



MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON THURSDAY, 19 MAY 2022 AT 09:00

PRESENT:

Executive Mayor, ald J H Cleophas (chairman)

Members of the Mayor's Committee

Clr D G Bess (attended virtually)

Clr N Smit

Ald T van Essen

Clr A K Warnick (attended virtually)

Other councillors:

Ald M A Rangasamy (Speaker)

Officials:

Municipal Manager, mr J J Scholtz

Director: Financial Services, mr M A C Bolton

Director: Electrical Engineering Services, mr R du Toit

Director: Civil Engineering Services, mr L D Zikmann

Director: Protection Services, ms J S Krieger

Director: Corporate Services, ms M S Terblanche

Manager: Secretarial and Records, ms N Brand

1. OPENING

The chairman welcomed members and requested clr N Smit to open the meeting with a prayer.

2. APOLOGIES

RESOLUTION that note is taken of the leave of absence taken by the Deputy Mayor, clr J M de Beer, who is attending the SALGA Western Cape Lekgotla from 18 to 19 May 2022 in Prince Albert.

The Municipal Manager stated that the Director: Protection Services is involved in the investigation into the recent break-in at the municipal offices (old Standard Bank Building).

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None.

4. MINUTES

4.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD ON 21 APRIL 2022

RESOLUTION

(proposed by ald T van Essen, seconded by clr N Smit)

That the minutes of an Ordinary Meeting of the Executive Mayor's Committee held on 21 April 2022 are approved and signed by the Executive Mayor.

5. CONSIDERATION OF RECOMMENDATIONS IN THE RELEVANT MINUTES

5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 11 MAY 2022

5.1.1 MUNICIPAL MANAGER, ADMINISTRATION AND FINANCES

RESOLUTION

(proposed by ald T van Essen, seconded by clr D G Bess)

That the Executive Mayor ratifies the recommendations in the relevant minutes.

5.1.2 CIVIL AND ELECTRICAL SERVICES

RESOLUTION

(proposed by ald T van Essen, seconded by clr A K Warnick)

That the Executive Mayor ratifies the recommendations in the relevant minutes.

5.1.3 DEVELOPMENT SERVICES

RESOLUTION

(proposed by clr D G Bess, seconded by clr N Smit)

That the Executive Mayor ratifies the recommendations in the relevant minutes.

5.1.4 PROTECTION SERVICES

RESOLUTION

(proposed by clr A K Warnick, seconded by ald T van Essen)

That the Executive Mayor ratifies the recommendations in the relevant minutes.

6. MATTERS ARISING FROM THE MINUTES

None.

7. NEW MATTERS

7.1 AMENDMENT TO THE 2021/2022 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) (2/4/2)

The Municipal Manager, mr J J Scholtz, confirmed that the additional MIG funds to the value of R4 million, which were received and recently accounted for by the Council by means of a Special Adjusted Budget, necessitated amendments to the SDBIP.

RESOLUTION

(proposed by ald T van Essen, seconded by clr N Smit)

That the amended Service Delivery and Budget Implementation Plan (SDBIP) for the 2021/2022 financial year be approved in terms of Section 54(1)(c) of the Municipal Finance Management Act (Act 56 of 2003).

7.2 APPROVAL OF THE PREVIOUS COUNCIL'S INTEGRATED DEVELOPMENT PLAN (WITH AMENDMENTS) AS WELL AS AREA PLANS (2/1/4/4/1)

The Municipal Manager, mr J J Scholtz, confirmed that all legal requirements have been completed in order to approve the previous Council's Integrated Development Plan, with amendments (IDP).

The draft IDP was advertised in the local press for public comment and input on 5 and 6 of April 2022. The report contains the input received, which did not make substantial amendments to the IDP necessary.

7.2/...

RESOLUTION (for submission to the Council on 26 May 2022)
(proposed by ald T van Essen, seconded by clr D G Bess)

- (a) That the Integrated Development Plan (IDP) of the previous Council (with amendments) be recommended for approval by the Council in terms of Section 25(3)(a) and (b) of the Municipal Systems Act (Act 32 of 2000); and
- (b) That the revision of the area plans be recommended for approval by the Council.

7.3 BUDGET MANAGEMENT COMMITTEE: TECHNICAL RECOMMENDATIONS FOR THE MULTI-YEAR CAPITAL AND OPERATING BUDGETS, AMENDED BUDGET AND RELATED POLICIES, PROPERTY RATES AND TAXES, TARIFFS AND OTHER LEVIES FOR 2022/2023, 2023/2024 AND 2024/2025 (5/1/1/1, 5/1/1/2 – 2022/24, 5/1/4)

The Director: Financial Services, mr M Bolton, dealt with the report in order to give the Executive Mayor's Committee the opportunity to recommend the multi-year capital and operating budgets, amended budgets and related policies, property rates and taxes, tariffs and other levies to the Council on 26 May 2022.

The Director: Financial Services stated that the budget was drawn up against the background of the economic circumstances and anticipated inflation rate, but is of the opinion that the latter can still rise as a result of the impact of rising crude oil and food prices caused by the war in Europe.

It must also be taken into account that the final decision in respect of the approval of electricity tariffs has not yet been received from NERSA.

The Director: Financial Services dealt with the capital budget, with specific reference to the capital projects over R 50 million and the operating budget, with specific reference to property rates and taxes and tariff increases for the 2022/2023 financial year.

The Director: Financial Services referred to the requirement in accordance with Section 23 of the MFMA to thoroughly consider the input received in respect of the budget and confirmed that the input received did not require any amendments to the policies and the budget.

RESOLUTION

(proposed by clr N Smit, seconded by ald T van Essen)

- (a) That having considered the inputs received from the public and province as articulated in **(Annexure E, Inputs received on Draft Budget)** it's our considered view that no amendments to the policies or budget are required as it relates to the 2022/2023 MTREF Draft Budget;
- (b) That council takes note that the costs as envisaged by Section 19 (2)(a)(b) were derived after consultation with the respective director(s) who has confirmed the operational costs as per **(Annexure A: 2022/23 – 2024/2025 Final Budget and Tariff File)**;
- (c) That council prior to approving the capital projects above R50 million as listed in **(Annexure B: 2022/23 – 2024/25 Capital Projects uto Sec 19)**, first consider the projected cost covering all financial years until the project is operational and the future operational costs and revenue on the project, including municipal tax and tariff implications;
- (d) That council takes note that the Department of Sport has not timeously issued letters of recommendation for the additional R10 MILLION in specific sport projects resulting in the projects not being registered under the MIG program. Consequently the projects cannot be implemented in the 2022/2023 financial year. The Department of Sport has approved however that the funds be utilised in the 2023/2024 financial year;

7.3/...

- (e) That cognisance be taken of the acceleration of the Resealing Program in the current financial year as a result of the underspending on the Moorreesburg Waste Water Treatment Works project, subject to the budget for the Resealing Program be reduced by the same amount in the 2022/2023 year and the funds having been reallocated to the Moorreesburg Waste Water Treatment Works.
- (f) That council approve in principle the taking up of an external loan in 2023/24 or 2024/25 to partly finance the Highlands Refuse Site and Bulk electricity capital projects to the tune of around R50 MILLION;
- (g) That council considers the funding sources linked to council's capital program and take note that these funding sources are available and have not been committed for other purposes;

FINANCING SOURCES	Final Budget 2022/2023	Final Budget 2023/2024	Final Budget 2024/2025
Capital Replacement Reserve (CRR)	R 115 812 892	R 122 483 903	R 129 755 722
Municipal Infrastructure Grant (MIG)	R 23 810 000	R 34 711 000	R 25 670 000
Dept. Human Settlements	R 20 059 000	R 33 600 000	R 5 000 000
Integrated National Electrification Programme (INEP)	R 17 600 000	R 5 000 000	R 5 225 000
RSEP	R 1 200 000		
Contributions / Donations	R 12 533 913		
Dept. Cultural Affairs and Sport	R 50 000		
Community Safety Grant	R 30 000	R 40 000	R 40 000
GRAND TOTAL	R 191 095 805	R 195 834 903	R 165 690 722

- (h) That council deemed it appropriate to consider the entire capital program excluding the 3 contractually combined projects above R 50 million as the aforementioned capital program's operational cost, inclusive of future costs will be covered by the rates regime and the normal cost centres found in the operational budget;
- (i) That council approves the capital projects as part of its consolidated capital program as per **(Annexure A: 2022/23 – 2024/25 Final Budget and Tariff File)**;
- (j) That the final high-level multi-year Capital and Operating budgets in respect of the 2022/23 – 2024/25 financial years, be approved as final, in accordance with sections 16, 17 and 19 of the MFMA;

Table/...

7.3/...

	Original Budget 2021/22	Adjustments Budget 2021/22	Final Budget 2022/23	Final Budget 2023/24	Final Budget 2024/25
Capital budget	166 435 729	170 040 448	191 095 805	195 834 903	165 690 722
Operating Expenditure	911 967 149	953 347 356	1 029 478 873	1 061 530 679	1 140 028 445
Operating Revenue	968 875 613	1 013 254 106	1 093 983 965	1 123 993 180	1 174 158 797
Budgeted (Surplus)/ Deficit	(56 908 464)	(59 906 750)	(64 505 092)	(62 462 501)	(34 130 352)
Less: Capital Grants & Contributions	47 912 409	52 027 246	77 109 000	73 351 000	35 935 000
(Surplus)/ Deficit	(8 996 055)	(7 879 504)	12 603 908	10 888 499	1 804 648

- (k) That council approves the notice given in terms of section 14(1) and (2) of the Local Government: Municipal Property Rates Act, 2004, to levy the final property tax rates, exemptions and rebates on property reflected in the schedule below and in the property rates policy for the 2022/2023 financial year with effect from 1 July 2022;

Category of property	Rate ratio	(c/R) rate determined for the relevant property category
Residential properties	1: 1	0,5624
Business and Commercial properties	1: 1,4586	0,8203
Industrial properties	1: 1,4586	0,8203
Agricultural properties	1: 0,25	0,1406
Mining properties	1: 1,4586	0,8203
Public Service Infrastructure	1: 0,25	0,1406
Properties owned by an organ of state and used for public service purposes	1: 1,4586	0,8203
Public Benefit Organisations	1: 0	0,0000
Vacant properties	1: 1,3470	0,7575
Municipal properties	1: 0	0,0000
Conservation Areas	1: 0	0,0000
Protected Areas	1: 0	0,0000
National Monuments	1: 0	0,0000
Informal Settlements	1: 0	0,0000

Exemptions and Reductions

- **Residential Properties:** For all residential properties, the municipality will not levy a rate on the first R15 000 of the property's market value. The R15 000 is the statutory impermissible rate as per section 17(1)(h) of the Municipal Property Rates Act.

Rebates in respect of a category of owners of property are as follows:

- **Indigent owners:** 100 per cent rebate will be granted to registered indigents in terms of the Indigent Policy to a maximum valuation of R105 000;

7.3/(k)...

- **Qualifying senior citizens and disabled persons:** A rebate to an amount equal to the rates payable on the first amount of the valuation of such property to a limit of R300 000.

NB: Please refer to the municipality's property rates policy in respect of all rebates offered.

- (l) That council approve the final tariff structures and charges for water, refuse removal, sewerage and other sundry charges as set out in **(Annexure A: 2022/23 – 2024/25 Final Budget and Tariff File)**;
- (m) That council approve the electricity tariffs as final for the 2022/2023 financial year, **bearing in mind that it is still subject to NERSA's final approval**;
- (n) That the annual budget tables as required by the Budget and Reporting Regulations be approved as set out in **(Annexure C: Budget Report and A-Schedules 2022/23 – 2024/25)**;
- (o) That the **amendments** to the budget and related policies as set out in **(Annexure D: Final Amendments to Budget & Related Policies 2022/23)** hereto, be approved as final;
- (p) That the training budget be limited to **0,65%** of the salary budget in the amount of **R1 911 192** for the 2022/2023 financial year;
- (q) That Council takes note of the increases of the Directors that are contractually linked to the other personnel, which is negotiated and determined at a national level:
 - In respect of all personnel, an increase of **4.9%** for 2022/2023; **4.4%** for 2023/2024 and **4%** for the 2024/2025 financial years, excluding the increase in other benefits that are applicable and the annual 2.5% notch increase where applicable;
 - All salary adjustments are adequately budgeted for;
 - Provision has been made for a **3%** increase for political office bearers which is within the mid band of the inflation targets set by the South African Reserve Bank (SARB).
- (r) That Council takes note of the budgeted operating surpluses and that the budget is "cash-funded" as a result of cash reserves in table A8, the total expenditure growth of **8%** from the current to the new financial year and the revenue streams with growth in revenue of **8% (only 5.6% excluding capital grant income)** for the MTREF period as well as the cash flow statement as per **(A-schedule A7)** for the next three financial years;
 - the budgeted risk factor for cash coverage for operating expenses are **8.9 months** for 2022/23, **8.4 months** for 2023/24 and **7.8 months** for the 2024/25 financial year (this can materially be impacted but not possible to determine scientifically at this stage);
 - over the next three financial years the planning is such that operating net deficits are envisaged for 2022/23 to an amount of **R 12 603 908**, for 2023/24 an amount of **R 10 888 499** and for 2024/25 an amount of **R 1 804 648 (excluding capital grant income)**, which is manageable within the risk appetite of the municipality supported by the improved payment rates.
- (s) That the Director: Financial Services adhere to the requirements of the Budget Circulars and Budget Reforms in the context of the reporting requirements to Provincial and National Treasury;
- (t) That Council take note that the budget was prepared in the new mSCOA Version 6.6 as required by National Treasury;

7.4 DETERMINATION OF DEVELOPMENT CONTRIBUTIONS 2022/2023 (15/1/B)

The Director: Development Services, ms J S Kriegler, confirmed that the purpose of the submission of the development contributions is to consider the rebate, because there are no adjustments in the tariffs.

Ald T van Essen stated that it is important to allow a rebate in order to create an environment in which the private sector can create work opportunities. It is also important to keep the development contributions affordable in order not to frighten off development, given the slow economic growth in South Africa, and in order to encourage developers to consider the Swartland municipal area against other possibilities.

The chairman requested that the rebate is phased out over a period and that development contributions must be such that they are not seen as "red tape".

The Municipal Manager, mr J J Scholtz, confirmed that the development contributions have not kept pace with the inflation rate over the last few years. The Director: Engineering Services, mr L D Zikman, stated that the development contributions are much lower than the real costs and as those of surrounding municipalities. It is important to keep a balance between development contributions and real engineering costs and therefore the tariffs must be revised.

RESOLUTION (for submission to the Council on 26 May 2022)
(proposed by ald T van Essen, seconded by clr D G Bess)

- (a) The attached Development Charges for the 2022/2023 financial year be approved:
 - "Greenfields" Development Charges – Malmesbury (Annexure "A").
 - "Brownfields" Development Contributions – Swartland Municipal Area (Annexure "B").
 - Development Charges – Riebeek Valley (Annexure "C" and Annexure "C1").
 - Development charges for Bulk Services – Yzerfontein (Annexure "D").
- (b) A rebate of 35% be considered regarding development charges in respect of the 2022/2023 financial year;
- (c) Developers have to enter into an agreement with the Municipality regarding the payment of charges in terms of the existing policies;
- (d) The previous resolution in terms of which exemption from development charges was granted to businesses and industries in the Riebeek Valley of 100m² or smaller in extent, be reconfirmed in respect of the 2022/2023 financial year;
- (e) Actual Cost of Development Charges will apply to all developments, as determined and calculated by the Directors of Civil and Electrical Engineering Services;

7.5 ESTABLISHMENT OF SPECIAL PROPERTY TAXATION AREAS IN TERMS OF THE MUNICIPAL PROPERTY RATES AND TAXES ACT (1/1)

A request was received on 30 September 2021 from the Riebeek Valley Tax Payers Association to consider the introduction of special property tax areas in terms of the Municipal Property Rates and Taxes Act, Act 6 of 2004.

The purpose of special tax areas is to provide a higher level of services, inter alia, a safer and cleaner environment for the promotion of socio-economic circumstances and tourism by means of the additional tariffs levied.

Resolution/...

RESOLUTION (for submission to the Council on 26 May 2022)
(proposed by clr N Smit, seconded by clr D G Bess)

That the establishment of Special Rating Areas at this stage not be approved, having regard to the financial sustainability considerations and real/potential risks as dealt with in the report, and - in particular - considering the potential risk that the establishment of SRAs may advance segregation and existing inequalities in communities that are not homogenous in nature, such as those of Riebeek West and Riebeek Kasteel.

7.6 SUBMISSION OF DRAFT REGULATION IN RESPECT OF THE HOLDING OF MEETINGS (1/1)

The existing Council's regulation in respect of the Holding of Meetings has been revised in terms of -

- (1) the Structures Amendment Act, Act 3 of 2021 – which came into effect on 1 November 2021;
- (2) The standard regulation supplied by the Provincial Department of Local Government.

RESOLUTION

(proposed by clr N Smit, seconded by ald T van Essen)

- (a) That approval be granted for the following draft by-law to be submitted in Council on 26 May 2022 for approval in principle:
 - Swartland Municipality: By-law relating to the Conduct of Meetings
- (b) That, following on in principle approval by the Council, the draft by-law be published for public comment in terms of section 12(3)(b) of the Systems Act, 2000 in both the local media and on the municipal website.

7.7 IMPLEMENTATION OF THE MUNICIPAL PERSONNEL REGULATIONS (4/3/1)

The report aims to detail the implementation of the Municipal Personnel Regulations as promulgated in Government Notice No. 45181 dated 20 September 2021.

The Director: Corporate Services, ms M S Teblanche, stated that there has been good progress with respect to certain aspects, but that the Regulations cannot be implemented in totality until the organogram, post descriptions, etc have been finalized. The date of implementation of 1 July 2022 stipulated by the regulations is therefore not attainable.

RESOLUTION

(proposed by N Smit, seconded by ald T van Essen)

- (a) That the Executive Mayoral Committee take note of the report and the implementation plan for the Municipal Staff Regulations and that the regulations will not be implemented by 1 July 2022, due to the current capacity in the Department Human Resource Services and the increased workload and extended processes to be followed to ensure compliance with all the regulations;
- (b) That cognisance be taken that the proposed date for the full implementation of all aspects of the Municipal Staff Regulations, is 30 June 2023 due to the fact that there are internal processes to be followed and this is not simply a process of reviewing and implementing policies;
- (c) That approval is granted for a letter to be drafted to the Department of Cooperative Government and Traditional Affairs informing them that Swartland Municipality is committed to implement the Municipal Staff Regulations, but the deadline of 1 July 2022 is not achievable due to various challenges.

7.8/...

7.8 REVISION OF SYSTEM OF DELEGATIONS (2/5/1, 2/5/2)

Section 59 of the Municipal Systems Act stipulates that a Council must develop and maintain a System of Delegations, which will optimize administrative and operational efficiency and make provision for checks and balances.

The attachment to the agenda contains the first revision of the System of Delegations which was approved by the Council on 16 November 2021.

RESOLUTION (for submission to the Council on 26 May 2022)

(proposed by ald T van Essen, seconded by clr N Smit)

- (a) That the amendments to the System of Delegation (1st Revision) as per Annexure A be approved, and cognizance be taken of the amendments as per Annexure B;
- (b) That cognizance be taken that no amendments were effected to the Section 53 Role Definition of political structures, political office bearers and the municipal manager, which document forms part of the System of Delegation.

7.9 NEW PERFORMANCE AND DEVELOPMENT POLICY (2/4/B)

The Municipal Manager confirmed that the Performance Management and Development Policy were drawn up with reference to the notification in respect of the Municipal Personnel Regulations (Government Notice No. 45181 dated 20 September 2021) and replaces the framework for the Implementation of Performance Management.

The new policy consists of three parts, which are applicable to the Municipality's performance management in general, performance management of the Municipal Manager and Directors, and performance management of all employees.

RESOLUTION

(proposed by clr D G Bess, seconded by clr N Smit)

That the attached Performance Management and Development Policy be approved.

7.10 DRAFT PROCESS PLAN FOR THE DRAWING UP OF THE INTEGRATED DEVELOPMENT PLAN AND THE SPATIAL DEVELOPMENT FRAMEWORK (2/1/4/4/1)

Sections 28 and 29 of the Local Government: Municipal Systems Act, Act 32 of 2000 provide the requirements for drawing up the Process Plan according to which the planning, drawing up, adoption and revision of the Integrated Development Plan (IDP) must take place.

The draft Process Plan for the drawing up of the IDP was circulated separately to the agenda.

RESOLUTION (for submission to the Council on 26 May 2022)

(proposed by ald T van Essen, seconded by clr A K Warnick)

- (a) That the draft Process Plan be noted;
- (b) that a working session in connection with the Process Plan be held with the Council on 9 June 2022;
- (c) that the local community be consulted during June and July 2022 by means of notices in the local newspapers and on the Municipality's Facebook page and website; and
- (d) that the final Process Plan be submitted to Council in August 2022 for approval.

7.11/...

7.11 MOBILE KIOSK IN YZERFONTEIN HARBOUR AND FISH MARKET (17/5/1/1)

The Municipal Manager, mr J J Scholtz, confirmed that the purpose of the report is to reaffirm the resolution of 2012 in terms of the delegation to the Law Enforcement/Town Manager in dealing with applications for mobile kiosks in the Yzerfontein Harbour and Fish Market, subject to conditions.

RESOLUTION

(proposed by ald T van Essen, seconded by clr D G Bess)

- (a) That the delegated power be confirmed to the Law Enforcement Officer / Town Manager to handle requests for the use of the Yzerfontein harbor and fish market by Mobile Kiosks, which power must be exercised within the conditions listed under (b) and (c) below;
- (b) That the prescribed entrance fees at the port and fish market will be payable by approved applicants;
- (c) That the following conditions of approval will apply:
 - (i) That the mobile kiosk may only trade during the normal hours of operation of the port, and that the mobile kiosk must be removed from the premises on a daily basis before the port gate closes at night; No permanent structures will be allowed;
 - (ii) That the use of gas equipment will be permitted for heating and cooling purposes, but that a metered electrical power point of a maximum of 30 amps may be considered on request. Generators will not be allowed. The mobile kiosk must be parked in a specific place as designated by the Council. No water point is provided;
 - (iii) That adequate fire extinguishing equipment, to the satisfaction of the Council, must be present in the mobile kiosk at all times;
 - (iv) That the mobile kiosk must comply with all municipal health requirements, as well as have a roadworthiness certificate;
 - (v) That no music or noise will be allowed;
 - (vi) That trafficking in any form of alcoholic beverages and drugs is prohibited;
 - (vii) That the Council reserves the right to have the mobile kiosk entered at any time, during the hours traded, by an authorized staff to ascertain whether the owner complies with all the Council's requirements or not;
 - (viii) That the type of items in which trade may be engaged or leased may include, fishing gear and related products, refreshments, kayaks and convenience products;
 - (ix) Approved users must give effect to the Ordinance regarding the control of the Yzerfontein port area (a copy of the ordinance will be provided to the users);
 - (x) The port area is used at the sole risk of the user and the Municipality is not liable for any claim, damage or loss resulting from the death or injury of any person or damage to or loss of any property;
 - (xi) Approved users are subject to the instructions of the Harbor Master and may be denied entry if the fish "walks" or if other events / events take place in the harbor;
 - (xii) That approval will be valid for a maximum of one year, and will be reconsidered annually.

The annual stock take at the stores in Malmesbury and Moorreesburg will take place on Wednesday 29 June 2022 at 09:00.

RESOLUTION

(proposed by clr A K Warnick, seconded by clr D G Bess)

- (a) That ald T van Essen (second, clr A K Warnick) and clr N Smit (second, clr D G Bess) be appointed for Malmesbury and Moorreesburg respectively as observers at the stocktaking on 29 June 2022;
- (b) That it be noted that the Chief Warehouse Master will commence punctuality at 09:00 at the main warehouse at Malmesbury.

7.13 OUTSTANDING DEBTORS: APRIL 2022 (5/7/1/1)

A complete list of outstanding debtors was circulated with the agenda.

The Director: Financial Services, mr M Bolton, reported that in respect of the outstanding debt by state departments, the Provincial Treasurer requested the opportunity to discuss the matter with the Department of Transport and Public Works and the Department of Agriculture and Rural Development before further legal processes are instituted in order to recover debt.

The Director: Financial Services stated that it is regarded as unfair to punish residential owners if the municipal account is not paid, but nothing is done in respect of state departments.

RESOLUTION

(proposed by clr N Smit, seconded by ald T van Essen)

That Council takes cognizance of the report with reference to the state of the outstanding debtors of Swartland Municipality for April 2022.

7.14 PROGRESS IN RESPECT OF OUTSTANDING INSURANCE CLAIMS: APRIL 2022 (5/14/3/5)

In accordance with the Asset Management Policy outstanding insurance claims must be reported monthly.

The Director: Financial Services, mr M Bolton, stated that the Municipality was able to complete the claim in respect of the Standard Bank Building and an amount of R173 913,04 was paid at the end of April.

Ald T van Essen requested that ways are considered to mark municipal assets in order for them to be identifiable and used as proof in court cases, because miscreants walk free and cannot be caught.

RESOLUTION

(proposed by ald T van Essen, seconded by clr N Smit)

That cognizance be taken of the progress with outstanding insurance claims for the period ending 30 April 2022.

7.15 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: APPOINTMENT OF SECURITY COMPANY FOR USE OF SECURITY GUARDS AND DOGS AT WESBANK SPORTS GROUNDS (8/1/B/2)

There has been an increase in theft and vandalism at the Wesbank Sports Grounds and municipal assets are regularly being stolen or damaged. Therefore it was decided to appoint a security guard from 1 March 2022 to 30 June 2022 in an effort to limit the damage,

Resolution/...

RESOLUTION

- (a) That the Executive Mayoral Committee take note of the deviation from the prescribed procurement procedures in terms of clause 36 (2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager be condoned not to invite further tenders but to approve the acceptance of the quotation for the appointment of Dogs & All to render security services at the Westbank Sportground for the amount of R 146 107,50 (VAT Incl.);
- (c) That the reasons for the deviation from the prescribed procurement process be recorded as:
 - (i) The risk of burglaries and vandalism to the municipal assets will be of such a nature that Council needed to secure it against damage and vandalism;
 - (ii) The appointment is an emergency to safeguard municipal property against vandalism;
- (d) The expenditure amount of R146 107.50 (VAT included) be allocated against vote number 9/237-1017-1319 and that there is sufficient funding available;
- (e) That the Manager Financial Statements and Control be instructed to include the above mentioned reasons as a note to the financial statements.

7.16 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: REPAIR TO THE HACH DISSOLVED OXYGEN MEASURING EQUIPMENT (8/1/B/2)

The equipment (6x measuring instruments) feeds the measurements to the central processing unit of the WWTW works, which regulates the amount of oxygen which is imported to the biological reactor, via the speed of the aerator units.

The Director: Civil Engineering Services, mr L D Zikman, reported that the Hach agent confirmed that the equipment failed as a result of frequent power outages. Although there are generators at the sewerage works, they cannot handle the full capacity of the sewerage works and there are certain components in the process which are left without electricity.

Consideration must be given to introduce preventative measures to protect equipment from power outages, eg. at the Riversdal WWTW where solar panels are used for backup power..

RESOLUTION

- (a) That the Executive Mayoral Committee take note of the deviation from the prescribed procurement procedures in terms of clause 36 (2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager to approve repairs of the probes of the dissolved oxygen measurements units at the Malmesbury wastewater treatment works by Agua Africa;
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The dissolved oxygen measurements units would have been left out of service for an extended period of time following due process;
 - (ii) This would have resulted in treatment process failure with consequent poor quality effluent which is detrimental to the environment;
 - (iii) The repair work to the dissolved oxygen measurements units therefore had to be treated as an emergency;
- (d) That it be noted that the expenditure was allocated mSCOA Code: 9/239-851-689 and that there is sufficient funding available for the quoted amount of R 337,960.00 (excluding VAT);
- (e) That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.17 CLOSING OF OFFICES ON 23 DECEMBER 2022 INSTEAD OF ON 17 JUNE 2022 (2/6)

On 21 February 2022 the Executive Mayor approved the closure of the municipal offices on 17 June 2022 as a concession to employees due to the ninth clean audit received.

It makes sense however, in consultation with unions, that it would be more acceptable to the public to close the offices in December when the latter's demand for municipal services is lower as a result of the festive season.

RESOLUTION

(proposed by clr N Smit, seconded by clr D G Bess)

- (a) That approval be granted for the municipal offices to close for the day on Friday, 23 December 2022 instead of 17 June 2022 as decided previously;
- (b) That, in terms of the remaining part of the resolution as taken on 21 February 2022,
 - this is a once-off reward that would not be granted again in the future;
 - notices be placed at all pay points in the municipal area and on the website to give notice of the closing of the offices;
 - with this reward, overtime for time worked on the day will be paid at the Saturday tariff.

**(SGD) J H CLEOPHAS
EXECUTIVE MAYOR**