of all municipal services, connections fees and services consumption, etc. if applicable;

- 1.6 All administrative, legal and technical requirements be adhered to; and
- 1.7 The alienation of the property be investigated at the end of the lease agreement.
2. It be noted that the proposed lease was advertised in the local press for objections, comments, representations or counter proposals/offers from other interested parties, and that none was received; and
3. In terms of paragraph 13 of the Asset Transfer Policy, the property be leased by way of direct negotiation as the transaction entails a renewal of an existing lease agreement as well as the property can only be utilised by the applicant.

Meeting: Council 26/02/2021	Submitted by Department: Corporate Services	Author/s: N Williams	Referred from: Mayco 17/02/2021
Ref No: 15/4/1 (14733)P			
Coll No: 1722277			
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>
1-3	Implement decision	ED Corporate Services	

7.4	FINAL APPROVAL: LEASE OF THE MUNICIPAL BUILDING SITUATED ON A PORTION OF ERF 7156 BLAKE STREET PAARL TO THE OLD MILL SPORTS ASSOCIATION (WARD 4)
	FINALE GOEDKEURING: VERHURING VAN MUNISIPALE EIENDOM GELEË OP 'N GEDEELTE VAN ERF 7156, BLAKESTRAAT, PAARL AAN DIE OU MEUL SPORT ASSOSIASIE (WYK 4)
	ISIQINISEKISO SOKUGQIBELA: UKUQESHWA KOLWAKHIWO LUKAMASIPALA OLUMISWE KWICANDELO LE-ERF 7156 BLAKE STREET PAARL KWI-OLD MILL SPORTS ASSOCIATION (WARD 4)

UNANIMOUSLY RESOLVED that

1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations read together with Paragraph 13 of the Asset Transfer Policy (2020) final approval be granted for the renewal lease of the municipal property situated on a portion of Erf 7156, Blake Street Paarl measuring ± 273m² in extent, to the Old Mill Sports Association for the purpose of a sport facility, subject to the standard lease conditions as well as the following terms and conditions:
 - 1.1 The property will be leased at a subsidised market rental amount of R365.84 per month (VAT excluded, 4% escalation per annum included);
 - 1.2 The lease endures for a period of four (4) years as from 1 October 2020;
 - 1.3 The lessee be responsible for payment of all municipal services, connection fees and services consumption, etc. if applicable;
 - 1.4 The property may only be used for sports purposes;

- 1.5 All existing lease conditions remain applicable;
- 1.6 All administrative and legal requirements be adhered to.
2. It be noted that the proposed lease was advertised in the local press for objections, comments, representations or counter proposals/offers from other interested parties, and that none was received; and
3. In terms of paragraph 13 of the Asset Transfer Policy, the property be leased by way of direct negotiation as the transaction entails a renewal of an existing lease agreement.

Meeting: Ref No: Coll No:	Council 26/02/2021 15/4/1 (7156) P 1722240	Submitted by Department: Author/s: Referred from:	Corporate Services N Williams Mayco 17/02/2021
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>
1-3	Implement decision	ED Corporate Services	

7.5 AUDIT COMMITTEE REPORT
ODUITKOMITEE VERSLAG
INGXELO YEKOMITI YOPHICOTHO-ZINCWADI

Mr. R Najaar of the Audit Committee was present at the meeting.

Questions were raised by Cllr AM Richards from the ANC regarding the findings of the Auditor General, the high gearing ratio and the mitigation of the risks which were responded to.

UNANIMOUSLY RESOLVED that

The report of the Audit Committee in respect of the meeting held on 03 December 2020, be noted.

Meeting: Ref No: Coll No:	Council-26/02/2021 3/3/1/3/13 1725296	Submitted by Department: Author/s: Referred from:	Internal Audit R Jaftha MC-26/02/2021
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

7.6 APPROVAL OF THE AMENDED AUDIT COMMITTEE CHARTER
GOEDKEURING VAN DIE GEWYSIGDE OUDITKOMITEE STIGTINGSAKTE
UKUVUNYWA KWESIVUMELWANO ESILUNGISIWEYO SEKOMITI YOPHICHOHO ZINCWADI

UNANIMOUSLY RESOLVED that

The amended Audit Committee Charter 2020/21 be approved.

Meeting: Council 26/02/2021	Submitted by Department: Internal Audit	Author/s: R Jaftha	Referred from: Mayco 17/02/2021
Ref No: 3/3/1/3/13			
Coll No: 1724193			
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
	Implement decision	Chief Audit Executive	

7.7 APPOINTMENT OF THE FRAUD AND RISK MANAGEMENT COMMITTEE MEMBERS AND AUTHORISING THE PANEL TO CONDUCT INTERVIEWS WITH THE CANDIDATES FOR APPOINTMENT
AANSTELLING VAN DIE LEDE VAN DIE BEDROG- EN RISIKOBESTUURSKOMITEE EN GOEDKEURING VAN DIE PANEEL VIR ONDERHOUDVOERING MET KANDIDATE VIR AANSTELLING
UKUQESHA KWAMALUNGU Eekomiti Zolawulo Lobuqhophololo NOBUNGOZI NOKWANDISWA KOKUVUNYWA KWEPANYANA LOKWENZA UDLIWANO-NDLEBE NABAUIWA BOKUQESHA

UNANIMOUSLY RESOLVED that

1. The appointment of two independent external members to serve on the FARMCO be approved; and
2. The previous Council approved panel, chaired by the City Manager and consisting of the following three members, conduct the interviews with the prospective candidates for the two positions:
 - Cllr A Stowman (Speaker);
 - Alderman JF le Roux (Portfolio holder Engineering Services); and
 - Chairperson of MPAC, Cllr MJ le Hoe.

Meeting: Council 26/02/2021	Submitted by Department: Risk Management	Author/s: G Dippenaar	Referred from: Mayco 17/02/2021
Ref No: 3/3/1/3/9/1			
Coll No: 1725166			
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
1-2	Implement decision	Chief Risk Officer	

7.8	TRANSFER OF PROPERTY ON COMPLETION OF SERVICES AT 80%
	OORDRAG VAN EIENDOM BY VOLTOOIING VAN 80% VAN DIENSTE
	UKUTSHINTSHISWA KWEPROPATI KUZALISWE IINKONZO KWI-80%

UNANIMOUSLY RESOLVED that

Approval for transfer of properties within gated estates be given when at least 80% of civil services and 100% of electrical services are completed and approved by the Drakenstein Municipality on condition that:

1. All the electrical services on the development be 100% completed to the satisfaction of Drakenstein Municipality;
2. All water, sanitation, storm water removal and waste removal services, as well as access to all properties be available on each property and approved by the Drakenstein Municipality;
3. A cash deposit or bank guarantee in the name of Drakenstein Municipality be provided by the developer in an amount calculated by the independent consultant on the project, of all outstanding civil services work, based on the applicable rates contained in the Bill of Quantities for the construction work on the property, plus 20%, verified and approved by the relevant services personnel and Senior Manager, and approved by the relevant Executive Director;
4. The value of outstanding work not exceed 20% of the total contract value;
5. The cash deposit or bank guarantee be kept in place by and at the cost of the developer until such time as all services within the development has been approved and certified as being compliant by the relevant municipal officials and certified as such by the relevant Senior Manager and Executive Director;
6. The above be applicable to gated estates only;
7. A policy be formulated in this regard to be approved by Council; and
8. Approval in terms of the above be given to phase 1 of The Acres Development, and that all future applications be considered only in terms of the approved policy to be formulated.

Meeting: Council 26/02/2021 Ref No: 15/5 Coll No: 1711749	Submitted by Department: Engineering Services Author/s: C Lötz Referred from: Mayco 17/02/2021		
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
1-8	Implement decision	ED Engineering Services	

7.9	ENTERPRISE GEOGRAPHICAL INFORMATION SYSTEM (GIS) POLICY
	GEOGRAFIESE INLIGTINGSTELSEL VIR ONDERNEMINGS (GIS) BELEID
	UMGAQO-NKQUBO WEENKCUKACHA ZOLWAZI NGOKWASEKHAYA (GIS)

UNANIMOUSLY RESOLVED that

An Enterprise Geographical Information System (GIS) Policy, be approved.

Meeting: Council-26/02/2021 Ref No: 6/3/2/6 Coll No: 1708298	Submitted by Department: Engineering Services Author/s: P de Villiers Referred from: MC -17/02/2021		
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
1-3	1. Implement decision 2. Update policy folder and place on intranet 3. Update Municipal website	1. ED Engineering Services 2. Administration 3. Communication	

7.10	CLOSING OF WALKWAYS (WARDS 14, 19, 22 AND 29)
	AFSPER VAN LOOPGANGE (WYKE 14, 19, 22 EN 29)
	UKUVALWA KWEENDLELA ZOKUHAMBA (IIWADI 14, 19, 22 NO-29)

UNANIMOUSLY RESOLVED that

1. The closing of the walkway over erf 17881 be approved for closure with the utilisation of the erf by either of the adjacent owners of erven 17880 or 17882 by encroachment agreement;
2. The closing of the walkway between Jan van Riebeeck Road and the park erf 5255 be approved for closure with the utilisation of the erf by either of the adjacent owners of erven 5203 or 5204 by encroachment agreement;
3. The closing of the walkway between Moederkappie and Aanblom Streets be approved in that the portion on the Aanblom Street side be encroached by agreement with the owner of erf 9428, and the portion on the Moederkappie Street side by encroachment agreement with the owner of erf 9415;
4. The closing of the access to erf 16472 be approved only on the boundary of Symphony Avenue;
5. The closing of the walkway over erf 6841 be approved for closure with the utilisation of the erf on the Bloulei half by either of the adjacent owners of erven 6853 or 6854, and the half on the Richter Street side by the owners of erven 6842 and 6866 by encroachment agreement;
6. Access to all walkways be available to municipal personnel on a twenty four hour seven days per week basis;



7. The required funding, estimated at R150,000, be provided on the 2020/22 budget for closing of the walkways;
8. The above being subject to the respective ward councillors consulting their constituents and only on confirmation that the ward or wards, as the case may be, are in agreement, the closure be confirmed, provision for the required funding be made, and the walkways be closed as funding becomes available; and
9. Public participation for the closure of the walkways will follow by advertisement in the media. If feedback received is positive the closing of walkways may continue.

Meeting: Ref No: Coll No:	Council-26/02/2021 15/4/3 1711781	Submitted by Department: Author/s: Referred from:	Engineering Services C Lötzt MC -26/02/2021
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
1-9	Implement decision	ED Engineering Services	

7.11 ADOPTION OF THE 2nd GENERATION AIR QUALITY MANAGEMENT BYLAW
AANVAARDING VAN DIE 2DE GENERASIE LUGGEHALTEBESTUUR BYWET
UKUMILISELWA KOMGAQO NKQUBO WEDOLOPHU ISIZUKULWGNA SESIBINI

UNANIMOUSLY RESOLVED that

1. The contents of the final 2nd generation Drakenstein Air Quality Management Bylaw (Annexure A) be noted;
2. The final 2nd generation Drakenstein Air Quality Management Bylaw be adopted in terms of Sections 11 and 12 of the Municipal Systems Act (Act 32/2000) and be promulgated in the Provincial Gazette;
3. The proposed delegation of powers and duties in terms of the proposed bylaw (Annexure B), be approved in terms of Section 59 of the Municipal Systems Act (Act 32/2000), and that the System of Delegations be updated accordingly, and
4. The draft set of fines, which may be imposed by duly authorised peace officers of the Municipality, (Annexure C) be supported and be submitted to the Acting Senior Magistrate/ Sub-cluster head Paarl, for approval.

Meeting: Ref No: Coll No:	Council-26/02/2021 1702878 1/5/2/29	Submitted by Department: Author/s: Referred from:	Planning and Development S Reece MC -26/02/2021
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
2-4	Implement decision	ED Planning and Development	

7.12 COUNCILLORS' OUTSTANDING DEBT REPORT AS AT 31 JANUARY 2021
RAADSLEDE SE UITSTAANDE SKULD VERSLAG SOOS OP 31 JANUARIE 2021
INGXELO YAMATYALA YOCEBA NGOBUNJALO NGOMHLA 31 EYOMQUNGU 2021

UNANIMOUSLY RESOLVED that

The report be noted.

Meeting: Council-26/02/2021	Submitted by Department: Financial Services	Author/s: A Abrahams	Referred from: MC-26/02/2021
Ref No: 9/1/1/4	PAR:		
Coll No: 1728192	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:

7.13 REPORT ON TENDER AWARDS: JANUARY 2021
VERSLAG OOR TENDERTOEKENNINGS: JANUARIE 2021
INGXELO NGONIKEZELO LWETHENDA: JANUWARI 2021

UNANIMOUSLY RESOLVED that

It be noted that no awards above R200,000 were adjudicated by the Bid Adjudication Committee for the month of January 2021.

Meeting: Council-26/02/2021	Submitted by Department: Financial Services	Author/s: C Hess	Referred from: MC-26/02/2021
Ref No: 8/1/2/1	PAR:		
Coll No: 1728096	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:

7.14 REPORT ON DEVIATIONS FROM PROCUREMENT PROCESSES: JANUARY 2021
VERSLAG VAN AFWYKINGS VAN VERKRYGINGSPROSESSE: JANUARIE 2021
INGXELO YOKUPHAMBUKELA KUNYE NOLUNGISO OLUNCINCI LOKUPHEPHELA KWINKQUBO ZOKUFUMANA: JANUWARI 2021

UNANIMOUSLY RESOLVED that

1. In terms of paragraph 36(2) of the Supply Chain Management Policy, the deviations and the reasons for the deviations for the amount of R287,008 for January 2021 as recorded by the Accounting Officer under the annexures attached to this report be noted; and
2. The Chief Financial Officer record the accumulated deviation amount of R8,800,270 for the financial year in the notes to the 2020/2021 annual financial statements as required by legislation.

Meeting: Council-26/02/2021	Submitted by Department: Financial Services	Author/s: C Hess	Referred from: MC-26/02/2021
Ref No: 9/1/1/5	PAR:		
Coll No: 1728138	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:

During the meeting the Speaker reprimanded certain councillors regarding their conduct at the meeting. Both Cllr MT Klaas and Cllr SX Jonas of the EFF were requested to leave the meeting.

7.15 MUNICIPAL FINANCE MANAGEMENT ACT: SECTION 71 MONTHLY BUDGET MONITORING REPORT FOR JANUARY 2021
MUNISIPALE FINANSIËLE BESTUURSWET: ARTIKEL 71 MAANDELIKSE BEGROTING VERSLAGDOENING VIR JANUARIE 2021
UMTHETHO WOKULAWULWA KWEMALI ZIKAMASIPALA: ICANDELO 71 NGOKWENYANGA NGENYANGA INGXELO YOKONGAMELA KOHLAHO LWABIWO MALI YENYANGA JANUWARI 2021

UNANIMOUSLY RESOLVED that

1. The content of the section 71 monthly budget monitoring report for January 2021 and the supporting documentation be noted; and
2. It be noted that the section 71 monthly budget monitoring report for January 2021 was submitted to the Executive Mayor, National Treasury and Provincial Treasury on 12 February 2021, being the 10th working day after the end of January 2021.

Meeting: Council-26/02/2021	Submitted by Department: Financial Services		
Ref No: 9/1/1/4	Author/s: A Viola		
Coll No: 1730802	Referred from: MC -26/02/2021		
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:

8. MATTERS FOR CONSIDERATION/INFORMATION
SAKE VIR OORWEGING/INLIGTING
IMIBA YOKUQWALASELWA/YOKWAZISA

None.

9. URGENT MATTERS SUBMITTED BY CITY MANAGER
DRINGENDE SAKE VOORGELÊ DEUR DIE STADSBESTUURDER
IMIBA ENGXAMISEKILEYO NGU MANEJALA WESIXEKO

None.

10. CONSIDERATION OF NOTICES OF MOTIONS AND NOTICES OF QUESTIONS
OORWEGING VAN KENNISGEWINGS VAN MOSIES EN KENNISGEWINGS VAN VRAE
UKUQWALASELWA KWEZAZISO ZEZIPHAKAMISO KUNYE NEZAZISO ZEMIBUZO

None.

11. SUPPLEMENTARY AGENDA
AANVULLENDE AGENDA
I AJENDA EYONGEZIWEYO

11.1 APPROVAL OF THE 2020/2021 OPERATING AND CAPITAL ADJUSTMENTS BUDGET
GOEDKEURING VAN DIE 2020/2021 BEDRYFS- EN
KAPITAALAANPASSINGSBEGROTING
UKUVUNYWA KOLWABIWO-MALI LOKUSEBENZA LIKA 2020/2021
NOLUNGELELWANISO LOHLAHO LWABIWO MALI ELIYINKUNZI

UNANIMOUSLY RESOLVED that

1. The total operating revenue of R2,596,819,211 for the 2020/2021 financial year as set out in Table 1 of the 2020/21 Adjustments Budget Report be approved;
2. The operating expenditure of R2,527,505,673 for the 2020/2021 financial year as set out in Table 2 of the 2020/2021 Adjustments Budget Report be approved;
3. The capital budget expenditure of R231,242,113 for the 2020/2021 financial year as set out in Table 4 of the 2020/2021 Adjustments Budget Report be approved;
4. The capital expenditure of R231,242,113 to be funded by the following revenue sources as set out in Table 5 of the 2020/2021 Adjustments Budget Report be approved:
 - 4.1 Capital Replacement Reserve (CRR) (R73,764,232);
 - 4.2 Secured grants to be received from National Government, Provincial Government and other donors (R144,977,881); and
 - 4.3 Developers Contributions (R12, 500,000).
5. No taxes and tariffs be affected with the approval of this adjustments budget;
6. The tariff for Drakenstein consumers dumping household refuse at the Paarl transfer station and Wellington waste disposal site be suspended from 1 March 2021 up to 30 June 2021;
7. Schedules B1 to B10 attached as Appendix B to the 2020/2021 Adjustments Budget Report be approved;



8. The over-riding of expenditure that will constitute unauthorised expenditure not be allowed by the City Manager or Chief Financial Officer. If there are insufficient funds available on a vote number, savings on other vote number/s have to be identified and the virement process have to be followed in terms of Council's Virement Policy; and
9. The approved Ward Project Funding is available to spend from 1 March 2021 to 31 May 2021. Balances not spent by end of May 2021 will revert back to the municipal fiscus.

Meeting: Council-26/02/2021		Submitted by Department: Financial Services	
Ref No: 5/2/3		Author/s: L Crotz	
Coll No: 1731386		Referred from: Mayco 26/02/2021	
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
1-9	Implement decision	Chief Financial Officer	

11.2 REVISED TOP LAYER (TL) SERVICE AND BUDGET IMPLEMENTATION PLAN (SDBIP) 2020/2021
HERSIENE TOP VLAK (TV) DIENS- EN BEGROTINGSIMPLEMENTERINGSPLAN (DBIP) 2020/2021
IINKONZO ZOKUPHATHISWA KWENKQUBO EPHAKAMILEYO (TL) NESICWANGCISO SOKUSETYENZISWA KOHLAHLLO LWABIWO MALI (SDBIP) 2020/2021

UNANIMOUSLY RESOLVED that

1. The Revised TL SDBIP 2020/2021 be approved;
2. The Revised TL SDBIP 2020/2021 be published on the Municipal Website; and
3. The Revised TL SDBIP 2020/2021 be submitted to the:
 - Internal Audit Unit (for notification);
 - Department of Local Government: Western Cape;
 - Provincial Treasury: Western Cape;
 - Auditor General (AG) of South Africa; and
 - National Treasury.

Meeting: Council-26/02/2021		Submitted by Department: Performance Management	
Ref No: 2/2/8		Author/s: W Prins	
Coll No: 1732832		Referred from: Mayco 26/02/2021	
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
1-3	Implement decision	Performance Management	

IN-COMMITTEE/ IN-KOMITEE/ KWI-KOMITI
12. CONSIDERATION OF CONFIDENTIAL MATTERS
OORWEGING VAN VERTROULIKE SAKE
UKUQWALASELWA KEMIBA EYIMFIHLO

12.1 CONFIRMATION OF MINUTES

See Confidential Minutes.

12.2 WRITING-OFF OF IRRECOVERABLE DEBT REPORT – JANUARY 2021
AFSKRYWING VAN ONINVORDERBARESKULDVERSLAG – JANUARIE 2021
INGXELO YOKUCINYWA KWAMATYALA ANGAHLAWULWAYO – JANUWARI 2021

See Confidential Minutes.

Meeting: Council- 26/02/2021 Ref No: 5/15/1 Coll No: 1728526	Submitted by Department: Financial Services Author/s: A Abrahams Referred from: MC –26/02/2021		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

12.3 FINAL MODERATED ANNUAL PERFORMANCE ASSESSMENT RESULTS FOR THE 2018/2019 FINANCIAL YEAR: CITY MANAGER AND SECTION 56 MANAGERS
FINALE GEMODEREERDE JAARLIKSE PRESTASIE ASSESSERINGS RESULTATE VIR DIE 2018/2019 FINANSIËLE JAAR: STADSBESTUURDER EN ARTIKEL 56 BESTUURDERS
IZIPHUMO ZOKUGQIBELA ZOKONGAMELA ZOKUHLOLWA KWENDELELA YOKUSEBENZA YONYAKA KANYAKA MALI 2017/2018: UMANEJALA KAMASIPAL KUNYE NOMANEJLA BECANDELO 56

See Confidential Minutes.

Meeting: Council-26/02/2021 Ref No: 2/2/8 Coll No: 1702232	Submitted by Department: Performance Management Author/s: W Prins Referred from: MC – 26/02/2021		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

12.4 MONTHLY IMPLEMENTATION PROGRESS REPORT ON MUNICIPAL MINIMUM COMPETENCY LEVELS (MMCL) FOR SENIOR MANAGERS: FEBRUARY 2021
MAANDELIKSE IMPLEMENTERINGSVORDERINGSVERSLAG OOR MUNISIPALE MINIMUM KOMPETENSIEVLAKKE (MMKV) VIR SENIOR BESTUURDERS: FEBRUARIE 2021
INGXELO YENYANGA YENKQUBELA PHAMBILI YOKUMILISELWA KWE MUNICIPAL MINIMUM COMPETENCY LEVELS (MMCL) YOMANEJALA ABAKHULU: KWEYOMDUMBA 2021

See Confidential Minutes.

Meeting: Council - 26/02/2021	Submitted by Department: Corporate Services		
Ref No: 1/4/9	Author/s: M Sibeko		
Coll No: 1729739	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

The meeting ended at 10:42.

CHAIRPERSON:

A. C. STOWMAN
.....

DATE:

31 MARCH 2021
.....

Confirmed ~~with~~/without amendments.

PJ/mg

SURNAME	INITIALS	TITLE	SIGNATURE
ADRIAANSE	MM	MS	✓
AFRIKA	AF	MS	✓
ANDERSON	JV	MS	✓
ANDREAS	MA	MS	✓
ARNOLDS	RB	MS	✓
BEKEER	A	MR	✓
BESTER	TG	MR	Apology (u)
BLANCKENBERG	DS	MR	✓
BOOYSEN	VC	MS	Apology (u)
BUCKLE	AML	MR	✓
COMBRINK	GC	MR	✓
CUPIDO	FP	MR	✓
CUPIDO	PBA	MS	✓
CYSTER	L	MS	✓
DAVIDS	CO	MS	✓
DE GOEDE	HR	MR	✓
DE WET	J	MS	✓
DUBA	BP	MS	✓
FORD	GH	MR	✓
GEORGE	NN	MS	✓
GOUWS	E	MS	Absent.
JACOBS	F	MS	✓
JONAS	SX	MS	✓
KEARNS	C	MS	✓
KLAAS	MT	MR	✓
KOEGELENBERG	RA	MR	✓
KOTZÉ	HJ	MR	✓
KROUTZ	C	MR	✓

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 CHIEFWHIP / HOOFDWEEP
 Cllr / Rd. R.A. KOEGELENBERG
 Drakenstein

[Handwritten signature]

[Handwritten initials]

DRAKENSTEIN MUNICIPALITY
ATTENDANCE REGISTER: COUNCIL
 26 FEBRUARY 2021

21

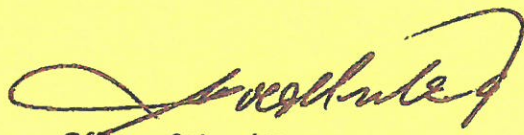
SURNAME	NAME	TITLE	SIGNATURE
LANDU	L	MS	✓
LE HOE	MJ	MR	✓
LE ROUX	JF	MR	Apdogy (u)
LUGQOLA	A	MS	✓
MANGENA	TC	MR	Apdogy (u)
MASOKA	ZL	MR	✓
MATHEE	HJN	MR	✓
MBENENE	NP	MS	✓
MDUNUSIE	MN	MS	✓
MEYER	WPD	MR	✓
MILLER	J	ADV	✓
MINTOOR	D	MR	✓
MPULANYANA	TR	MR	ABSENT
MOKOENA	LP	MS	✓
NELL	RH	MR	✓
NIEHAUS	LW	MR	✓
NOBULA	MD	MR	Apdogy (u)
NOMANA	TZ	MS	✓
NZELE	LV	MR	✓
POOLE	CJ	MR	✓
RENS	SC	MR	✓
RICHARDS	AM	MR	✓
RIX	B	MR	✓
ROSS	S	MS	✓



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 CHIEFWHIP / HOOFSWEEP
 Cllr / RdI R.A. KOEGELENBERG
 Drakenstein



SURNAME	NAME	TITLE	SIGNATURE
SAMBOKWE	LS	MS	<i>A. S. M.</i>
SAUERMAN	ND	MR	✓
SEPTEMBER	SE	MS	✓
SMIT	J	MR	✓
SMUTS	R	MR	<i>R. Smuts</i>
SOLOMONS	EA	MS	✓
STOWMAN	AC	MR	✓
VAN NIEKERK	LT	MS	✓
VAN NIEWENHUYZEN	RH	MR	✓
VAN SANTEN	AJ	MS	✓
VIKA	M	MS	✓
WINDVOGEL	EJ	MS	✓
ZIKHALI	N	MS	✓



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