

DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL, ON TUESDAY, 30 APRIL 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)
	Ms L Waring	(Executive Director: Planning and Development)
	Mr G Esau	(Executive Director: Community Services)
	Mr C Lotz	(Acting Executive Director: Engineering Services)
	Mr A V Marais	(Senior Manager: Legal and Administration)
	Ms C September	(Manager: IDP and Performance Management)
	Mr D Korabie	(Manager Internal Audit)
	Mr G Dippenaar	(Chief Risk Officer)
	Mr F P Goosen	(Manager: Administrative Support Services)
	Ms W Prins	(Performance Management Officer)
	Mr L van Rensburg	(Public Relations Officer)

ABSENT: Councillors (see attendance register)



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A moment of silence was observed for the passing of former councillor ND Mkabile and the sister of councillor AM Richards.

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/KOMITTEEVERGADERINGS
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 RB Arnolds | - | apology; |
| 2. | Clr NN George | - | apology; |
| 3. | Clr E Gouws | - | apology; |
| 4. | Clr F Jacobs | - | apology; |
| 5. | Clr SX Jonas | - | apology; |
| 6. | Clr HJN Matthee | - | apology; |
| 7. | Clr J Matthee | - | apology; |
| 8. | Clr LW Niehaus | - | apology; |
| 9. | Clr MD Nobula | - | apology; |
| 10. | Ald CJ Poole | - | apology; and |
| 11. | Clr AM Richards | - | apology. |

2. CONFIRMATION OF MINUTES
BEKRAGTIGING VAN NOTULE
UKUQINISEKISWA KWEMIZUZU

The minutes of the Ordinary meeting of the Municipal Council held on 28 March 2019 was confirmed as correct.

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

Noted.

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

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

- (i) Ordinary meeting held on 20 March 2019;
- (ii) Ordinary meeting held on 28 March 2019; and
- (iii) Confidential meeting held on 28 March 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 Deputy Executive Mayor made the following announcements:-

- 1. Thanked councillors for the good wishes to the Executive Mayor;
- 2. The establishment of a municipal court will no longer proceed due to AARTO legislation to be promulgated soon; and
- 3. Provided feedback on the rating published in the newspaper, Governance Performance Index Good Governance Africa, and Drakenstein's position as secondary city in comparison with the rest of South Africa.

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. The date of the IDP Representative Forum has been moved to 15 May 2019 at the Paarl East Thusong Centre and will start at 13h00.
- 2. Urged ward councillors to liaise with their respective IDP Officials and NGO's to ensure that 2018/2019 ward projects are being finalized by 31 May 2019.
- 3. Urged ward councillors to submit their proposed ward projects for 2019/2020 to the Office of the Speaker by 31 May 2019.



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4. Reminded ward councillors to hold at least one ward committee meeting and one public meeting per quarter, as per the approved Ward Committee Policy (2016) and the Municipal Systems Act (2000). Non-compliance may lead to disciplinary measures against ward councillors.
5. Submission of ward committee and public meeting minutes and attendance registers: It is the duty of the ward councillor to formalise these documents and to submit it to the Office of the Speaker, as per the Ward Committee Policy. Submissions must be done within two weeks after the conclusion of these meetings.
6. Ward Committee stipends will be paid by the end of June 2019. Ward councillors must please confirm, via email to the Office of the Speaker before 31 May 2019, the current active Ward Committee members. This information is necessary to update records and to effect the correct payments to the correct ward committee members. The name, surname, identity number, bank account number and cellular number of the ward committee members must be indicated.
7. Reminded councillors to return memory sticks to the Administration.
8. All ward councillors are responsible to assist residents who reside in their wards.
9. Congratulated councillors who celebrated their birthdays during April 2019.

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

None.

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6. STATUTORY MATTERS
STATUTÊRE SAKE
IMIBA YOMTHETO

6.1 REPLACEMENT OF LATE MR ND MKABILE AS PROPORTIONAL MEMBER ON MUNICIPAL COUNCIL BY COUNCILLOR Z SIYAYA
VERVANGING VAN WYLE MNR ND MKABILE AS PROPORSIONELE LID OP DIE MUNISIPALE RAAD DEUR RAADSLID Z SIYAYA
UKUTHABATHA INDAWO KA ND MKABILE ILUNGU LOMLINGANISELO KWIBHUNGA LOMASIPALA NGU CEBA Z SIYAYA

The Speaker congratulated and welcomed Clr Siyaya to his first Council meeting.

UNANIMOUSLY RESOLVED that

The replacement of late Mr ND Mkabile by Councillor Zamikhaya Siyaya as ANC representative on the Drakenstein Municipal Council, as from 2 April 2019, **be noted.**

Meeting: Council 30/04/2019	Submitted by Department: Corporate Services
Ref No: 3/8/1	Author/s: FP Goosen
Coll No: 1484404	Referred from: MC 24/04/2019
<u>PAR:</u>	<u>ACTION:</u>
	<u>RESPONSIBLE DEPARTMENT:</u>
	<u>DUE DATE:</u>

6.2 SALGA: MINUTES OF PROVINCIAL WORKING GROUPS: 11-15 FEBRUARY 2019

Noted.

Meeting: Council 30/04/2019	Submitted by Department: Corporate Services
Ref No: 2/6/6/3	Author/s:
Coll No:	Referred from:
<u>PAR:</u>	<u>ACTION:</u>
	<u>RESPONSIBLE DEPARTMENT:</u>
	<u>DUE DATE:</u>

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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 28 FEBRUARY 2019
	VERSLAG EN AANBEVELINGS AAN DIE RAAD VAN DIE OUDITKOMITEE KWARTAALLIKSE VERGADERING OP 28 FEBRUARIE 2019
	INGXELO NENCEBISO KWIBHUNGA ZIVELA KWIKOMITI YOPHICHOTO ZINCWADI YENTLANGANI

Mr Nicholson of the Audit Committee attended the meeting for this item.

The ANC expressed concern over the lack of meetings held by the Municipal Public Accounts Committee (MPAC). The ANC questioned the aspects relating to the chairperson and expressed the view that this might compromise effective oversight by Council. The Acting Mayor responded by indicating that the above concern will be communicated to the chairperson of MPAC.

UNANIMOUSLY RESOLVED that

Council note the report of the Audit Committee and the following resolutions taken by the Audit Committee:

- Progress with the Municipal Audit Action Plan (MAAP) will be reported to the Audit Committee quarterly;
- Internal Audit will review the MAAP and provide feedback to the Audit Committee;
- The report on financial ratios will be tabled at quarterly Audit Committee meetings as applicable; and
- The Chief Audit Executive will circulate the updated SDBIP to the Audit Committee members, as they had not yet had sight of the amended document.

Meeting:	Council -30/04/2019	Submitted by Department:	Internal Audit
Ref No:	3/3/1/3/9/1	Author/s:	R Jaftha
Coll No:	1479080	Referred from:	MC - 24/04/2019
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

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7.2 QUARTERLY PERFORMANCE ASSESSMENT REPORT 2018/2019 – (QUARTER 3: 01 JANUARY – 31 MARCH 2019

KWAARTAALLIKSE PRESTASIE ASSESSERINGSVERSLAG 2018/2019 – (KWARTAAL 3: 01 JANUARIE – 31 MAART 2019)

INGXELO YEKOTA YOKUHLOLWA KWENDLELA YOKUSEBENZA 2018/2019 – (IKOTA 3: 01 JANUWARI – 31 MATSHI 2019

The ANC, referred to the targets set for housing delivery (KPI 092) not being met. They requested that support systems for local sub-contractors be developed.

UNANIMOUSLY RESOLVED that

1. The third quarter Performance Assessment Report 2018/2019 (1 January - 31 March 2019) be **adopted**;
2. The third quarter Performance Assessment Report be placed on the municipal website after Council adoption; and
3. The approved third quarter Performance Assessment Report be submitted to:
 - The Auditor General of South Africa;
 - The Provincial Treasury: Western Cape;
 - National Treasury; and
 - The Department of Local Government: Western Cape.

Meeting: Council-30/04/2019	Submitted by Department: IDP AND PMS
Ref No: 2/2/8	Author/s: C September
Coll No: 1489949	Referred from: MC -30/04/2019
PAR:	ACTION:
1-3	Implement decision
	RESPONSIBLE DEPARTMENT:
	Manager IDP/PMS
	DUE DATE:

7.3 THE INTRODUCTION OF THE DRAFT DRAKENSTEIN MUNICIPALITY BUILDING CONTROL BY-LAW

DIE BEKENDSTELLING VAN DIE KONSEP DRAKENSTEIN MUNISIPALE BOUBEHEER VERORDENING

UKWAZISA KOYILO LOMGAQO NKQUBO WEDOLOPHU WOLAWULO LWEZAKHIWO KUMASIPALA WASE DRAKENSTEIN

ICOSA raised a number of issues with regard to the By-Law, particular the effect on residents who cannot afford formal compliance to building regulations. It was pointed out that the By-Law is in line with national legislation, and that concerns expressed should be submitted in writing as part of the public participation process and would be considered in the finalization of the By-Law.

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UNANIMOUSLY RESOLVED that

The Draft Drakenstein Municipality: Building Control By-law, 2019 (Annexure A to the departmental report), be published for public comments in terms of section 12(3)(b) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) and thereafter be referred to Council for adoption and Promulgation in the Provincial Gazette.

Meeting: Council-30/04/2019	Submitted by Department: Planning and Development
Ref No: 1/5	Author/s: M Toyer
Coll No: 1455908	Referred from: MC -24/04/2019
PAR:	ACTION:
	Implement decision
	RESPONSIBLE DEPARTMENT:
	ED: Planning and Development
	DUE DATE:

7.4 APPOINTMENT OF MR CHARL PIETERSEN AS BUILDING CONTROL OFFICER
AANSTELLING VAN MNR CHARL PIETERSEN AS BOUBEHEERBEAMPT
UKUQESHA KUKA MNU CHARL PIETERSEN NJENGE GOSA LOKULAWULA IZAKHIWO

Several questions were raised as to the advertisement and appointment process followed with regard to the appointment of the Building Control Officer. It was confirmed that the item at hand only deals with delegations to the Building Control Officer and not the appointment process.

Icosa requested that a report on the appointment process be tabled to Council.

UNANIMOUSLY RESOLVED that

1. In terms of Section 5 of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), the functions of a Building Control Officer be assigned to Mr Charl Pietersen retrospectively from 1 February 2019;
2. In the absence of one of the two appointed Building Control Officers, namely Mr Pietersen and Mr Gabriels, the functions of the absent Building Control Officer be executed by the other Building Control Officer; and
3. In the absence of both the two appointed Building Control Officers, namely Mr Pietersen and Mr Gabriels, the functions of the Building Control Officers be temporarily executed by one of the three Assistant Building Control Officers to be assigned by the Manager: Building Control in collaboration with the Senior Manager: Planning Services; and

Meeting: Council-30/04/2019	Submitted by Department: Planning and Development
Ref No: 4/6/3	Author/s: M Toyer
Coll No: 1455919	Referred from: MC -24/04/2019
PAR:	ACTION:
1-3	Implement decision
	RESPONSIBLE DEPARTMENT:
	ED: planning and Development
	DUE DATE:

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7.5	REVIEW OF CORPORATE DISASTER MANAGEMENT PLAN
	HERSIENING VAN KORPORATIEWE RAMPBESTUURPLAN
	UKUHLOLWA KWAKHONA KWE CORPORATE DISASTER MANAGEMENT PLAN

UNANIMOUSLY RESOLVED that

The Corporate Disaster Management Plan **be approved.**

Meeting: Council -30/04/2019	Submitted by Department: Community Services	Author/s: D Damons	Referred from: MC -24/04/2019
Ref No: 9/1/2	Author/s:		
Coll No: 1476398	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>
1-3	<ol style="list-style-type: none"> 1. Implement decision 2. Update Policy folder and place on intranet 3. Place on Website 	<ol style="list-style-type: none"> 1. ED: Community Services 2. Administration 3. Communication 	

7.6	DAL JOSAPHAT HOUSING PROJECT (ERF 16161): PROPOSED ADDENDUM NO.2 TO THE LAND AVAILABILITY AGREEMENT
	DAL JOSAPHAT BEHUISINGSPROJEK (ERF 16161): VOORGESTELDE WYSIGINGS NO.2 TOT DIE GRONDBESIKKBAARHEIDSOORENKOMS
	DAL JOSAPHAT HOUSING PROJECT (ISIZA 16161): ISINDULULO SOSONGEZO NOMBHOLO 2 KWI ZIVUMELWANO SOKUFUMANA UMHLABA

UNANIMOUSLY RESOLVED that

The proposed changes to the Land Availability Agreement as proposed by Addendum 2 **be accepted.**

Meeting: Council-30/04/2019	Submitted by Department: Community Services	Author/s: F Rhoda	Referred from: MC 24/04/2019
Ref No: 7/6	Author/s:		
Coll No: 1473004	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>
	Implement decision	ED: Community Services	

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7.7	APPROVAL OF PAYMENT OF COMPENSATION FOR A SERVICE SERVITUDE AND TEMPORARY WORKING AREA IN WARD 15 OVER ERVEN 19436, 8442, 1312, 1566 AND 8892 REQUIRED FOR PROPOSED SOUTHERN PAARL BULK GRAVITY OUTFALL SEWER
	GOEDKEURING VAN BETALING VAN VERGOEDING VIR 'N DIENS-SERWITUUT EN TYDELIKE WERKSAREA IN WYK 15 OOR ERWE 19436, 8442, 1312, 1566 EN 8892 BENODIG VIR VOORGESTELDE SUIDER-PAARL GRAVITASIE UITVALRIOOL
	UKUQINISEKISWA KWENTLAWULO YENKONZO ZOKUSEBENZA KUNYE NOMMANDLA WOKUSEBENZA WETHUTYANA KU WADI 15 NGAPHAYA KWISIZA 19436, 8442, 1312, 1566 KUNYE 8892 KUFUNEKA KUNDULULWE UKUHANJISWA KWELINDLE KWINTSHONA YE PAARL

UNANIMOUSLY RESOLVED that

1. The compensation amount to the total value of R1,269,942.00 (Excl VAT) as calculated, be paid to the following property owners:
 - 1.1 Mr David Ronald Bourbon-Leftley (Erf 19436) – R110, 617.00 (Excl VAT) for an eight to ten (8 - 10) meter servitude (Annexure E to the departmental report);
 - 1.2 Mr John Robert Frater (Erf 8442) – R305,025.00 (Excl VAT) for an eight to ten (8 - 10) meter servitude (Annexure F to the departmental report);
 - 1.3 Mr Thomas Babl (Erf 1312) – R366,030.00 (Excl VAT) for an eight to ten (8 - 10) meter servitude (Annexure G to the departmental report);
 - 1.4 Mr Johannes Hendrik Joubert (Erf 8892) – R377,966.00 (Excl VAT) for an eight to ten (8 - 10) meter servitude (Annexure H to the departmental report); and
 - 1.5 Mr George Ochse (Erf 1566) – R110,304.00 (Excl VAT) for an eight to ten (8 - 10) meter servitude (Annexure I to the departmental report).

2. The Memorandum of Agreement be approved and signed with the following property owners:
 - 2.1 Mr David Ronald Bourbon-Leftley (Erf 19436);
 - 2.2 Mr John Robert Frater (Erf 8442);
 - 2.3 Mr Thomas Babl (Erf 1312);
 - 2.4 Mr Johannes Hendrik Joubert (Erf 8892); and
 - 2.5 Mr George Ochse (Erf 1566).

Meeting: Council- 30/04/2019	Submitted by Department: Engineering Services
Ref No: 16/4/6	Author/: R Brown
Coll No: 1433766	Referred from: MC – 24/04/2019
PAR:	ACTION:
1-2	Implement decision
	RESPONSIBLE DEPARTMENT:
	ED: Engineering Services
	DUE DATE:

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7.8	DBSA GRANT FUNDING APPLICATION FOR CAPITAL PROJECT PRIORITISATION AND MONITORING SOFTWARE
	DBSA SKENKING BEFONDSINGAANSOEK VIR KAPITAALPROJEKTE PRIORITISERING EN MONITERING SAGTEWARE
	ISICELO SENXASO MALI YE DBSA KUSENZELWA IPROJEKTI EZIYINKUNZI KUNYE NE NKQUBO YOKONGAMELA

UNANIMOUSLY RESOLVED that

The submission of the grant funding application to the DBSA, **be approved.**

Meeting: Council-30/04/2019	Submitted by Department: Engineering Services
Ref No: 5/7/8/2	Author/s: G Petersen
Coll No: 1489498	Referred from: MC - 30/04/2019
PAR:	ACTION:
	Implement decision
	RESPONSIBLE DEPARTMENT:
	ED: Engineering Services
	DUE DATE:

7.9	REPORT ON TENDER AWARDS: MARCH 2019
	VERSLAG OOR TENDERTOEkENNINGS: MAART 2019
	INGXELO NGONIKEZELO LWETHENDA: MATSHI 2019

UNANIMOUSLY RESOLVED that

1. The awards above R200,000 that were adjudicated by the Bid Adjudication Committee for the month of March 2019, **be noted**; and
2. 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-30/04/2019	Submitted by Department: Financial Services
Ref No: 8/1/2/1	Author/s: C Hess
Coll No: 1481004	Referred from: MC - 30/04/2019
PAR:	ACTION:
1-2	Implement decision
	RESPONSIBLE DEPARTMENT:
	Chief Financial Officer
	DUE DATE:

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7.10	REPORT ON DEVIATIONS FROM PROCUREMENT PROCESSES: MARCH 2019
	VERSLAG VAN AFWYKINGS VAN VERKRYGINGSPROSESSE: MAART 2019
	INGXELO YOKUPHAMBUKELA KUNYE NOLUNGISO OLUNCINCI LOKUPHEPHELA KWINKQUBO ZOKUFUMANA: MATSHI 2019

UNANIMOUSLY RESOLVED that

- In terms of paragraph 36(2) of the Supply Chain Management Policy, the deviations and the reasons for the deviations for the amount of R829,430 for March 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 R13,735,948 for the financial year in the notes to the 2018/2019 annual financial statements as required by legislation.

Meeting: Council-30/04/2019	Submitted by Department: Financial Services
Ref No: 9/1/1/5	Author/s: C Hess
Coll No: 1481335	Referred from: MC - 30/04/2019
PAR:	ACTION:
1-2	Implement decision
	RESPONSIBLE DEPARTMENT:
	Chief Financial Officer
	DUE DATE:

7.11	MUNICIPAL FINANCE MANAGEMENT ACT: SECTION 71 MONTHLY AND 52 QUARTERLY BUDGET MONITORING REPORT FOR MARCH 2019
	MUNISIPALE FINANSIËLE BESTUURSWET: ARTIKEL 71 MAANDELIKSE EN 52 KWARTAALLIKSE BEGROTING VERSLAGDOENING VIR MAART 2019
	UMTHETHO WOKULAWULWA KWEMALI ZIKAMASIPALA: ICANDELO 71 NGOKWENYANGA KUNYE NECANDELO 52 NGENYANGA INGXELO YOKONGAMELA KOHLAHLLO LWABIWO MALI YENYANGA KA EYEDWARHA 2019

UNANIMOUSLY RESOLVED that

- The variance between the actual operating revenue (R1,732,976,804) and the pro rata budgeted operating revenue (R1,730,059,142) has a positive variance of R2,917,662 or 0.17%;
- The variance between the actual operating expenditure (R1,465,858,612) and the pro rata budgeted operating expenditure (R1,487,501,641) has a positive variance of R21,643,029 or 1.45%;
- Actual capital expenditure of R331,400,500 represents 53.86% of the total capital budget of R615,303,550 after nine months of the financial year;

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4. The actual and committed capital expenditure of R508,570,756 compared with the capital expenditure budget of R615,303,550 represent a spending percentage of 82.65% after nine months of the financial year;
5. External borrowings amounted to R1,519,363,340 as at 31 March 2019 and that it represents 73.24% of Drakenstein's total budgeted operating revenue of R2,074,514,728 (conditional capital and operational grants excluded) for the 2018/2019 financial year;
6. Unspent conditional and unconditional grants amounted to R108,027,575 at the end of March 2019;
7. The actual employee related cost expenditure of R473,779,220 compared with the pro rata budgeted expenditure of R471,841,382 relates to a negative variance of R1,937,839 or 0.41%;
8. Total outstanding debtors as at 31 March 2019 amounted to R319,275,792 and that 30 days and older debt constitutes 59.0% of total outstanding debtors;
9. Domestic consumers owe the municipality R199,626,954 or 62.5% of the municipality's total debtors' book;
10. Outstanding creditors amounted to R282,424 as at 31 March 2019;
11. The primary bank account had a positive bank balance at 31 March 2019 which amounted to R97,867,672; and
12. Total investments in cash and shares amounted to R145,921,858 as at 31 March 2019 at the five local banks and Eskom.

Meeting: Council-30/04/2019	Submitted by Department: Financial Services
Ref No: 9/1/1/4	Author/s: A Viola
Coll No: 1486563	Referred from: MC - 30/04/2019
PAR:	ACTION:
1-12	Implement decision
	RESPONSIBLE DEPARTMENT:
	Chief Financial Officer
	DUE DATE:

7.12 COUNCILLORS OUTSTANDING DEBT REPORT AS AT 31 MARCH 2019
RAADSLEDE SE UITSTAANDE SKULD VERSLAG SOOS OP 31 MAART 2019
INGXELO YAMATYALA YOCEBA NGOBUNJALO NGOMHLA 31 EYOKWINDLA 2019

UNANIMOUSLY RESOLVED that

The contents of the report, **be noted.**

Meeting: Council-30/04/2019	Submitted by Department: Financial Services
Ref No: 9/1/1/4	Author/s: A Abrahams
Coll No: 1480278	Referred from: MC - 30/04/2019
PAR:	ACTION:
	RESPONSIBLE DEPARTMENT:
	DUE DATE:

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7.13	PROPOSED RENEWAL OF LEASE AGREEMENT: MUNICIPAL PROPERTY (KNOWN AS ROOM C OF THE SIBUYILE TRAINING CENTRE) SITUATED ON ERF 2689, MATHAKATHA STREET, MBEKWENI TO NS 64 BUSINESS ENTERPRISES (WARD 9)
	VOORGESTELDE HERNUWING VAN HUURKONTRAK: MUNISIPALE EIENDOM (BEKEND AS KAMER C VAN DIE SIBUYILE OPLEIDINGSENTRUM) GELEË OP ERF 2689 MATHAKATHASTRAAT, MBEKWENI TO NS 64 BUSINESS ENTERPRISES (WYK 9)
	ISINDULULO SOKUHLAZIWA KWESIVUMELWANO SOKUQESHA: IPROPATI KAMASIPALA(EYAZIWA NJENGE GUMBI C E SIBUYILE TRAINING CENTRE) EKWISIZA 2689, MATHAKATHA STREET, MBEKWENI KWI NS 64 BUSINESS ENTERPRISES (WADI 9)

UNANIMOUSLY RESOLVED that

1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations, ***final approval*** be granted for the lease of Room C of the municipal building, measuring $\pm 16 \text{ m}^2$ in extent, situated on Erf 2689, Mathakatha Street, Mbekweni known as the "Sibuyile Training Centre" to NS 64 Business Enterprises for a further period of 3 (three) years subject to the standard lease conditions as well as the following further conditions:
 - 1.1 The property be leased at a subsidized rental calculated as follows:
 - (a) rental for 2019 at R216.00 per month (VAT excluded and 8 % per annum included);
 - (b) rental for 2020 at R324.00 per month (VAT excluded and 8 % per annum included); and
 - (c) rental for 2021 at R432.00 per month (VAT excluded and 8 % per annum included).
 - 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-30/04/2019	Submitted by Department: Corporate Services
Ref No: 15/4/1 (2869)M	Author/s: N Williams
Coll No: 1456760	Referred from: MC-24/04/2019
PAR:	ACTION:
1-2	Implement decision
	RESPONSIBLE DEPARTMENT:
	ED: Corporate Services
	DUE DATE:

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7.14 RENEWAL OF LEASE AGREEMENT: PROPERTY SITUATED ON ERF 33035 PAARL (UNREGISTERED PORTION OF ERF 8431 PAARL) TO PAARL CANOE CLUB (WARD 19)
HERNUWING VAN HUURKONTRAK: EIENDOM GELEË OP ERF 33035 PAARL (ONGEREGISTREERDE GEDEELTE VAN ERF 8431 PAARL) AAN PAARL KANOKLUB (WYK 19)
UKUHLAZIWA KWESIVUMELWANO SOKUQESHA: KWIPROPATI EKWISIZA 33035 E PAARL (ICEBA LESIZA 8431 E PAARL ELINGABHALISWANGA) KWI PAARL CANOE CLUB (WADI 19)

UNANIMOUSLY RESOLVED that

1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations final approval be granted for the lease of the canoe clubhouse facility measuring $\pm 5508\text{m}^2$ situated on Erf 33035 (unregistered portion of Erf 8431, Paarl) Market Street, Paarl to the Paarl Canoe Club, subject to the standard lease conditions as well as the following terms and conditions:
 - 1.1 The property will be leased at a subsidized rental amount of R758.88 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 February 2019;
 - 1.3 No sub – leasing will be allowed;
 - 1.4 Social functions must be limited to events directly relating to the club activities, i.e. award ceremonies, and no loud music is permitted at such functions;
 - 1.5 Measures be put in place so to ensure that the outside noise levels are at all times maintained within the relevant prescribed standards according to the noise regulations as published on 20 June 2013 under the Environment Conservation Act 73 of 1989;
 - 1.6 The lessee must ensure that the traffic flow to and from the clubhouse does not create a disturbing noise for the existing surrounding residents; and
 - 1.7 All administrative and legal requirements be adhered to.



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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 and a public consultation process has been followed during which other parties had the opportunity to submit an application. None were received.

Meeting: Council-30/04/2019	Submitted by Department: Corporate Services
Ref No: 15/4/1 (33035) P	Author/s: N Williams
Coll NO: 1456311	Referred from: MC - 24/04/2019
PAR:	ACTION:
1-2	Implement decision
	RESPONSIBLE DEPARTMENT:
	ED: Corporate Services
	DUE DATE:

7.15 RECRUITMENT AND SELECTION OF EXECUTIVE DIRECTOR: ENGINEERING SERVICES AND ACTING ARRANGEMENTS
WERWING EN KEURING VAN UITVOERENDE DIREKTEUR: INGENIEURSDIENSTE EN REËLINGS RAKENDE WAARNEMING
UKUQESHA NOKUCHONGA KOMLAWULI WESIGQEBA: KWINKONZO ZOBUNJINELI KUNYE NAMALUNGISELELO OKUBAMBELA

UNANIMOUSLY RESOLVED that

1. The vacancy for the position of Executive Director Engineering Services **be noted**;
2. The Municipal Council hereby confirms that:
 - 2.1 The position of Executive Director: Engineering Services is required to meet strategic objectives of the Municipality;
 - 2.2 The job description for the post has been developed;
 - 2.3 The remuneration and other conditions of employment attached to the post is governed by the applicable Regulation;
 - 2.4 The post has been budgeted for and sufficient funds are available for the remaining period of the medium term expenditure framework; and
 - 2.5 Approval is hereby granted for the filling of the post of Executive Director: Engineering Services.
3. Authorisation be granted to the City Manager to place an advert for the position of Executive Director: Engineering Services in a newspaper circulating nationally and provincially within 14 days; and

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4. The selection panel be made up of the following persons:
- 4.1 The City Manager who will be the chairperson;
- 4.2 The Member of the Mayoral Committee responsible for Engineering Services; and
- 4.3 An external expert in the functional area relevant to the position as determined by the City Manager in consultation with the Executive Mayor;
5. Mr. Carel Lotz, Manager: Roads, Storm Water and Traffic Engineering, be appointed as Acting Executive Director: Engineering Services from 15 April 2019 until 31 May 2019;
6. Mr. Charles Geldenhuys, Senior Manager: Electrical Services be appointed as Acting Executive Director: Engineering Services from 1 June 2019 until 15 July 2019; and
7. An acting allowance be paid to Mr. Lotz and Mr. Geldenhuys for their acting period.

Meeting: Council-30/04/2019	Submitted by Department: Corporate Services
Ref No: 4/6/3/1	Author/s: N Matolengwe
Coll No: 1508021	Referred from: MC - 30/04/2019
PAR:	ACTION:
1-7	Implement decision
	RESPONSIBLE DEPARTMENT:
	ED: Corporate Services
	DUE DATE:

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

None.

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, IZIBHENGEZO KUNYE NEZICELO EZIHAMBISANA NEMIBA ENGXAMISEKILEYO NGU MANEJALA WESIXEKO

None.



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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 (IF ANY)
AANVULLENDE AGENDA (INDIEN ENIGE)
I AJENDA EYONGEZIWEYO (UKUBA IKHONA)

None.

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

(See confidential agenda)
(Sien vertroulike agenda)
(Jonga I Ajenda eyimfihlo)

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

(See confidential agenda)
(Sien vertroulike agenda)
(Jonga I Ajenda eyimfihlo)

The meeting ended at 15:35.

CHAIRPERSON:

A. C. STOWMAN
.....

DATE:

31 MAY 2019
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Confirmed ~~with~~ without amendments.
PJ/mg

