

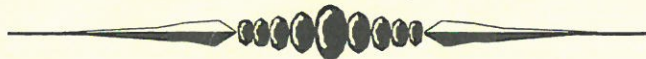
DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL, ON WEDNESDAY, 27 FEBRUARY 2019 AT 14:00.

PRESENT: Councillors (see attendance register)

Senior Officials:	Dr J H Leibbrandt	(City Manager)
	Mr S Johaar	(Executive Director: Corporate Services)
	Mr J Carstens	(Chief Financial Officer)
	Mr D Hattingh	(Executive Director: Engineering Services)
	Mr D Delaney	(Acting Executive Director: Planning and Development)
	Ms R Jaftha	(Chief Audit Executive)
	Mr A V Marais	(Senior Manager: Legal and Administration)
	Ms R Geldenhuys	(Manager: Communication and Marketing)
	Ms C September	(Manager: IDP and Performance Management)
	Mr G Dippenaar	(Chief Risk Officer)
	Mr F P Goosen	(Manager: Administrative Support Services)
	Ms W Prins	(Performance Management Officer)

ABSENT: Councillors (see attendance register)



2(a)

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019**

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

The following applications for leave of absence were approved in terms of the Rules of Order of Council:

- 1) Clr NN George - apology;
- 2) Clr SX Jonas - apology;
- 3) Clr NP Mbenene - apology;
- 4) Clr MD Nobula - apology; and
- 5) Clr WE Smit - apology.

2. CONFIRMATION OF MINUTES
BEKRAGTIGING VAN NOTULE
UKUQINISEKISWA KWEMIZUZU

The minutes of the following meetings of the Municipal Council were confirmed as correct.

- (i) Ordinary meeting held on 30 January 2019, subject to the insertion of the following sentence in the last paragraph of item 4 of the minutes:-

"The Executive Mayor supported an independent forensic investigation into the allegations of nepotism"; and
- (ii) Special meeting held on 14 February 2019.

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

Noted.

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019**

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

The minutes of the following meetings of the Mayoral Committee was noted:

- (i) Ordinary meeting held on 23 February 2019;
- (ii) Ordinary meeting held on 30 January 2019; and
- (iii) Confidential meeting held on 30 January 2019.

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 welcomed the principal and learners from Paulus Joubert Secondary School and the chairperson of the Audit Committee.

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

The Speaker made the following announcements/requests:

1. Councillor Training/ Workshops:

Integrated Councillor Induction Programme Credit Bearing Phase 2 On-Board Workshop for Municipalities to be held in the Council Chambers of the Cape Winelands District Municipality, Worcester, on 6 March 2019.

2. Ward Projects 2018/19

Ward councillors were urged to liaise with the IDP officials and NGO's to ensure projects are being finalized by end of May 2019. Councillors were urged to read through the ward project policy and liaise with the Office of the Speaker or the IDP offices if needed.

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019**

3. Submission of Minutes:

Ward councillors were requested to submit minutes of ward committee or public meetings timeously.

4. Thanked councillors who urged their committee members to participate in the ward committee photo shoot.

5. General

- IDP Engagements will commence in April 2019. Further details to be communicated.
- Reminded councillors to return memory sticks to the Administration.
- Invitation to Public Hearings on the Property Practitioners Bill in Cape Town, 6th floor, Wale Street on 14th March 2019.
- Congratulated councillors who celebrated their birthdays in February.

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

None.

6. STATUTORY MATTERS
STATUTÊRE SAKE
IMIBA YOMTHETO

None.

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019

7.	CONSIDERATION OF REPORTS BY THE MAYORAL COMMITTEE
	OORWEGING VAN VERSLAE DEUR DIE BURGEMEESTERSKOMITEE
	UKUQWALASELWA KWEENGXELO YIKOMITI KASODOLOPHU WESIGQEBA
7.1	REPORT AND RECOMMENDATIONS TO COUNCIL FROM THE AUDIT COMMITTEE: QUARTERLY MEETING HELD ON 06 DECEMBER 2018
	VERSLAG EN AANBEVELINGS AAN DIE RAAD VAN DIE OUDITKOMITEE: KWARTAALLIKSE VERGADERING OP 06 DESEMBER 2018
	INGXELO NENCEBISO KWIBHUNGA ZIVELA KWIKOMITI YOPHICHOTO ZINCWADI YENTLANGANI

Questions were raised with regard to the pending legal action against the Auditor-General. It was reported that further discussions were to be held with the Auditor-General and National and Provincial Treasury to resolve the matter. The Executive

Mayor indicated that report back will be made to Council on the matter.

The ANC requested that the report on Gouda municipal debt also be tabled to Council and the Portfolio Committee.

UNANIMOUSLY RESOLVED that

The following statements and recommendations of the Audit Committee be noted:

1. Internal Audit Progress Report Quarter 1 2018/19

- The dashboard of outstanding action plans prepared by the Chief Audit Executive (CAE) for the Senior Management Team (SMT) should also be submitted to the Audit Committee; and
- All Internal Audit reports should include a paragraph indicating whether or not a limitation of audit scope was experienced during the audit.

2. Gouda Progress Report

A report on the Gouda outstanding municipal debt matter be submitted at the next quarterly Audit Committee meeting as well as to the Portfolio Committee and Council.

3. Progress on TASK

The TASK report indicating funded priority positions that must be filled be submitted at the next quarterly Audit Committee meeting.

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019**

4. Auditor General Management Report 2017/18 and Final Audit Report

- The Annual Financial Statements 2018/19 will be submitted to the Audit Committee for review on 15 August 2019; and
- The Annual Financial Statements 2018/19 will be submitted to the Auditor General by 12:00 on 31 August 2019.

5. Internal Audit Charter

The Audit Committee approved the Internal Audit Charter.

6. Audit Committee Charter

The Audit Committee recommended the submission of the Audit Committee Charter to Council for final approval.

Meeting: Ref No: Coll No:	Council –27/02/2019 3/3/1/3/9/1 1445686	Submitted by Department: Author/s: Referred from:	Internal Audit R Jaftha MC –20/02/2019
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1-6	Implement decision	Internal Audit	

7.2 REVISED TOP LAYER (TL) SERVICE AND BUDGET IMPLEMENTATION PLAN (SDBIP) 2018/19
HERSIENDE TOP VLAK DIENSLEWERING EN BEGROTING IMPLEMENTERINGSPLAN (DBIP) 2018/19
UHLOLWA KWAKHONA KWE TOP LAYER (TL) SERVICE KUNYE NE BUDGET IMPLEMENTATION PLAN (SDBIP) 2018/2019

The ANC raised questions regarding KPI 068, KPI 09, KPI 112 and KPI 113 dealing with Implementation of Small Business Entrepreneurs Capacity Programme, provisions of housing opportunities and provision of Sanitation services at informal settlements, which were responded to.

UNANIMOUSLY RESOLVED that

1. The Revised TL SDBIP 2018/2019 be approved;
2. The Revised TL SDBIP 2018/2019 be published on the municipal website; and
3. The Revised TL SDBIP 2018/2019 be submitted to the:
 - 3.1 Internal Audit division (for notification);
 - 3.2 Department of Local Government: Western Cape;
 - 3.3 Provincial Treasury: Western Cape;

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019

3.4 Auditor General (AG) of South Africa; and

3.5 National Treasury.

Meeting: Council –27/02/2019	Submitted by Department: IDP and Performance Management		
Ref No: 2/2/5	Author/s: C Theunissen		
Coll No: 1444288	Referred from: MC –27/02/2019		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

(At the request of the Speaker, the order of the agenda was amended to allow the financial items to be discussed prior to item 7.3.)

7.3 OPERATION OF THE EXISTING HERITAGE ADVISORY COMMITTEES UNDER THE DRAKENSTEIN ZONING SCHEME BYLAW, 2018
WERKSAAMHEDE VAN DIE BESTAANDE ERFENIS ADVIESKOMITEES INGEVOLGE DIE DRAKENSTEIN SONERINGSKEMA VERORDENING, 2018
UKUSEBENZA KWEKOMITI YOKUCEBISA AMAFA EKHOYO PHANTSI KWE DRAKENSTEIN ZONING SCHEME BYLAW, 2018

UNANIMOUSLY RESOLVED that

1. The existing Heritage Advisory Committees continue to consider applications pertaining to heritage matters before 1 October 2018 under the transitional arrangements as stated in the new Drakenstein Zoning Scheme By-law 2018, effective from 1 October 2018;
2. The existing Paarl Advisory Committee for Town Aesthetics and Environmental Matters and the existing Wellington Heritage and Aesthetics Committee operate for a 12 month period, from the date of this decision, under the new Drakenstein Zoning Scheme By-law, 2018; and
3. The development of a new constitution for the Heritage Advisory Committees be noted and that the process to appoint new heritage committee/s be initiated after the finalization of the new constitution.

Meeting: Council –27/02/2019	Submitted by Department: Planning and Development		
Ref No: 15/3/6/1	Author/s: C Theunissen		
Coll No: 1355613	Referred from: MC –20/02/2019		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1-3	Implement decision	ED: Planning and Development	

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019

7.4	PROPOSED ALIENATION OF PORTIONS OF ERVEN 1294 AND 1295 SITUATED IN CHURCH STREET, WELLINGTON FOR YOUTH DEVELOPMENT AND YOUTH RELATED PURPOSES
	VOORGESTELDE VERVREEMDING VAN GEDEELTES VAN ERWE 1294 EN 1295, GELEË IN KERKSTRAAT, WELLINGTON VIR JEUGONTWIKKELING EN ANDER JEUGVERWANTE AKTIWITEITE
	ISINDULULO SOKUPHEPHELA KWECEBA LEZIZA 1294 KUNYE 1295 EZI KWI CHURCH STREET E WELLINGTON EKUPHULISENI ULUTSHA KUNYE NEZINTO EZIDIBENE NOLUTSHA

UNANIMOUSLY RESOLVED that

1. In terms of Section 14 of the Municipal Finance Management Act (Act No 56 of 2003) *in principle approval* be granted for the alienation of portions of Erven 1294 and 1295, Wellington situated in Church Street, Wellington, measuring $\pm 3615m^2$ and $\pm 2393m^2$ in extent respectively, via a call for applications, subject to the normal conditions of sale as well as the following further conditions:
 - 1.1 The property be sold at a subsidised selling price to be determined by an independent valuer;
 - 1.2 The transaction will be subject to the technical conditions as set out in **Annexure B**;
 - 1.3 Pre-emptive right must be registered against the title of the property in favour of the municipality should the applicant intend to alienate the subject properties or a portion thereof or no longer use the property for the intended purpose it was sold for i.e. youth development and other youth related activities;
 - 1.4 A service servitude of at least 10 metres or subdivision of the erf be registered where " off Bains Kloof, erf 6369 parallel with the erf" is indicated on the locality plan;
 - 1.5 The purchaser will be responsible for the maintenance of the riparian zone of the river;
 - 1.6 A river maintenance management plan must be submitted to the Department of Environmental Affairs and Development Planning for approval by the successful applicant which submission will be a suspensive condition to the transaction; and
 - 1.7 An Indemnity be issued by the successful applicant in terms of which the municipality will be indemnified against any damage, loss or injury as a result of any flooding on the subject properties.

9

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019

2. All submitted applications be assessed against the criteria as set out in the Asset Transfer Policy and other relevant applicable criteria; and
3. The existing lease agreement with the Wamakersvallei Voortrekkers Kommando be extended until the property is awarded to the successful applicant.

Meeting: Council-27/02/2019	Submitted by Department: Corporate Services		
Ref No: 15/4/1 (1294) W x15/4/1 (1295) W	Author/s: W Rabie		
Coll No: 1444231	Referred from: MC-20/02/2019		
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
1-3	Implement decision	ED: Corporate Services	

7.5 RENEWAL OF LEASE AGREEMENTS WITH THE PAARL VALLEY PIGEON CLUB AND THE PAARL DISTRICT HOMING UNION: PORTION OF ERF 593, BERG RIVER BOULEVARD PAARL
HERNUWING VAN HUURKONTRAKTE MET DIE PAARLVALLEI POSDUIFKLUB EN DIE PAARL DISTRICT HOMING UNION: GEDELTE VAN ERF 593, BERGRIVIER BOULEVARD PAARL
UKUHLAZIYWA NGOKUTSHA KWEEMVUMELWANO NEPAARL VALLEY PIGEON CLUB KUNYE NEPAARL DISTRICT HOMING UNION: ISIQWENGA SE-ERF 593, EBERG RIVER BOULEVARD EPAARL

UNANIMOUSLY RESOLVED that

1. In terms of Section 34 of the Municipal Asset Transfer Regulations **final approval** be granted for the renewal of the lease of the municipal buildings situated on a portion of Erf 593, Paarl to the Paarl Valley Pigeon Club and the Paarl District Homing Union from 1 January 2019 for a period of three (3) years, subject to the standard lease conditions as well as the following further conditions:
 - 1.1 The clubhouse measuring $\pm 98m^2$ in extent, be leased to the Paarl Valley Pigeon Club at a rental of R148.33 per month (VAT excluded and 8% escalation per annum included);
 - 1.2 The pigeon hall measuring $\pm 256m^2$ in extent, be leased to the Paarl District Homing Union at a rental of R566.39 per month (VAT excluded and 8% escalation per annum included);
 - 1.3 No sub-leasing will be allowed;
 - 1.4 Social functions will be limited to November – December of each year on the following days and hours:

Monday to Thursday till 23:00;
 Friday and Saturday till 00:00; and
 Sundays and Public Holidays – no functions permitted.

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019

- 1.5 The allowed social functions will be limited to events directly relating to the club activities, i.e. award ceremonies, and no loud music is permitted at such functions.
2. All administrative and legal requirements are adhered to; 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 agreements and a public consultation process was followed during which other parties had the opportunity to submit comment, objections or counter applications. None were received.

Meeting: Council-27/02/2019	Submitted by Department: Corporate Services
Ref No: 15/4/1 (593)P	Author/s: N Williams
Coll No: 1441618	Referred from: MC-20/02/2019
PAR:	ACTION:
1-3	Implement decision
	RESPONSIBLE DEPT:
	ED: Corporate Services
	DUE DATE:

7.6 RENEWAL OF LEASE AGREEMENT: MUNICIPAL PROPERTY SITUATED ON A PORTION OF ERF 31005, DU TOIT STREET, PAARL TO THE PAARL RECREATIONAL CLUB
HERNUWING VAN HUURKONTRAK: MUNISIPALE EIENDOM GELEË OP 'N GEDEELTE VAN ERF 31005, DU TOITSTRAAT, PAARL AAN DIE PAARL ONTSPANNINGSKLUB
UKUHLAZIYWA NGOKUTSHA KWEMVUMELWANO YOKUQESHISWA: KWEPROPATI EMI KWISIQWENGA SE-ERF 31005, EDUTOIT STREET, EPAARL KWIPAARL RECREATIONAL CLUB

UNANIMOUSLY RESOLVED that

1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations, *final* approval be granted for the renewal of the lease of the Paarl Recreational Hall situated on a portion of Erf 31005, Paarl measuring ±1866m² in extent to the Paarl Recreational Club, subject to the standard lease conditions as well as the following further conditions:
- 1.1 The property will be leased at a subsidized rental amount of R821.59 per month being 5% of the market value (VAT excluded, 8% escalation per annum included);
- 1.2 The lease will endure for a period 3 (three) years as from 1 January 2019;
- 1.3 No private functions or social events such as weddings, birthday parties, etc. be allowed at the premises;



**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019**

1.4 Sport related functions be limited to the following days and hours:

Mondays- Thursday from 08:00 until 23:00, and
Fridays and Saturdays from 08:00 until 24:00.

1.5 No functions will be allowed on Public Holidays and Sundays;

2. All administrative and legal requirements be adhered to; 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 and a public consultation process has been followed during which other parties had the opportunity to submit an application. None were received.

Meeting Ref No: Coll No:	Council – 27/02/2019 15/4/1 (31005)P 1441813	Submitted by Department: Author/s: Referred from:	Corporate Services N Williams MC –20/02/2019
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1-3	Implement decision	ED: Corporate Services	

7.7 RENEWAL OF LEASE: MUNICIPAL PROPERTY SITUATED ON A PORTION OF ERF 8431 PAARL TO THE PAARL CRICKET CLUB ALSO KNOWN AS THE CRICKET CLUBHOUSE
HERNUWING VAN HUURKONTRAK: MUNISIPALE EIENDOM GELEË OP 'N GEDEELTE VAN ERF 8431 PAARL AAN PAARL KRIEKET KLUB OOK BEKEND AS DIE PAARL KRIEKET KLUBHUIS
UKUHLAZIYWA NGOKUTSHA KOKUQESHISWA KWEPROPATI KAMASIPALA EMI KWISIQWENGANA SE-ERF 8431 EPAARL KWIPAARL CRICKET CLUB EKWABIZWA NGOKUBA YICRICKET CLUBHOUSE

UNANIMOUSLY RESOLVED that

1.1 In terms of Regulation 34 of the Municipal Asset Transfer *final approval* be granted for the lease of the cricket clubhouse situated on a portion of Erf 8431 Paarl to the Paarl Cricket Club, during the expired period from 1 December 2015 to 28 February 2018 as well as the renewal of the lease agreement for a further period of two (2) years from 1 March 2019 subject to the standard lease conditions as well as the following terms and conditions:

1.1 The property be leased at a subsidized rental of R275.00 per month in respect of the period of renewal from 1 December 2015 to 28 February 2019 and thereafter at a rental of R308.88 per month being 5% of the market value (VAT excluded and 8% annual escalation per annum included);

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019**

- 1.2 The lease be subject to a cancellation clause of three (3) months should the Municipality need the property for municipal or development purposes;
- 1.3 All administrative and legal requirements be adhered to; and
2. 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. Furthermore a public consultation process was followed during which other parties had the opportunity to submit comment, objections or counter applications. None were received.

Meeting: Council-27/02/2019	Submitted by Department: Corporate Services		
Ref No: 15/4/1(8431)P	Author/s: N Williams		
Coll No: 1440843	Referred from: MC 20/02/2019		
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
1-2	Implement decision	ED: Corporate Services	

7.8 PROPOSED RENEWAL OF LEASE AGREEMENT: MUNICIPAL PROPERTY SITUATED ON A PORTION OF ERF 645, MATHAKATHA STREET, MBEKWENI TO THE MBEKWENI COMMUNITY HEALTH WORKERS
VOORGESTELDE HERNUWING VAN HUURKONTRAK: MUNISIPALE EIENDOM GELEË OP 'N GEDEELTE VAN ERF 645 MATHAKATHASTRAAT MBEKWENI AAN DIE MBEKWENI COMMUNITY HEALTH WORKERS
UKUHLAZIYWA NGOKUTSHA KWEMVUMELWANO YOKUQESHISA: NGEPROPATI KAMASIPALA EMI KWISIQWENGANA SE-ERF 645, EMATHAKATHA STREET, EMBEKWENI KUBASEBENZI BEZEMPILO YOLUNTU BASEMBEKWENI

UNANIMOUSLY RESOLVED that

1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations, ***final approval*** be granted for the lease of Portion B of the municipal building, measuring $\pm 97\text{m}^2$ in extent, situated on Erf 645, Mathakatha Street, Mbekweni known as the "Old Mbekweni Library" to the Mbekweni Community Health Workers NPO Registration No 012-617 in respect of the expired period from 1 June 2018 to 28 February 2019 as well as the renewal of the lease for a further period of 2 (two) years from 1 March 2019, subject to the standard lease conditions as well as the following further conditions:
- 1.1 The property be leased at a subsidised rental amount of R157.14 per month for the period from 1 June 2018 to 28 February 2019 and thereafter a rental of R169.42 per month being 10% of the market value (VAT excluded, 8% escalation per annum included) for the renewal period;

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019

- 1.2 All administrative and legal requirements must be adhered to; and
2. 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. Furthermore, a public consultation process was followed during which other parties had the opportunity to submit an application. None were received.

Meeting: Council-27/02/2019	Submitted by Department: Corporate Services
Ref No: 15/4/1 (645)M	Author/s: N Williams
Coll No: 1442624	Referred from: MC 20/02/2019
PAR:	ACTION:
1-2	Implement decision
	RESPONSIBLE DEPT:
	ED: Corporate Services
	DUE DATE:

7.9 LAND EXCHANGE IN RESPECT OF A PORTION OF ERF 5810 WELLINGTON AND ERVEN 6411 AND 6412 WELLINGTON BETWEEN THE NATIONAL DEPARTMENT OF PUBLIC WORKS AND DRAKENSTEIN MUNICIPALITY
GRONDRUILING TEN OPSIGTE VAN 'N GEDEELTE VAN ERF 5810 WELLINGTON EN ERWE 6411 EN 6412 WELLINGTON TUSSEN DIE NASIONALE DEPARTEMENT VAN PUBLIEKE WERKE EN DRAKENSTEIN MUNISIPALITEIT
UTSHINTSHISELWANO NGOMHLABA NGOKUNXULUMENE NESIQWENGA SE-ERF 6411 NO-6412 EWELLINGTON PHAKATHI KWESIBE LIKAZWELONKE LEMISEBENZI KARHULUMENTE KUNYE NOMASIPALA WASEDRAKENSTEIN

UNANIMOUSLY RESOLVED that

1. In terms of Section 14 of the Municipal Finance Management Act (Act 56 of 2003) ***in principle approval*** be granted for the alienation of the newly identified portions of Erf 5810 Wellington, measuring approximately 8 686m² in extent, to the National Department of Public Works in exchange for Erven 6411 and 6412 Wellington, subject to the standard conditions of sale as well as the following further conditions:
- 1.1 Drakenstein Municipality will undertake the subdivision of the Portions A and B of Erf 5810 Wellington, as indicated on Annexure "A", for transfer to the National Department of Public Works;
- 1.2 Should any compensation be payable by either organs of state, it will be fully discussed in the item for final approval in terms of this land exchange; and

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019

2. It be noted and confirmed that the alienation of the portions A and B of Erf 5810 Wellington forms part of a land exchange transaction and a competitive bidding process will not be followed.

Meeting: Council – 27/02/2019	Submitted by Department: Corporate Services
Ref No: 15/4/1 (1532)W	Author/s: N October
Coll No: 1441580	Referred from: MC –20/02/2019
PAR:	ACTION:
1-2	Implement decision
	RESPONSIBLE DEPT:
	ED: Corporate Services
	DUE DATE:

7.10 PROPOSED ALIENATION OF ERVEN 21774 AND 21775 MAIN ROAD PAARL VIA CALL FOR APPLICATIONS

VOORGESTELDE VERVREEMDING VAN ERWE 21774 EN 21775 HOOFSTRAAT PAARL BY WYSE VAN UITNODIGING VIR AANSOEKE

UKUBEKELWA ECALENI KWEZIZA 21774 NO-21775 EPAARL NGOKUSEBENZISA ISIMEMO SEZICELO

UNANIMOUSLY RESOLVED that

1. In terms of Section 14 of the Municipal Finance Management Act No 56 of 2003, **approval in principle** be granted for the alienation of Erven 21774 and 21775 Paarl, measuring approximately 22m² and 15m² in extent respectively, via a call for applications, at a market related selling price, subject to the normal conditions of sale as well as the following conditions:

- 1.1 The subject properties be consolidated with Erf 21068 Paarl and that the consolidation be registered simultaneously with the registration of transfer of the subject properties in terms of consolidation diagram no 5650/1998;
- 1.2 A valuation be obtained from an independent valuer to determine the market related selling price;
- 1.3 All costs related to the proposed transaction will be for the new purchaser's account; and
- 1.4 The proposed transaction be advertised in the press for objections, recommendations and in order to invite interested parties to apply for the acquisition of the subject properties, and thereafter be submitted to Council for final consideration of the application.

2. All submitted applications will be assessed against the criteria as set out in the Asset Transfer Policy and other relevant and applicable criteria; and

15
DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019

3. All surrounding landowners be notified of the proposed transaction.

Meeting Ref No: Coll No:	Council- 27/02/2019 15/4/1 (21774) P 1414524 / 1445494	Submitted by Department: Author/s: Referred from:	Corporate Services N October MC - 20/02/2019
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1-3	Implement decision	ED: Corporate Services	

7.11 QUARTERLY REPORT ON WARD COMMITTEE MEETINGS: PERIOD 1 OCTOBER 2018 TO 31 DECEMBER 2018
KWARTAALLIKSE VERSLAG OOR WYKSKOMITEEVERGADERINGS: PERIODE 1 OKTOBER 2018 TOT 31 DESEMBER 2018
INGXELO YEKOTA YENTLANGANISO ZEKOMITI ZEWADI: IXESHA 1 OKTOBHA 2018 UKUYA 31 DISEMBA 2018

Ward councillors requested support with the securing of venues for ward meetings.

UNANIMOUSLY RESOLVED that

- Cognizance be taken of ward committee meetings held during the period 1 October 2018 until 31 December 2018; and
- The appropriate actions be taken against ward councillors who do not provide the minutes of ward meetings or who do not hold a ward committee meeting at least once a quarter.

Meeting Ref No: Coll No:	Council- 27/02/2019 3/3/1/3/10 1444582	Submitted by Department: Author/s: Referred from:	Corporate Services L Nojozi MC 20/02/2019
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1-2	Implement decision	ED: Corporate Services	

7.12 PROPOSED ALIENATION OF ERVEN 7527-7530 AND 7541-7543, COURTRAI, PAARL TO MR EA DE JAGER, FOR RESIDENTIAL DEVELOPMENT PURPOSES (WARD 15)
VOORGESTELDE VERVREEMDING VAN ERWE 7527-7530 EN 7541-7543, COURTRAI, PAARL AAN MNR EA DE JAGER, VIR RESIDENSIËLE ONTWIKKELINGSDOELEINDES (WYK 15)
ISINDULULO SOKUPHEPHELA KWEZIZA 7527-7530 KUNYE 7541-7543, COURTRAI, PAARL KU MNU EA DE JAGER KUSENZELWA UPHUHLISO LWEZINDLU (WADI 15)

UNANIMOUSLY RESOLVED that

- In terms of Section 14 of the Municipal Finance Management Act Council resolves that:

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019

- 1.1 The subject property is not needed to provide the minimum level of basic municipal services; and
- 1.2 The fair market value of the asset and the economic and community value to be received in exchange for the asset has been considered.
2. In terms of Section 14 of the MFMA ***final approval*** be granted for the alienation of Erven 7527 - 7530 and Erven 7541 - 7543, Courtrai, Paarl, together as a package, to Mr EA de Jager, being the highest bidder at the public auction, at a selling price of R 8 500 000-00 (VAT excluded), for residential development purposes, subject to the normal conditions of sale as well as the Development and Sale Conditions marked Annexure B to the departmental report.

Meeting: Council- 27/02/2019	Submitted by Department: Corporate Services		
Ref No: 15/4/4 (7527)P	Author/s: N October		
Coll No: 1455186	Referred from: MC 27/02/2019		
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
1-2	Implement decision	ED: Corporate Services	

7.13 BESTOWAL OF ALDERMANSHIP POLICY
TOEKENNING VAN RAADHEERSKAPBELEID
UKUMILISELWA KOMGAQO NKQUBO WESIBONDA SEDOLOPHU

A revised policy was submitted at the meeting.

UNANIMOUSLY RESOLVED that

The attached revised Bestowal of Aldermanship Policy be approved.

Meeting: Council- 27/02/2019	Submitted by Department: Corporate Services		
Ref No: 3/8/6 x 3/B	Author/s: F Goosen		
Coll No: 1456057	Referred from: MC 27/02/2019		
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
	<ol style="list-style-type: none"> 1. Implement decision 2. Update policy folder and intranet 3. Update website 	<ol style="list-style-type: none"> 1. ED: Corporate Services 2. Administration 3. Communication 	



DRAKENSTEIN

MUNISIPALITEIT • MUNICIPALITY • UMASIPALA

Paarl | Wellington | Gouda | Saron | Simondium

Bestowal of Aldermanship Policy

Date of Approval/Review by Council

Implementation Date

Signed by the City Manager

Signature Date

A city of excellence

TABLE OF CONTENTS

1. DEFINITIONS.....3

2. POLICY OBJECTIVE3

3. CRITERIA FOR ALDERMANSHIP3

4. BENEFITS AND PRIVILEGES.....3

5. POSTHUMOUS CONFERRAL OF ALDERMANSHIP.....4

6. IMPLEMENTATION OF POLICY4

7. BESTOWAL CEREMONY4

8. REMOVAL OF THE TITLE OF ALDERMAN4

9. KEEPING OF A REGISTER OF TITLE OF ALDERMANSHIP ON COUNCILLORS CONFERRED ..5

10. REPLACEMENT OF BADGE.....5

11. PROTOCOL REGARDING THE HANDING OVER OF BADGE AND CERTIFICATE.....5

12. DATE OF COMMENCEMENT.....5



1. DEFINITIONS

Councillor - means a member of the Municipal Council of Drakenstein Municipality.

Municipality - means Drakenstein Municipality established in terms of Section 12 of the Municipal Structures Act, 117 of 1998 by Provincial Notice 480 dated 22 September 2000 (PN 480/2000)

City Manager - means the person that is the head of administration and also accounting officer for the municipality, appointed in terms of section 54A of the Municipal Systems Act, 2000.

2. POLICY OBJECTIVE

The policy makes provision to honour long-serving members of the Council by awarding them alderman status. Councillors are honoured for their contribution to the community.

3. CRITERIA FOR ALDERMANSHIP

3.1 Any member of a Council becomes an alderman upon the assumption of the office of Mayor, if such member has served for ten completed years as a councillor in such municipality.

3.2 Aldermanship is awarded to a member who obtain the minimum of twenty points on the following scale:

3.2.1 one point for each year served as a councillor; plus

3.2.2 one additional point for each year served as member of the Executive Mayoral Committee; plus

3.2.3 one additional point for each year served as Deputy Mayor, Speaker, Chief Whip; plus

3.2.4 one additional point for each completed term served as councillor.

4. BENEFITS AND PRIVILEGES

The following privileges accompany aldermanship:

- 4.1 issuing a lapel badge identifying the wearer as an alderman.
- 4.2 retaining the member on the municipality's invitation list; and
- 4.3 making agendas available after retirement.

5. POSTHUMOUS CONFERRAL OF ALDERMANSHIP

Council may confer aldermanship on any person and may make a posthumous conferral of a municipal aldermanship as described in Section 3 (criteria for aldermanship) of this policy. The relatives of the councillors will receive the badge.

6. IMPLEMENTATION OF POLICY

Any current serving councillor who is of the view that he/she qualifies for aldermanship should notify the City Manager in writing together with the necessary details as prescribed in the criteria.

The City Manager shall make a recommendation to the Mayoral Committee after having verified that any current serving councillor qualifies for aldermanship.

7. BESTOWAL CEREMONY

The conferment of aldermanship on qualifying members shall take place at a Council meeting as and when required.

In the event of a posthumous conferral, the relatives of the respective councillor will be invited to the Council meeting.

Badges of office are to be worn on all formal occasions.

8. REMOVAL OF THE TITLE OF ALDERMAN

The title of alderman shall be removed by the Council from a councillor or an ex-councillor when:

- 8.1 such person is convicted of a criminal offence and sentenced imprisonment without the option of a fine;
- 8.2 the actions of such councillor brings the Council into disrepute; or
- 8.3 the councillor has been found guilty by Council for contravening the Code of Conduct for Councillors, provided that the Special Committee shall first investigate the facts and circumstances which could give rise to the removal of the title of aldermanship from any person and report their findings and recommendations to Council.



9. KEEPING OF A REGISTER OF TITLE OF ALDERMANSHIP ON COUNCILLORS CONFERRED

A register must be kept and should indicate the following:

- 9.1 full details of person (s) on whom aldermanship was conferred;
- 9.2 date and detail of Council resolution;
- 9.3 copy of certificate and photo of ceremony;
- 9.4 date of ceremony;
- 9.5 description of badge; and
- 9.6 serial number of badge.

10. REPLACEMENT OF BADGE

Councillors who are bestowed as alderman are responsible for the safekeeping of the badge since the badge is the respective alderman's property. If lost, they are responsible for the replacement cost thereof.

11. PROTOCOL REGARDING THE HANDING OVER OF BADGE AND CERTIFICATE

The Executive Mayor will hand over the badge and certificate bestowing the title of alderman to Councillors at a council meeting of the municipality.

In the event of Posthumous conferment, the immediate relatives of the "alderman" will receive the badge and certificate.

12. DATE OF COMMENCEMENT

Takes effect on date of adoption by Council.

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019**

7.14 TRANSFER OF ERF 10558 (KLEIN NEDERBURG CLINIC)
OORDRAG VAN ERF 10558 (KLEIN NEDERBURG KLINIEK)
UKUGUQULWA KWESIZA 10558 (KLEIN NEDERBURG CLINIC)

Councillors expressed concern that the locality of the property may not be conducive for ECD purposes.

UNANIMOUSLY RESOLVED that

1. The content of the report as it relates to the transfer of erf 10558 (Klein Nederburg Clinic) in the name of the Drakenstein Municipality, **be noted;**
2. The intended development of the facility into an ECD center on Erf 10558, **be noted;** and
3. Consideration be given to funding the upgrades and repair at the facility during the annual municipal budget in 2019/2020.

Meeting Ref No: Coll No:	Council – 27/02/2019 17/19/5 1412794	Submitted by Department: Author/s: Referred from:	Community Services J Rhoda MC 20/02/2019
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1-3	Implement decision	ED: Community Services	

7.15 APPROVAL OF TENDER NO.: CES 5/2017 PROVISION OF VEHICLE LOCATION AND MONITORING SYSTEM FOR THE PERIOD 1 DECEMBER 2018 TO 30 JUNE 2026
GOEDKEURING VAN TENDER NR.: 5/2017 DIE VOORSIENING VAN VOERTUIG OPSPORING EN MONITERINGSDIENSTE VIR DIE TYDPERK 1 DESEMBER 2018 TOT 30 JUNIE 2026
UKUQINISEKISWA KWETHENDA NOMBHOLO CES5/2017 UBONELELO LWENDAWO YENQWELO KUNYE NENKQUBO YOKUJONGA YEXESHA UKUSUKELA 1 DIXEMBA 2018 UKUYA KU 30 JUNI 2026

UNANIMOUSLY RESOLVED that

1. The Municipality will derive a financial benefit from the contract for supply, installation and monitoring of a fleet management, vehicle location and monitoring and fuel management system;
2. The contract for the supply, installation and monitoring of a fleet management, vehicle location and monitoring and fuel management system under tender number CES 5/2017, for the period 1 December 2018 to 30 June 2026, be approved to be executed; and

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019**

3. The City Manager be authorized to sign the contract on behalf of the Municipality.

Meeting: Council-27/02/2019 Ref No: 8/3/1 (CES 5/2017) Coll No: 1427407		Submitted by Department: Financial Services Author/s: C Hess Referred from: MC-20/02/2019	
<u>PAR:</u> 1-3	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> ED: Engineering Services	<u>DUE DATE:</u>

7.16 REPORT ON TENDER AWARDS: JANUARY 2019
VERSLAG OOR TENDERTOEKENNINGS VIR JANUARIE 2019
INGXELO NGONIKEZELO LWETHENDA: JANUWARI 2019

UNANIMOUSLY RESOLVED that

- The awards above R200, 000 that were adjudicated by the Bid Adjudication Committee and the City Manager for the month of January 2019, **be noted**; and
- The tenders and/or contracts and the reasons for the awards as recorded by the Accounting Officer in the departmental report, **be noted**.

Meeting: Council-27/02/2019 Ref No: 8/1/2/1 Coll No: 1453180		Submitted by Department: Financial Services Author/s: C Hess Referred from: MC-27/02/2019	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

7.17 COUNCILLORS OUSTANDING DEBT REPORT AS AT 31 JANUARY 2019
RAADSLEDE UITSTAANDE SKULD VERSLAG SOOS OP 31 JANUARIE 2019
INGXELO YAMATYALA YOCEBA NGOBUNJALO NGOMHLA WE 31 JANUWARI 2019

UNANIMOUSLY RESOLVED that

The report be noted.

Meeting: Council-27/02/2019 Ref No: 9/1/1/4 Coll No: 1453314		Submitted by Department: Financial Services Author/s: A Abrahams Referred from: MC-20/02/2019	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019**

7.18 MUNICIPAL FINANCE MANAGEMENT ACT: SECTION 71 MONTHLY BUDGET MONITORING REPORT FOR JANUARY 2019
MUNISIPALE FINANSIËLE BESTUURSWET: ARTIKEL 71 MAANDELIKSE BEGROTING VERSLAGDOENING VIR JANUARIE 2019
UMTHETHO WOKULAWULWA KWEMALI ZIKAMASIPALA: ICANDELO 71 NGOKWENYANA NGENYANGA INGXELO YOKONGAMELA KOHLAHLLO LWABIWO MALI YENYANGA KA EYEDWARHA 2019

The ANC was of opinion that if the Paarl Post reported incorrect information regarding municipal finances, the matter should be reported to the Press Ombudsman.

UNANIMOUSLY RESOLVED that

1. The variance between the actual operating revenue (R1,468,192,985) and the pro rata budgeted operating revenue (R1,501,398,841) has a negative variance of R33,205,856 or 2.21%;
2. The variance between the actual operating expenditure (R1,174,332,420) and the pro rata budgeted operating expenditure (R1,170,393,862) has a negative variance of R3,938,558 or 0.34%;
3. The actual capital expenditure of R272,098,102 and the pro rata budgeted capital expenditure of R301,889,780 realised underspending of R29,791,679 or 9.87%;
4. Actual capital expenditure of R272,098,102 represents 41.52% of the total capital budget of R655,355,450 after seven months of the financial year;
5. The actual and committed capital expenditure of R533,241,307 compared with the capital expenditure budget of R655,355,450 represent a spending percentage of 81.37% after seven months of the financial year;
6. External borrowings amounted to R1,421,263,962 as at 31 January 2019 and that it represents 59.55% of Drakenstein's total budgeted operating revenue of R2,386,574,991 for the 2018/2019 financial year;
7. Unspent conditional and unconditional grants amounted to R75,577,969 at the end of January 2019;
8. The actual employee related cost expenditure of R377,863,633 compared with the pro rata budgeted expenditure of R360,590,416 relates to a negative variance of R17,273,218 or 4.79%;
9. Total outstanding debtors as at 31 January 2019 amounted to R307,615,160 and that 30 days and older debt constitutes 62.0% of total outstanding debtors;

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019

10. Domestic consumers owe the municipality R200,578,639 or 65.2% of the municipality's total debtor's book;
11. Outstanding creditors amounted to R3,680,338 as at 31 January 2019;
12. The primary bank account had a positive bank balance at 31 January 2019 which amounted to R112,629,930; and
13. Total investments in cash and shares amounted to R100, 867,940 as at 31 January 2019 at the five local banks and Eskom.

Meeting: Council-27/02/2019	Submitted by Department: Financial Services
Ref No: 9/1/1/4	Author/s: A Viola
Coll No: 1457133	Referred from: MC - 27/02/2019
PAR:	ACTION:
1-13	Implement decision
	RESPONSIBLE DEPT:
	CFO
	DUE DATE:

7.19 APPROVAL OF THE 2018/2019 OPERATING AND CAPITAL ADJUSTMENTS BUDGET
GOEDKEURING VAN DIE 2018/2019 BEDRYFS-EN KAPITAALAANPASSINGSBEGROTING
UKUQINISEKISWA KOLUNGISO LOHLALO LWABISO MALI LOKUSEBENZA NELINKUNZI
LIKA 2018/2019

UNANIMOUSLY RESOLVED that

1. The total operating revenue of R2,446,404,759 approved by Council in December 2018 be decreased with R70,934,618 (2.9%) to R2,375,470,141 for the 2018/2019 financial year as set out in Table 1 of the 2018/2019 Adjustments Budget Report;
2. The operating expenditure of R2,386,681,338 approved by Council in December 2018 be decreased with R15,778,357 (0.7%) to R2,370,902,981 for the 2018/2019 financial year as set out in Table 4 of the 2018/2019 Adjustments Budget Report;
3. The capital budget expenditure of R655,355,450 approved by Council in December 2018 (roll-over capital budget expenditure included) be decreased with R40,051,900 (6.1%) to R615,303,550 for the 2018/2019 financial year as set out in Table 8 of the 2018/2019 Adjustments Budget Report;
4. The capital expenditure of R615,303,550 be funded by the following revenue sources as set out in Table 10 of the 2018/2019 Adjustments Budget Report:
 - 4.1 Capital Replacement Reserve (R65,004,831);
 - 4.2 Secured grants to be received from national government, provincial government and other donors (R157,488,615);

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019**

- 4.3 External loans to be taken up with authorised financial institutions (R390,672,504);
- 4.4 Self-Insurance Reserve funding received from our Insurance company on claims submitted (R2,097,600); and
- 4.5 Interest Earned to be paid over to Violence Prevention through Urban Upgrading (R40,000).
5. Council takes note that no taxes and tariffs are affected with the approval of this adjustments budget;
6. Schedules B1 to B10 attached as Appendix D to the 2018/2019 Adjustments Budget Report be approved; and
7. The over-riding of expenditure that will constitute unauthorised expenditure will not be allowed by the City Manager or Chief Financial Officer. If there are insufficient funds available on a vote number, savings on another vote number/s have to be identified and the virement process have to be followed in terms of Council's Virement Policy.

Meeting: Council-27/02/2019	Submitted by Department: Financial Services		
Ref No: 5/2/2	Author/s: K Fredericks		
Coll No: 1457601	Referred from: MC - 27/02/2019		
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
1-7	Implement decision	CFO	

8. MATTERS FOR CONSIDERATION/INFORMATION

SAKE VIR OORWEGING/INLIGTING

IMIBA YOKUQWALASELWA/YOKWAZISA

- 8.1 DRAKENSTEIN MUNICIPALITY: EMPLOYMENT EQUITY PLAN: 01 OCTOBER 2017 - 30 SEPTEMBER 2020**
- DRAKENSTEIN MUNISIPALITEIT: GELYKE INDIENSNEMINGSPLAN: 01 OKTOBER 2017 - 30 SEPTEMBER 2020**

UNANIMOUSLY RESOLVED that

The report be noted.

Meeting: Council-20/02/2019	Submitted by Department: Corporate Services		
Ref No:	Author/s:		
Coll No:	Referred from:		
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019**

9.	CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY BY THE CITY MANAGER
	OORWEGING VAN VERSLAE, MEDEDELINGS, VERSOEKSKRIFTE EN AANSOEKE IN VERBAND MET DRINGENDE SAKE VOORGELÊ DEUR DIE STADSBESTUURDER
	UKUQWALASELWA KWENGXELO, UQHAKAMSHELWANO, IZIBENGEZO KUNYE NEZICELO EZIHAMBISANA NEMIBA ENGXAMISEKILEYO NGU MANEJALA WESIXEKO

None.

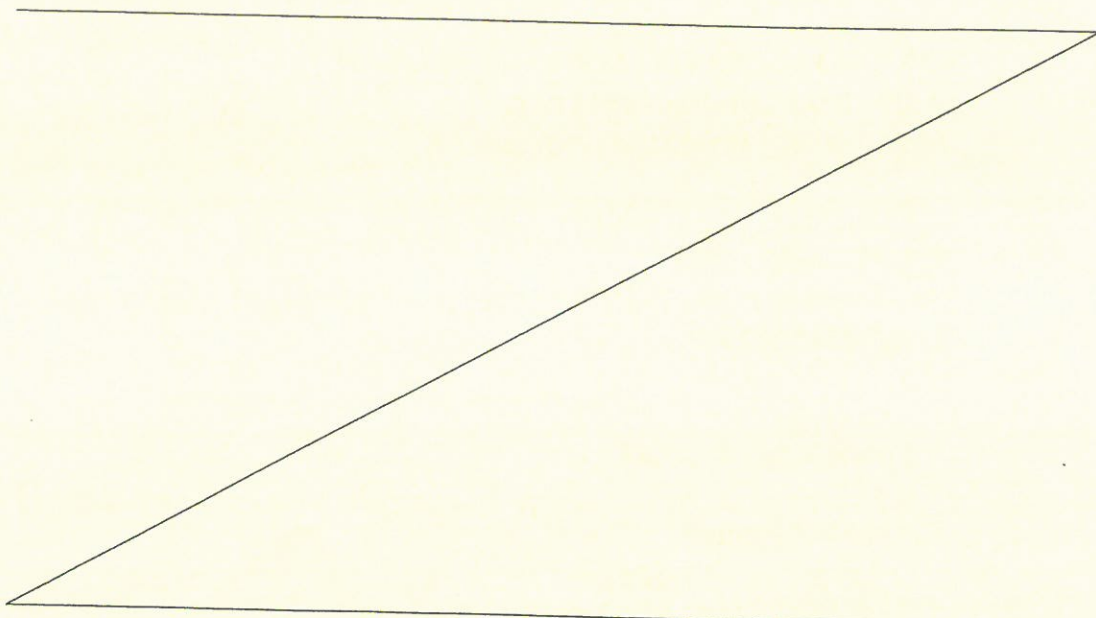
10.	CONSIDERATION OF NOTICES OF MOTIONS AND NOTICES OF QUESTIONS
	OORWEGING VAN KENNISGEWINGS VAN MOSIES EN KENNISGEWINGS VAN VRAE
	UKUQWALASELWA KWEZAZISO ZEZIPHAKAMISO KUNYE NEZAZISO ZEMIBUZO

10.1	NOTICE OF MOTION: VARIOUS ISSUES
	KENNISGEWING VAN MOSIE: VERSKEIE ASPEKTE

In response to the motion of questions submitted by the ANC, the Executive Mayor tabled and presented the attached response.

The ANC requested clarity on the position of Mr R Boshoff (Finance Department). The Executive Mayor requested that the request be put in writing.

The response by the Executive Mayor was noted.



②

RESPONSE TO MOTION OF QUESTIONS DATED 20 FEBRUARY 2019

1. APPOINTMENT OF CONSULTANTS / SPECIAL ADVISORS

- **How many consultants /special advisors employed and/or contracted by Drakenstein Municipality?**

There are no consultants or special advisors employed by Drakenstein Municipality. There are no special advisors contracted by Drakenstein Municipality. There are numerous consultants contracted via tender processes for numerous capital projects. Consultants are contracted via a procurement process while staff are employed on the staff establishment.

- **Provide a list of all consultants / special advisors employed or contracted by Drakenstein Municipality?**

There are no consultants or special advisors employed by Drakenstein Municipality. Attached is the list of consultants contracted on rates tenders for the 2018/2019 financial year.

- **In which departments are they placed?**

The consultants on the rates tenders can be used by any department. In the main Engineering Services and Community Services are the main users of the consultants contracted on these tenders.

- **What is the brief (terms of reference / job descriptions) of each of these consultants / special advisors?**

The consultants contracted to Drakenstein Municipality do not have job descriptions. They do however have to deliver on the specifications / deliverables of a particular project. These are contained either in rates tenders or specifications for a particular as they arise.

- **What is the remuneration that each of these consultants / special advisors receive from the Municipality?**


There are no special advisors employed or contracted at Drakenstein Municipality. Consultants do not receive any remuneration. Consultants who are placed at Drakenstein, through professional services firms in the main, charge hourly tariffs or the cost is usually a % of the total project.

- **What is the contract period of each of these consultants / special advisors?**

The contract period of consultants are based on the term of the rates tender and / or for the duration of a specific project.

- **What process were followed to appoint each of these consultants / special advisors?**

As was stated above, consultants are appointed via rates tenders or through any other applicable procurement process.

1


2. ALLEGATIONS ARE MADE IN THE PUBLIC SPACE THAT THE DRAKENSTEIN MUNICIPALITY ARE NEARING BANKRUPTCY AND THAT THEY WON'T HAVE ENOUGH CASH TO COVER THEIR MONTHLY EXPENSES WHICH IS GOING TO AFFECT SERVICE DELIVERY.

- **Can the Executive Mayor confirm whether there is any factual evidence to dispel these allegations?**

Drakenstein Municipality is not nearing bankruptcy. Drakenstein has sufficient cash to cover its monthly expenses. The factual evidence is provided to councilors each month in the section 71 report and was provided in the section 72 half yearly report at the end of January 2019.

It is worrying that the African National Congress is not in a position to refute these allegations by virtue of receiving, every month, a section 71 report and more recently the mid-year section 72 report. These allegations are potentially damaging to investor confidence. It is however clear that the understanding of the monthly reports by the opposition is limited. The financial position of the municipality is discussed each month at the portfolio committee where councillors are free to question and receive clarification or explanations. I will request the administration to investigate possible training interventions to assist councilors who are not able to fully understand the monthly financial reports.

- **Can Council be provided with a detailed breakdown of the Municipality's current financial situation to prove otherwise?**

At the special council meeting the Deputy Mayor as well as the City Manager confirmed that Drakentsein had approximately R212 million in cash at the end of January 2019. They both confirmed that we were not in financial difficulty. The detailed breakdown that is requested is contained in the Annual Financial Statements that was just audited and which all councilors do have. It is also included in the section 71 and 72 reports which all councilors also do have.

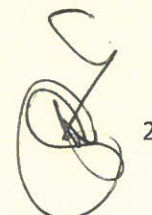
Again it is worrying that we are requested for information that is provided to all councilors each month in accordance with the MFMA.

3. WHY ARE THE PAARL EAST AND MBEKWENI SWIMMING POOLS NOT OPEN?

Only Paarl East swimming pool is closed due to mechanical faults on the filtration system.

- **Is it true that the maintenance budget for swimming pools are depleted?**

No. Repairs at Paarl East swimming pool is currently underway. The pool will reopen for the remainder of the season.



- **What is the municipality doing to resolve the maintenance issues at these swimming pools?**
We have issued instructions that swimming pools must be open and maintained and once the season closes at the end of March 2019, more permanent repairs will be undertaken.

In 2011 the outgoing African National Congress left the new Democratic Alliance government a huge backlog in maintenance across most community and engineering infrastructure. The maintenance backlog was further exacerbated by an unhealthy financial position that was also left behind by the African National Congress.

4. **A SERVICE DELIVERY MARCH BY RESIDENTS OF MBEKWENI TOOK PLACE ON TUESDAY 19 FEBRUARY 2019. WHAT IS THE EXECUTIVE MAYOR'S RESPONSE AND ANSWERS TO THEIR GRIEVANCES.**

Residents protested about electrification. They also requested that certain informal structures (persons) under ESKOM overhead cables must be removed. The Executive Mayor arranged a meeting with the protestors to discuss possible solutions.

Once again the African National Congress led government in Drakenstein Municipality did nothing significant from own funds to electrify informal settlements. The ANC led government at the time relied on a small national grant. The Democratic Alliance led Drakenstein Municipality budgeted R20 million from own funds in 2018/2019 in addition to the national grant. At least the Democratic Alliance led Drakenstein Municipality can sit with these protestors, show them what The Municipality is doing and tell them when they will receive electricity.



DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
27 FEBRUARY 2019

11. SUPPLEMENTARY AGENDA
AANVULLENDE AGENDA
I AGENDA EYONGEZIWEYO
11.1 REPORT ON DEVIATIONS FROM PROCUREMENT PROCESSES: JANUARY 2019
VERSLAG VAN AFWYKINGS VAN VERKRYGINGSPROSESSE: JANUARIE 2019
INGXELO YOKUPHAMBUKELA KUNYE NOLUNGISO OLUNCINCI LOKUPHEPHELA KWINKQUBO ZOKUFUMANA: JANUWARI 2019

UNANIMOUSLY RESOLVED that

- In terms of paragraph 36(2) of the SCM Policy, the deviations and the reasons for the deviations for the amount of R3,651,607 for January 2019 as recorded by the Accounting Officer under the annexures attached to the departmental report, **be noted**; and
- The Chief Financial Officer record the accumulated deviation amount of R12,260,384 for the financial year in the notes to the 2018/2019 annual financial statements as required by legislation.

Meeting: Council-27/02/2019	Submitted by Department: Financial Services		
Ref No: 9/1/1/5	Author/s: C Hess		
Coll No: 1453354	Referred from: MC - 27/02/2019		
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
1-2	Implement decision	CFO	

The meeting ended at 15:38.

CHAIRPERSON:

A. C. STOWMAN

DATE:

28 MARCH 2018

Confirmed with/without amendments.
 PJ/mg

DRAKENSTEIN MUNICIPALITY
ATTENDANCE REGISTER: SPECIAL COUNCIL
27 FEBRUARY 2019

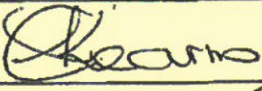
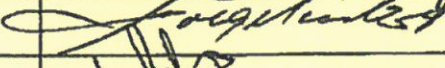
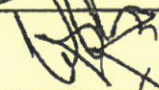



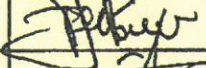




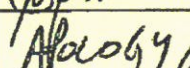
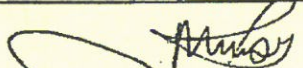
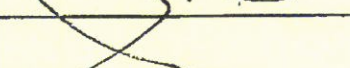

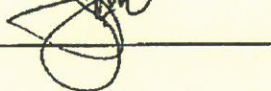
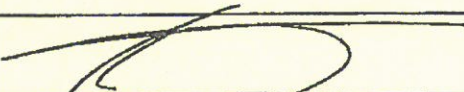
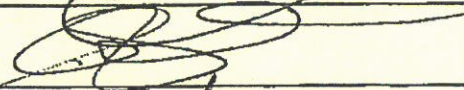
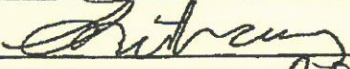
SURNAME	INITIALS	TITLE	CELL NO	SIGNATURE
ABRAHAMS	AW	MS	0737503484	<i>W. Abrahams</i>
ADRIAANSE	MM	MS	0795089815	<i>M. Adriaanse</i>
AFRIKA	AF	MS	0795021437	<i>A. Afrika</i>
ANDERSON	JV	MS	0766851088	<i>J. Anderson</i>
ANDREAS	MA	MS	0767901066	<i>M. Andreas</i>
ARNOLDS	RB	MS	0824450022	<i>R. Arnolds</i>
BEKEER	A	MR	0793726947	<i>A. Bekeer</i>
BESTER	TG	MR	0823767839	<i>T. Bester</i>
BLANCKENBERG	DS	MR	0833493366	<i>D. Blanckenberg</i>
BOOYSEN	VC	MS	0798342556	<i>V. Booysen</i>
BUCKLE	AML	MR	0834608060	<i>A. Buckle</i>
COMBRINK	GC	MR	0824553445	<i>G. Combrink</i>
CUPIDO	FP	MR	0724874744/ 0726975802	<i>F. Cupido</i>
CUPIDO	PBA	MS	0764487741	<i>P. Cupido</i>
DE GOEDE	HR	MR	0824369830	<i>H. De Goede</i>
DE WET	J	MS	0837385623 0609687359	<i>J. De Wet</i>
DUBA	BP	MS	0739679629	<i>B. Duba</i>
FORD	GH	MR	0726016418	<i>G. Ford</i>
GEORGE	NN	MS	0736722618	<i>N. George</i>
GOUWS	E	MS	0824479711	<i>E. Gouws</i>
JACOBS	F	MD	0837600466	<i>F. Jacobs</i>
JONAS	SX	MS	0726521981	<i>S. Jonas</i>

Office of the / Kantoor van die
CHIEFWHIP / HOOFSWEEP
Clr / Rdl R.A. KOEGELENBERG

Drakenstein 27/2/2019

DRAKENSTEIN MUNICIPALITY
ATTENDANCE REGISTER: SPECIAL COUNCIL
27 FEBRUARY 2019

33

SURNAME	NAME	TITLE	CELL NO	SIGNATURE
KEARNS	C	MS	0765018441/ 0769406614	
KLAAS	MT	MR	0843507787	Absent @ Chief Whip
KOEGELENBERG	RA	MR	0832693138	
KOTZE	HJ	MR	0794311560 0824477693	
KROUTZ	C	MR	0722522866	
LANDU	L	MS	0729187202	
LE HOE	MJ	MR	064 218 4899	
LE ROUX	JF	MR	0834595965	
LUGQOLA	A	MS	0730896903	
MANGENA	TC	MR	0725937804	
MASOKA	ZL	MR	0791202895	
MATTHEE	HJN	MR	0824795315	
MATTHEE	J	MR	0824486180	
MBENENE	NP	MS	0604141567	Apoloqy @ Chief Whip
MDUNUSIE	MN	MS	0604531733	
MEYER	WPD	MR	081 556 8224	
MILLER	J	ADV	0834400507	
MKABILE	ND	MR	0604223964	
MPULANYANA	TR	MR	0769042103	
MOKOENA	LP	MS	0734198671 0844216780	
NIEHAUS	LW	MR		
NOBULA	MD	MR	0825947333	Apoloqy @ Chief Whip

M. de R.G. MR. 0825603539. AC Representative

Office of the / Kantoor van die
CHIEFWHIP / HOOFSWEEP
Cllr / Rdl R.A. KOEGELENBERG
Drakenstein

Koegelenberg
28/2/2019

G

DRAKENSTEIN MUNICIPALITY
ATTENDANCE REGISTER: SPECIAL COUNCIL
27 FEBRUARY 2019

34

SURNAME	INITIALS	TITLE	CELL NO	SIGNATURE
NQORO	TZ	MS	0790639041	
NZELE	LV	MR	0731622287	
POOLE	CJ	MR	0785304285 0824979046	
RENS	SC	MR	0795580013	ABSENT Chief Whip.
RICHARDS	AM	MR	0827860053	
ROSS	S	MS	0748214153	
SAMBOKWE	LS	MS	0712664622	
SAUERMAN	ND	MR	0828991005	
SEPTEMBER	SE	MS	0849219770	
SMIT	J	MR	0817354467	
SMIT	WE	MS	0828251550	Atology Chief Whip
SMUTS	R	MR	0824948467	Smuts
SOLOMONS	EA	MS	0736503007	
STOWMAN	AC	MR	0791895359	
VAN NIEKERK	LT	MS	0818858365	
VAN NIEWENHUYZEN	RH	MR	0826296239	
VAN SANTEN	AJ	MS	0824226339	A. van Santen
VIKA	M	MS	0797044556/ 0732433996	
WINDVOGEL	E	MS	071 591 4188	
WILLEMSE	L	MS	0820799421	
ZIKHALI	N	MS	0784000130	

Office of the / Kantoor van die
CHIEFWHIP / HOOFSWEEP
Clr / Rdl R.A. KOEGELENBERG
Drakenstein

28/2/2019

