



MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON WEDNESDAY, 11 OCTOBER 2017 AT 11:00

PRESENT:

Executive Mayor, ald T van Essen (chairman)
Deputy Executive Mayor, ald M S I Goliath

Members of the Mayor's Committee:

Clr P E Solomons
Clr O M Stemele
Clr R F van der Westhuizen
Clr M van Zyl

Other councillors:

Clr M A Rangasamy

Officials:

Municipal Manager, mr J J Scholtz
Director: Development Services, mr J T Steenkamp
Director: Corporate Services, ms M S Terblanche
Director: Security Services, mr P A C Humphreys
Director: Civil Engineering Services, mr L D Zikmann
Snr Manager: Technical Services (Electrical), mr M J Swanepoel
Head: Budget Office, mr W C Rossouw
Manager: Secretarial and Record Services, ms N Brand

1. OPENING

Ald M S I Goliath opened the meeting with a prayer at the request of the chairman.

The chairman welcomed all present and congratulated the Speaker, clr M A Rangasamy on his birthday.

2. APOLOGIES

The committee was complete.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

3.1 SUBMISSION BY THE CHAIRMAN: WATER SHORTAGE

The chairman submitted a proposal in respect of the water shortage and the road ahead and the proposal was attached to the minutes for the sake of completeness.

4. MINUTES

4.1 MINUTES OF AN ORDINARY EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 13 SEPTEMBER 2017

RESOLUTION

That the minutes of an Ordinary Meeting of the Executive Mayor's Committee held on 13 September 2017 are approved and signed by the Mayor.

5. CONSIDERATION OF RECOMMENDATIONS AND MATTERS ARISING FROM THE MINUTES

5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 4 OCTOBER 2017

5.1.1 ADMINISTRATION, DEVELOPMENT AND SECURITY SERVICES

RESOLUTION

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

5.1.2 MUNICIPAL MANAGER AND FINANCES

RESOLUTION

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

5.1.3 CIVIL AND ELECTRICAL SERVICES

RESOLUTION

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

6. MATTERS ARISING FROM THE MINUTES

None

7. NEW MATTERS

7.1 IMPLEMENTATION OF LEVEL 5 WATER RESTRICTIONS AND ASSOCIATED INCREASE IN WATER TARIFFS

The Municipal Manager dealt with the report and stated that it was shocking to note, from statistics received in respect of high water users, that there are still households using more than 50 kl water per month.

The Municipal Manager also stated that it is now time to publish the names of these persons and that the Municipality is in the process of seeking legal opinion in this respect.

The chairman emphasised that the stricter level 5 water restrictions apply to everyone, irrespective of which authority is the supplier of water.

The chairman painted the dismal picture that

- if the water usage remains the same and the Voëlvlei Dam level drops by 1,7% per week, there will be no more drinking water by December 2017;
- if the desired saving on level 5 is realised the Voëlvlei Dam level will drop by 0,75% and then there will be drinking water until the end of February 2018;
- if the City of Cape Town can assist in giving us access to more water from the Voëlvlei Dam, water will be available until May 2018.

The chairman requested, via the media and all municipal officials, that residents must assist the Municipality in saving water, which, at the moment, is the only option.

It is therefore necessary to implement level 5 water restrictions together with increased tariffs from 1 November 2017.

Resolution/...

7.1/...

RESOLUTION (for submission to the Council on 26 October 2017)

- (a) That the existing Level 4 water restrictions be repealed and approval be granted for the implementation of the proposed Level 5 water restrictions, as contained in the notice as per **Annexure A** to this report with effect from 1 ~~October~~ November 2017;
- (b) That the above restrictions shall not apply:
 - (i) where written permission or special exemptions have been granted in writing by the Municipality;
 - (i) where other sources of non-potable water are used and a notice indicating the source is erected in a position clearly visible from a public thoroughfare, provided that – in the event of boreholes being indicated as alternative source of water – it is compulsory for owners to register said boreholes and its yield (if known) with the Municipality;
- (c) That the Municipal Manager be authorized to permit deviations and exemptions from, or the relaxation of any of the above provisions on reasonable grounds in terms of section 69(2) of the By-law relating to Water Supply, Sanitation Services and Industrial Effluent, 2014;
- (d) That the following water tariff adjustments be implemented with effect from the services accounts to be rendered to consumers during ~~October~~ November 2017 for payment by ~~31-30 October~~ November 2017:

In respect of domestic consumers, including schools, government institutions and sport clubs –

	Tariff per unit (kilolitre)
0 to 4 kl	R6,30 plus VAT
<u>5 to 10 kl</u>	<u>R17,61 plus VAT</u>
<u>11 to 15 kl</u>	<u>R19.37 plus VAT</u>
<u>16 to 20 kl</u>	<u>R55.00 plus VAT</u>
<u>21 to 25 kl</u>	<u>R72.00 plus VAT</u>
<u>26 to 50 kl</u>	<u>R99.99 plus VAT</u>
<u>51 kl and more</u>	<u>R265.12 plus VAT</u>

In respect of businesses

R25,00 plus VAT to be levied from the 1st kiloliter of water consumed

In respect of schools, government institutions and sport clubs:

R30,00 plus VAT to be levied from the 1st kiloliter of water consumed

- (e) That the fines in respect of properties consuming more than 20 000 litres (20 kilolitres) per month be implemented with effect from ~~the services accounts to be rendered to consumers during November 2017 for payment by 30 November 2017~~ December 2017;
- (f) That a public notice be published in the media in the above-mentioned regard, as well as on the website and social media platform (Facebook), and also be displayed at the municipal libraries and pay-points; ~~and be distributed by hand to individual households;~~
- (g) That the proposed restrictive measures be submitted in Council for cognizance, and the tariff adjustments be recommended in Council for confirmation. is resolution be submitted in Council for cognizance. Oorweeg wysigings

7.2

EXTENSION OF THE DECLARATION OF A LOCAL DISASTER WITHIN THE BOUNDARIES OF THE SWARTLAND MUNICIPALITY AS A RESULT OF THE DROUGHT (17/5/1/1)

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The Executive Mayor declared the Swartland municipal area a disaster area on 28 June 2017 due to the seriousness of the continued drought and the water shortage which is being experienced.

7.2/...

The initial declaration is valid for a period of three months, after which it must be extended on a monthly basis.

RESOLUTION

- (a) That the Mayor in terms of section 55 (5)(c) of the Disaster Management Act, 57 of 2002 as a result of the magnitude and severity of the continuing drought affecting Swartland herewith extend the declaration of a local disaster within the Swartland Municipality from 8 November 2017 to 7 December 2017;
- (b) That Swartland Municipality requests the West Coast District Municipality to support the extension of the local state of disaster.
- (c) That the approved extension of the declaration be sent to the Provincial Government for publication in the next Provincial Gazette.

7.3 EXTENSION OF THE DECLARATION OF A LOCAL DISASTER WITHIN THE BOUNDARIES OF THE SWARTLAND MUNICIPALITY: FIRE AT THE SWARTLAND HOSPITAL (17/5/1/1)

The declaration of the Swartland Hospital as a local disaster was promulgated in the Provincial Gazette, No 7785 of 23 June 2017 after consultation with the relevant Provincial Departments and the West Coast District Municipality.

The initial declaration is valid for a period of three months, after which it must be extended on a monthly basis.

RESOLUTION

- (a) That the Mayor in terms of section 55 (5)(c) of the Disaster Management Act, 57 of 2002 as a result of the devastating fire at the Swartland Hospital herewith extend the declaration of a local disaster within the Swartland Municipality from 23 October 2017 to 22 November 2017;
- (b) That Swartland Municipality requests the West Coast District Municipality to support the extension of the local state of disaster;
- (c) That the approved extension of the declaration be sent to the Provincial Government for publication in the next Provincial Gazette.

7.4 HIGH LEVEL REPORT IN RESPECT OF DRAFT FINANCIAL STATEMENTS 2016/2017 (5/1/2-2016/2017)

The report to the Executive Mayor's Committee serves as an overview of the draft financial statements for 2016/2017 financial year, which have already been submitted to the Audit Committee, Municipal Public Accountability Committee (MPAC) and the Office of the Auditor General.

The Municipal Manager dealt with the report and emphasised the fact that there is a general improvement in the financial ratios, which confirms that Swartland Municipality is capable of discharging its obligations.

RESOLUTION

- (a) That cognisance be taken of the high-level report concerning the unaudited Financial Statements for 2016/2017; and.

- (b) That the following amounts contributed to Reserves and Provisions be approved:

Capital Replacement Reserve/...

7.4(b)/...

Capital Replacement Reserve:	R 45 034 716
Debt Impairment:	R 30 892 380
Provision for Leave:	R 1 497 790
Provision for Long Service Bonus:	R 543 976
Provision for Post Employee Health Benefits:	<u>R 2 663 088</u>
Total:	<u>R 80 631 950</u>

- (c) That the unauthorised expenditure as stated below be referred to the Adjustment Budget of 2017/2018 in terms of Section 32 of the MFMA;

Unauthorized Expenditure: Operating

(a) Financial Services	R 2 288 774
(b) Protection Services	R 10 804 202

Unauthorized Expenditure: Capital

(a) Council	R 23 209
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- (d) That cognisance be taken that the fruitless and wasteful expenditure were recovered, except for the amount for the cleaning of the Erf of which investigation is still pending;
- (e) That cognisance be taken that the irregular expenditure to the amount of R 60 973 has been claimed from the Insurance.

7.5 REPORT IN RESPECT OF THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 JULY 2017 TO 30 SEPTEMBER 2017 (8/1/B/2)

Article 6(3) of the *Supply Chain Management* Regulations stipulates that the activities of the relevant division are reported to the Executive Mayor on a quarterly basis.

RESOLUTION

- (a) That cognisance is taken of the Quarterly Report in respect of the implementation of the Supply Chain Management Policy as envisaged by section 6(3) of the Regulations, as well as reports on the Formal Tenders (Annexure A), Informal Tenders (Annexure B), and the Deviation Report (Annexure C).
- (b) That cognisance is taken of the services rendered for the period 1 July 2017 to 30 September 2017 with reference to the exceptions where it is impractical to test the market and therefore justified a deviation from the procurement processes in terms of paragraph 2(6) of the Supply Chain Management Policy (Annexure D).

7.6 WEST COAST EXPLORERS CLUB: ERECTION OF PARKING SPACE FOR BICYCLES (17/10/1/1)

The *West Coast Explorers Club* envisages establishing a bicycle hire service in Yzerfontein. Approval is needed to establish safe parking facilities for bicycles at strategic points, which will also be available to the public.

The Director: Corporate Services stated that the Management Team has drawn up additional conditions in consideration of the item, which will be included in the letter to the *West Coast Explorers Club*.

RESOLUTION

- (a) That approval be granted to West Coast Explorers Club for the erecting of bike stands in Yzerfontein for a probationary period of one (1) year;
- 7.6/...
- (b) That the position of the stands be established in conjunction with the Town Manager and other relevant officials;
- (c) That the desirability of the bike stands be reviewed after one (1) year, after which a formal agreement can be considered;
- (d) That the Council reserves the right to withdraw the mentioned approval at any time, should circumstances require such.

7.7 LEASE AGREEMENT: MALMESBURY BOWLING CLUB (17/9/2/R)

The Council leases the bowling facilities to the Malmesbury Bowling Club on an annual basis.

The lease agreement expired on 30 September 2017.

RESOLUTION

- (a) That a lease agreement be entered into with the Malmesbury Bowling Club (i.r.o. the bowls facilities) for the lease of the facilities for a period of 12 months;
- (b) That the rental be R 10.00 plus 14% VAT, per annum;
- (c) That the current conditions of lease remain applicable.

7.8 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: REPAIR AND CALIBRATION OF THE WEIGHBRIDGE, HIGHLANDS DUMP SITE (6/1/2/1)

The Highlands Dump Site receives refuse, special waste and recycle products from all the households and businesses in the Swartland municipal area, as well, as refuse from the Berg River Municipality.

The facility is equipped with a 30 ton weighbridge, which must be calibrated annually in order to ensure the accuracy of the weighbridge. Tests were carried out after it was suspected that the weighbridge was not accurate, and an inaccuracy of 4,5% was observed. This report necessitated the urgent recalibration of the weighbridge.

RESOLUTION

- (a) That it is noted that due to the considerable effort required to prepare a quotation the original supplier of the equipment, Weigh-Comm was instructed to continue with a "strip and quote" procedure;
- (b) That it is noted that it would be impractical to follow the prescribed tender procedure in accordance with the SCM Policy for the quoted amount of R 87 925.92 including VAT;
- (c) That it is note that sufficient funds are available under mSCOA Code: 9/244-419-703 for the full expenditure of the quoted amount;
- (d) That it is noted that due to the impracticality the Accounting Officer allowed for the appointment of Weigh-Comm for the quoted amount of R 87 925.92 including VAT in accordance with the allowance of paragraph 36(1)(a) of the SCM Policy;
- (e) That the this action of the Accounting Officer be condoned;

(f)/...

7.8/...

- (f) That the Manager: Financial Statements and Control be instructed to include the above reason as noted to the financial statements, when same are compiled.

7.9 OUTSTANDING DEBTORS – SEPTEMBER 2017 (5/7/1/1/MY)

A complete list of outstanding debtors was circulated with the agenda and is explained by the Head: Budget Office on request by the chairman.

RESOLUTION

That note is taken of the report in respect of outstanding debtors for the month of March 2017.

7.10 PROGRESS WITH REPECT TO OUTSTANDING INSURANCE CLAIMS (5/14/3/5)

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

The chairman pointed out that the majority of the insurance claims were related to theft and that the illegality that was taking place in the Swartland municipal area caused reason to worry.

RESOLUTION

That the status of outstanding insurance claims up to and including 30 September 2017 as circulated with the agenda is noted.

**(SGD) T VAN ESSEN
EXECUTIVE MAYOR**