



MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON WEDNESDAY, 20 MAY 2020 AT 10:00

PRESENT:

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

Members of the Mayor's Committee:

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

Other councillors:

The Speaker, clr M A Rangasamy

Officials:

Municipal Manager, mr J J Scholtz
Director: Financial Services, mr M Bolton
Director: Civil Engineering Services, mr L D Zikmann
Director: Development Services, ms J S Krieger
Director: Corporate Services, ms M S Terblanche
Director: Electrical Engineering Services, mr R du Toit
Director: Protection Services, mr P A C Humphreys
Manager: Secretarial and Record Services, ms N Brand

1. OPENING

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

2. APOLOGIES

No apologies received.

3. SUBMISSION/DEPUTATIONS/COMMUNICATIONS

None

4. MINUTES

4.1 MINUTES OF AN ORDINARY EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 15 APRIL 2020

RESOLUTION

That the minutes of an Ordinary Executive Mayor's Committee Meeting held on 15 April 2020 are approved and signed by the Mayor.

4.2 MINUTES OF A SPECIAL EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 23 APRIL 2020

RESOLUTION

That the minutes of a Special Executive Mayor's Committee Meeting held on 15 April 2020 are approved and signed by the Mayor.

5. MATTERS ARISING FROM THE MINUTES

5.1 MINUTES OF AN ORDINARY EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 15 APRIL 2020

5.1.1 APPLICATION FOR EXEMPTION FROM SALARY AND WAGES COLLECTIVE AGREEMENT (4/2/3)

During the Executive Mayor's Committee Meeting held on 15 April 2020 a mandate was given to SALGA Western Cape to get an exemption from increasing salaries by 6.25% in respect of the 2020/2021 financial year as per the Salary and Wages Collective Agreement, at the Bargaining Council (SALGBC).

SALGA Western Cape notified the Municipality on 6 May 2020 that each municipality must apply, individually, for exemption from the collective agreement.

RESOLUTION

That approval is given that an application is made on behalf of the Municipality, in terms of clause 11.2 of the Salary and Wages Collective Agreement, for exemption from the agreement in respect of the 2020/2021 financial year.

6. MONTHLY REPORTS: FEBRUARY 2020 AND MARCH 2020

[Note: The performance reports from the various directors have already been submitted to the Council, in terms of Section 52 MFMA reporting. The monthly reports in respect of February 2020 and March 2020 therefore only contain the additional reports from the relevant directorates.]

6.1 DIRECTORATE: CIVIL ENGINEERING SERVICES (7/1/2/2-4)

RESOLVED that cognisance be taken of the content of the monthly report of the Directorate Civil Engineering Services for the months of February and March 2020.

6.2 DIRECTORATE: ELECTRICAL ENGINEERING SERVICES (7/2/2/2-6)

RESOLVED that cognisance be taken of the content of the monthly report of the Directorate Electrical Engineering Services for the months of February and March 2020.

6.3 DIRECTORATE: DEVELOPMENT SERVICES (7/1/2/2-2)

RESOLVED that cognisance be taken of the content of the monthly report of the Directorate Development Services for the months of February and March 2020.

6.4 DIRECTORATE: PROTECTION SERVICES

6.4.1 TRAFFIC AND LAW ENFORCEMENT SERVICES (7/1/2/2-3)

6.4.2 FIRE FIGHTING SERVICES (7/1/2/2-3)

RESOLVED that cognisance be taken of the content of the monthly report of the Directorate Protections Services (including Traffic and Law Enforcement Services and Fire Fighting Services) for the months of February and March 2020.

7. NEW MATTERS

7.1 THIRD AMENDMENT TO THE 2017-2022 INTEGRATED DEVELOPMENT PLAN (IDP) AND AREA PLANS (2/14/4/1)

The Council's Integrated Development Plan (IDP) must be revised annually in accordance with section 34(a) of the Local Government Act: Systems Act, 2000 (Act 32 of 2000).

Resolution/...

7.1/...

RESOLUTION (for consideration by the Council on 28 May 2020)

That the -

- (a) third amendment of the 2017-2022 Integrated Development Plan (IDP),
 - (b) the revision of the area plans, and
 - (c) the Financial Plan
- be recommended for approval by the Council.

7.2 BUDGET MANAGEMENT COMMITTEE TECHNICAL RECOMMENDATIONS FOR THE FINAL MULTI-YEAR CAPITAL AND OPERATING BUDGETS, AMENDED BUDGETS AND RELEVANT POLICIES, PROPERTY RATES AND TAXES, TARIFFS AND OTHER LEVIES FOR 2020/2021; 2021/2022 AND 2022/2023 (5/1/1/1, 5/1/1/2, 5/1/4)

The Executive Mayor stated that the budget must be reviewed in terms of the circumstances which have been caused by the COVID-19 pandemic, taking into consideration the following role players, namely:

- (1) Service providers;
- (2) Financial institutions/banks;
- (3) Employers;
- (4) Municipality

The Municipal Manager confirmed that the impact of the COVID-19 pandemic was not known when drawing up the budget and that the first six months of the new financial year will determine what adjustments will have to be made in the adjusted budget, for example the downscaling of capital projects.

During a Budget Management Committee meeting held on 7 May 2020 the following recommendations were considered for submission to the Executive Mayor's Committee on 20 May 2020, namely:

RESOLUTION (for consideration by the Council on 28 May 2020)

- (a) 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 costs as per **(Annexure A, Section 1: 2020/21 – 2022/23 Final Budget and Tariff File)** and consider same;
- (b) That council prior to approving the capital projects above R50 million as listed in **(Annexure B: 2020/21 – 2022/23 Capital Projects ito 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;
- (c) 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 2020/2021	Final Budget 2021/2022	Final Budget 2022/2023
External Loans	R -	R -	R -
Capital Replacement Reserve (CRR)	R 126 713 237	R 109 884 479	R 72 140 243
Municipal Infrastructure Grant (MIG)	R 21 183 000	R 22 700 000	R 23 810 000
Dept. Human Settlements	R 48 474 000	R -	R 36 760 000
Integrated National Electrification Programme	R 7 652 000	R 5 000 000	R 5 000 000
Dept. Cultural Affairs and Sport	R 70 000	R -	R -
RSEP / VPUU	R 3 000 000	R -	R -
Community Safety Grant	R 611 600	R 55 000	R -
Fire Service Capacity Building Grant	R 732 000	R -	R -
Energy Efficiency Demand Side Management	R 4 000 000	R -	R -
GRAND TOTAL	R 212 435 837	R 137 639 479	R 137 710 243

7.2/...

- (d) That council deemed it appropriate to consider the entire capital program excluding the 2 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;
- (e) That council note that the upgrading of both the Moorreesburg and Darling Waste Water Treatment Works will have an impact on the outer years, i.e from the 2022/23 financial year and beyond and therefore the process as prescribed in Section 33 of the MFMA was adhered to prior to final approval (whilst no longer in the form of an increase due to finance charges, but increased depreciation charges);
- (f) That council approves the purchasing of the Nedbank and Standard Bank Buildings at a total purchase price of R 17 650 million for purposes of owning its own buildings in a bid to mitigate the risk of increasing rentals payable for the "Checkers", "Santam" and "Pep Buildings", excluding the cost additions of around R 6 million required to attend to the conversion works" required to operationalise the 2 buildings over the MTREF with the Standard Bank building becoming available first for the aforementioned purpose (**Annexure E**);
- (g) That council approves the capital projects as part of its consolidated capital program as per (**Annexure A, Section 1: 2020/21 – 2022/23 Final Budget and Tariff File**);
- (h) That the final high-level multi-year Capital and Operating budgets with respect to the 2020/21– 2022/23 financial years be approved, in accordance with sections 16, 17 and 19 of the MFMA;

	Original Budget 2019/20	Mid-Year Adj Budget 2019/20	Final Budget 2020/21	Final Budget 2021/22	Final Budget 2022/23
Capital budget	143 857 572	140 815 524	212 435 837	137 639 479	137 710 243
Operating Expenditure	749 828 067	757 190 607	816 163 387	897 254 161	932 024 987
Operating Revenue	830 826 697	855 620 406	890 930 911	930 510 142	1 000 553 604
Budgeted (Surplus)/ Deficit	(80 998 630)	(98 429 799)	(74 767 525)	(33 255 981)	(68 528 616)
Less: Capital Grants & Donations	67 161 000	80 451 000	86 863 600	28 897 050	66 713 153
(Surplus)/ Deficit	(13 837 630)	(17 978 799)	12 096 075	(4 358 931)	(1 815 463)

- (i) That council grants approval to finance the R 50 000 000 partial financing for the upgrading of the Waste Water Treatment Works of Moorreesburg and Darling from Council's own reserves and no longer from external borrowing, given the impact that current prevailing higher finance charges in the market would have on the cost of the service;
- (j) That council approves the property tax rates, exemptions and rebates for the 2020/2021 financial year as listed below and in the property rates policy as final;

Table/...

7.2(j)/...

Property Categories	Rate (c/R)
Residential properties	0,5160
Vacant land	0,6950
Industrial properties	0,7413
Business and commercial properties	0,7413
Agricultural properties (used for agricultural purposes)	0,1290
Agricultural properties used for eco-tourism	0,7413
Agricultural properties used for trading in or hunting of game;	0,7413
Mining properties	0,7413
Properties owned by an organ of state and used for public service purposes	0,7413
Public service infrastructure	0,0000
100% Rebate to owners of public benefit organisations used for the public benefit listed activities	0,0000
Properties used for multiple purposes	Either 0,7413, 0,5160 or 0,1290, according to permitted use
Properties in rural area zoned for business or in respect of which consent uses have been approved in terms of the municipality's zoning scheme regulations	0,7413
Municipal properties	0,0000
Informal settlements, including those on land which are not subdivided into residential ervens	0,0000
Property acquired through the Provision of Land and Assistance Act, 1993 (126 of 1993) or the Restitution of Land Rights Act, 1994 (Act 22 of 1994) or Communal Property Association Act, 1996	Either 0,7413, 0,5160, according to permitted use
Conservation areas	0,0000
Protected areas	0,0000
National monuments	0,0000
State owned properties	0,7413
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	Qualifying senior citizens and disabled persons

- (k) That the rebate to qualifying senior citizens and disabled persons who are owners of property, be limited to a maximum of R300 000 of the total valuation, as defined in the Property Rates Policy for the 2021/22 financial year, where after the impact of the rebate be assessed in the context of the affordability of increased revenue forgone;
- (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: 2020/21 – 2022/23 Final Budget and Tariff File)**;
- (m) That council approves the electricity tariffs as final for the 2020/2021 financial year, 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 2020/21 – 2022/23)**;

7.2/...

- (o) That the **amendments** to the budget and related policies, the Credit Control and Debt Collection Policy and By-law,(By-Law not amended) also the **amendments** to the Property Rates Policy as set out in (**Annexure D: Final Amendments to Budget Related Policies 2020/21**) hereto, be approved as final, but that the amendments to the Credit Control and Debt Collection Policy and By-law be approved with immediate effect, i.e covering both the 2019/20 and 2020/21 financial years;
- (p) That the training budget limited to 0,50% of the salary budget in the amount of **R1 196 912 for the 2020/21 financial year be approved as final**;
- (q) That Council takes note and grant approval (**but specifically having regard for the fact that should the exemption application to the SALGBC be successful, that the approval will no longer be of legal substance and not enforceable**) for the following increases as follows:
- In respect of all personnel, excluding the Municipal Manager, CFO, Directors Civil Services and Development Services, an increase of **6.25%** for 2020/21; **6%** for 2021/22 and **6%** for the 2022/23 financial years, excluding the increase in other benefits that are applicable and the annual 2.5% notch increase where applicable.
 - In respect of the other section 56-appointments, a **6.25%** increase with effect from 1 July 2020 (increases of the directors: Corporate, Electrical and Protection Services being linked to the other personnel costs negotiated and determined at national level as allowed for);
 - Provision has been made for a **5%** increase for political office bearers which are within the upper band of the inflation targets set by the South African Reserve Bank (SARB).
- (r) That council approves the additional increase in the salary bill to the tune of R 3 363 million to fund the posts per **Annexure F** (this only relates to the additional posts and not the other annual increases);
- (s) That Council takes note of the budgeted operating deficit that will be “cash-funded” as a result of cash reserves in table A8, the total expenditure growth of **7.8%** from the current to the new financial year and the reduced revenue streams with minimal growth in revenue of **4.1%** 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 is **8.1 months** for 2020/2021, **5.4 months** for 2021/2022 and **4.2 months** for 2022/2023 financial years (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 an operating deficit are envisaged for 2020/2021 to an amount of **R 12 096 075** and operating surpluses are envisaged for 2021/2022 to an amount of **R 4 358 931** and 2022/2023 an amount of **R 1 815 463 (excluding capital grant income)**;
- (t) 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;
- (u) That Council take note that the budget was also prepared in the new mSCOA Version 6.4 as required by National Treasury;
- (v) That Council take note of the input received during the public participation process and from Western Cape Government through the LGMTEC Assessment (to be dealt with in council).

7.2/...

RESOLVED FURTHER (for consideration by the Council on 28 May 2020)

- (w) That the Executive Mayor requests that the following are included in the final budget, for approval by the Council, namely -
- (i) 2 kl free water for all residential users for the last three months of the 2019/2020 financial year and for the rest of the period of shutdown in the new financial year but only for a maximum of 6 months;
 - (ii) discount on property rates and taxes raised from R 15 000 to R50 000, if the new valuation roll is actually implemented from 1 July 2020, with the understanding that the additional discount is viewed as an expense and leads to an additional discount. That the Head: Financial Officer deals with this in line with the relevant legislation;
 - (iii) no increase in tariffs up to and including the first 10 kl of water used, and from 11 kl of water used an increase of 4,9%;
 - (iv) no tariff increase in respect of sewerage services, in other words retain the 2019/2020 tariffs;
 - (v) no tariff increase in respect of refuse removal services, in other retain the 2019/2020 tariffs;
 - (vi) increase in electricity tariffs of 6,22% as approved by Eskom and NERSA;
 - (vii) determination of criteria for the settlement of municipal accounts which will be dealt with individually by the Director: Financial Services.

7.3 RESEALING PROGRAMME FOR ROADS: 2020/2021 FINANCIAL YEAR (16/5/5/1)

An amount of R 18 898 000 is available in the 2020/2021 financial year for the resealing of roads in the Swartland Municipal area.

A provisional list of roads which have been identified for resealing in the *Pavement Management System* was circulated with the agenda.

RESOLUTION

- (a) That the reseal programme in respect of the 2020/2021 financial year, as attached to this report, be approved by the Executive Mayoral Committee;
- (b) That cognisance be taken that the reseal programme is preliminary and can be downscaled in relation to the expense of the preparation works.

7.4 DECLARATION OF INTEREST: BERG RIVER VOËLVLEI AUGMENTATION SCHEME (16/1/1/B)

The report circulated with the agenda contains a broad outline of the *Berg River Voëlvlei Augmentation Scheme* (BRVAS) which is to be implemented by the *Trans Caledon Tunnel Authority* (TCTA) and the National Department of Water Affairs.

From studies done by the National Department of Water Affairs and the impact of the drought in 2007 it was found that the *Western Cape Water Supply System* (WCWSS) is in urgent need of an additional water resource. The TCTA has therefore been instructed by the National Department of Water Affairs to implement the BRVAS scheme.

RESOLUTION

- (a) The the content of the report be noted;
- (b)/...

7.4/...

- (b) That in response to the request from the Trans Caledon Tunnel Authority (TCTA) to water users from the Western Cape Water Supply System (WCWSS) to express their interest in the Berg River Voëlvlei Augmentation Scheme (BVRAS) project the following is submitted:
 - (i) That Swartland Municipality favours the Scheme Based option and is interested in securing a volume of 2 million m³/a from the BRVAS project for domestic and industrial use.
- (c) That it be noted further that the expression of interest does not constitute a commitment and an allocation from the BRVAS project is further subject to:
 - (i) the successful conclusion of a raw water supply agreement between the USER and DWS to ensure payment of the BRVAS costs; and
 - (ii) DWS approving a raw water supply allocation from the BRVAS; and
 - (iii) the grant of a water use license by the Minister in accordance with the National Water Act, 36 of 1998.

7.5 MUNICIPAL HOUSING PIPELINE IN ACCORDANCE WITH THE COUNCIL'S HUMAN SETTLEMENTS PLAN

The attached housing pipeline gives structure to the Swartland Municipality's Housing Strategy. The housing pipeline is utilized by the provincial Department of Human Settlements in drawing up the business plan in order to apply for national funding.

RESOLUTION

- (a) That the adjusted Housing Pipeline, as submitted, is approved in principle by the Executive Mayor's Committee, subject to being workshopped with all the councillors;
- (b) That the proposed Housing Pipeline is a planning document and subject to the availability of funds, suitable land and bulk services within the various towns and if sufficient funds are not available, projects may possibly be shifted to the following financial year;
- (c) That note is taken that during May/June 2020 the installation of services in respect of the Malmesbury de Hoop Housing Project will commence;
- (d) That note is taken that the funding of the projects marked*, on the Housing Pipeline are additional to the Municipality's DORA grant.

7.6 REVISION OF THE HOUSING ALLOCATION POLICY (17/4/2/B)

The revision of the Housing Allocation Policy was necessitated by the change in internal and external circumstances, inter alia, the recent Circular received from the Department of Human Settlements to amend the age of beneficiaries who qualify for housing from 35 years and older to 30 years and older.

RESOLUTION

- (a) That the amended Housing Allocation Policy, as submitted, is adopted with immediate effect, subject to being workshopped with all councillors;
- (b)/...

7.6/...

- (b) That note is taken of the Department of Human Settlements' request to give preference, during allocation of housing, to beneficiaries 30 years and older;
- (c) That note is taken that the existing waiting list for Ilinge Lethu and Malmesbury will be consolidated into one waiting list and beneficiaries in the Malmesbury: de Hoop Housing Project will be allocated in terms of date of application;
- (d) That, for each housing project the list of identified beneficiaries of that particular project will be submitted to the Council's Housing Committee for approval;
- (e) That the Housing Committee elected from the beneficiaries of each proposed project will be submitted to the Executive Mayor's Committee for approval.

7.7 AFFORDABLE RENTAL HOUSING STRATEGY AND PLAN (17/4/2/B)

The need to provide affordable rental housing has been identified for households with a low to middle income (R1 500 to R15 000) within the approved Municipality's restructuring zones.

Households in this income category have a real need for affordable and suitable rentals in areas with access to socio-economic opportunities and facilities.

RESOLUTION

- (a) That the attached strategic document entitled, "Affordable Rental Housing Strategy and Plan" be approved;
- (b) That Social Housing Projects be implemented in the identified areas where there is sufficient bulk capacity;
- (c) That the execution of the projects be subjected to additional funding received from the National Department of Human Settlements.

7.8 SWARTLAND MUNICIPALITY: DRAFT POLICY IN RESPECT OF EARLY CHILDHOOD DEVELOPMENT (17/2/B)

The Municipality's Social Development Strategy has six strategic focus areas, one of which is to promote the legalizing of early childhood development facilities and early childhood development.

The early childhood development phase is seen as the most important in the development of every person and includes physical, emotional and social aspects of development.

Clr O M Stemele requested that the Municipality assist early childhood development facilities to obtain their correct registration with the Department of Social Development in order to get further financial support.

The chairman stated that the Municipality will have to consider, as in the case of old age homes, giving a subsidy to registered early childhood development facilities.

RESOLUTION

- (a) That the draft Swartland Municipal Early Childhood Development Policy as tabled be adopted in principle by the Executive Mayoral Committee;

7.8/...

- (b) That the process to formulate a final document in the 2020/2021 financial year is based on public consultation (including with ward committee members) and guided by the guidelines of the ECD task team as facilitated by SALGA, in order to implement the policy in 2021;
- (c) That cognisance be taken of the financial implications with regards to discount or free service for ECD facilities when the final document be approved in the 2020/2021 financial year.

7.9 SWARTLAND MUNICIPALITY: DRAFT POLICY IN RESPECT OF PERSONS WITH DISABILITIES (17/2/B)

During 2018 a process was set in motion to focus on persons with disabilities in the Swartland Municipal area. The process had both an internal focus (approval by the Swartland Municipality: Policy in respect of Disabilities with implementation as of 1 December 2018) and an external focus (in order, inter alia, to make the municipal offices more accessible to those with disabilities).

RESOLUTION

- (a) That the tabled draft Swartland Municipal Policy in respect of Persons with Disabilities be adopted in principle by the Executive Mayoral Committee;
- (b) That cognisance be taken that a public participation process (including with ward committees) will follow in 2020/2021 financial year in order to finalise the policy for implementation by the end of 2021;
- (c) That cognisance be taken of the financial implications regarding development in respect of Persons with Disabilities after approval of the final document in the 2020/2021 financial year.

7.10 DRAFT LOCAL DRUG ACTION PLAN (17/2/B)

The report attached to the agenda includes a complete background to the processes and consultations which took place since March 2014 with the establishment, by the Mayor, of the Swartland Local Drug Action Committee (LDAC).

LDAC meetings are held on a monthly basis with new roleplayers who regularly join the process. After the conclusion of the national lockdown an indepth consultation process will need to be followed in order to draw up a holistic action plan for the Swartland.

RESOLUTION

- (a) That cognisance be taken of the progress made with compiling of the LDAC action plan and policy;
- (b) That the public, including the ward committees, be consulted during 2020/2021 to obtain their input in order to compile a final policy document;
- (c) That it be noted that the financial implications for the implementation of the action plan cannot be determined at this stage, before thorough consultation with the public;
- (d) That the draft Local Drug Action Plan be approved in principle, provided that the final document will be finalized in 2020/2021.

7.11/...

7.11 DRAFT “ECONOMIC MOBILITY SPATIAL PLAN” FOR THE SWARTLAND (15/2/2/1)

Economic mobility can be identified as an individual’s or a household’s capacity to improve their economic status, generally measured by income. It is important that economic opportunities are created for persons by the *Economic Mobility Spatial Plan*, in order to improve their living standards and wellbeing.

The following interventions have been developed to promote the economic mobility of residents in the Swartland municipal area, namely:

- Provision of business and industrial zoned land, keeping in mind proximity to the workplace;
- Provision of motorised transport in the interests of access to opportunities;
- Provision of informal trading areas and land usage conditions for small businesses with a view to business opportunities;
- Provision of social facilities and land usage conditions with a view to the promotion of health and education.

RESOLUTION

- (a) That the Executive Mayor’s Committee approves the contents of the *Economic Mobility Spatial Plan* in principle;
- (b) That the document is circulated for internal comment, including to all councillors and ward committee members;
- (c) That any comments received are considered for addition to the document for the sake of completeness;
- (d) That the completed document must be submitted to the Council for approval.

7.12 REVISION OF COMMUNICATIONS STRATEGY AND RELATED POLICIES (6/2/2/B)

The Communications Strategy for the period 2017-2022 and related policies is reviewed on an annual basis in order, inter alia, to keep abreast of the amendments to the Integrated Development Plan.

The amendments to the Public Participation Policy arise from the protest actions and the pressure put on the Municipality in communicating with pressure groups.

RESOLUTION

- (a) That the 2017-2022 Communication Strategy be amended as proposed with effect from 1 June 2020, provided that those amendments that relate to the proposed amendments of the Integrated Development Plan, are indeed approved when the latter is submitted in Council;
- (b) That the amended Public Participation Policy also be approved with effect from 1 June 2020, and cognizance be taken that the policies relating to Communication and Social Media do not require revision.

7.13 REVISION OF THE HUMAN SETTLEMENTS PLAN (17/4/2/3)

The firm, C K Rumboll and Partners, has been appointed to revise the Human Settlements Plan which must also be in line with the Council’s Spatial Development Framework

RESOLUTION

- (a) That the reviewed Human Settlements Plan, as circulated with the agenda, be approved in principle;

7.13/...

- (b) That the executions of the projects as proposed in the Housing Pipeline are subjected to the availability of funds, suitable land and bulk services within the relevant towns;
- (c) That cognizance be taken that the amendment and updating of the housing pipeline each year, are subject to Council's DORA allocation and other obligations and needs that are placed upon Council;
- (d) That cognizance be taken of the request by the Department of Human Settlements that during the allocation of houses, priority be given to beneficiaries 30 years and above;
- (e) That, after approval of the Human Settlements Plan a workshop be conducted with all councillors to discuss the said plan as well as the proposed housing allocation policy.

7.14 OUTSTANDING DEBTORS: APRIL 2020 (5/7/1/1)

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

RESOLVED that cognizance be taken of the report in respect of outstanding debtors for the month of April 2020.

7.15 PROGRESS IN RESPECT OF OUTSTANDING INSURANCE CLAIMS (5/14/3/5)

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

RESOLVED that cognizance be taken of the progress in respect of outstanding insurance claims for the period ending 30 April 2020.

7.16 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIRS TO THE REFUSE REMOVAL TRUCK, CK 37359 (8/1/B/2)

The refuse removal truck, CK 37359, is necessary for the continued provision of refuse removal services in Malmesbury. The compactor on the truck broke down and a quotation was obtained from *Transtech*.

RESOLUTION

- (a) That the departure from the prescribed procurement procedures in accordance with paragraph 36(2) of the Supply Chain Management Policy be noted;
- (b) That it be noted and the action of the Municipal Manager be condoned with regards to the repair of the waste removal truck CK37359, for the amount of R 45 484.52 excluding VAT
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The truck would have been left out of service for an extended period of time;
 - (ii) This would have resulted in a failure in the waste removal services capacity and public health risks;
 - (iii) The repair works to the truck therefore is handled as an emergency.
- (d) That it be noted that the expenditure was allocated mSCOA Code: 9/241-1253-709 and that there is sufficient funding available for the quoted amount of R 45 484.52 excluding VAT
- (e)/...

7.16/...

- (e) That the Senior 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 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIRS TO THE REFUSE REMOVAL TRUCK, CK 43815 (8/1/B/2)

The refuse removal truck, CK 43815, is necessary for the continued provision of refuse removal services in Malmesbury. The compactor on the truck broke down and a quotation was obtained from *Transtech*.

RESOLUTION

- (a) That the departure from the prescribed procurement procedures in accordance with paragraph 36(2) of the Supply Chain Management Policy be noted;
- (b) That it be noted and the action of the Municipal Manager be condoned with regards to the repair of the waste removal truck CK43815, for the amount of R 65 919.79 excluding VAT
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The truck would have been left out of service for an extended period of time;
 - (ii) This would have resulted in a failure in the waste removal services capacity and public health risks;
 - (iii) The repair works to the truck therefore is handled as an emergency.
- (d) That it be noted that the expenditure was allocated mSCOA Code: 9/241-1253-709 and that there is sufficient funding available for the quoted amount of R 65 919.79 excluding VAT
- (e) That the Senior Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.18 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: PURCHASE OF 200 FOOD PARCELS FOR THE COMMUNITY (SPAR, DARLING)

An amount of R 850 000.00 was made available to the Swartland Municipality by the Department of Local Government in order to assist the former in the rollout of humanitarian assistance programmes during the COVID-19 pandemic, inter alia, the provision of food parcels to needy households.

The needy households were identified on the basis of the criteria set by the Department of Social Development Services. A coupon was issued to the beneficiary as a voucher to be handed into the relevant chain store in order to collect the food parcel.

Various chain stores in the Swartland municipal area were approached to provide quotations for the food parcels in order to (1) ensure fair economic distribution, (2) ensure that recipients can collect the food parcels from the nearest chain store and (3) in the interest of social distancing, to avoid recipients having to stand in long queues to collect food parcels.

RESOLUTION

- (a) That the departure from the prescribed procurement procedures in accordance with paragraph 36(2) of the Supply Chain Management Policy be noted;
- (b)/...

7.18/...

- (b) That it be noted and the action of the Municipal Manager be condoned with regards to the purchasing of 200 food parcels from Spar Darling to the amount of R 76 122.00
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) Spar Darling had sufficient stock available and could provide the municipality with the required items immediately given the emergency and urgent need as motivated above;
 - (ii) The issuing of food parcels to the community was seen as urgent and regarded as an emergency.
- (d) That it be noted that the expenditure was allocated to vote 9/231-355-31 (disaster management) and that there is sufficient funding available for the quoted amount of R 76 122.00 (Vat Inclusive).
- (e) That the Senior Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.19 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: PURCHASE OF 200 FOOD PARCELS FOR THE COMMUNITY (CHECKERS, MALMESBURY)

[See remarks under item 7.18.]

RESOLUTION

- (a) That the departure from the prescribed procurement procedures in accordance with paragraph 36(2) of the Supply Chain Management Policy be noted;
- (b) That it be noted and the action of the Municipal Manager be condoned with regards to the purchasing of 200 food parcels from Checkers Malmesbury to the amount of R 79 010.00;
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) Checkers Malmesbury had sufficient stock available and could provide the municipality with the required items immediately given the emergency and urgent need as motivated above;
 - (ii) The issuing of food parcels to the community was seen as urgent and regarded as an emergency.
- (d) That it be noted that the expenditure was allocated to vote 9/231-355-31 (disaster management) and that there is sufficient funding available for the quoted amount of R 79 010.00 (Vat Inclusive);
- (e) That the Senior Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.20 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: PURCHASE OF 200 FOOD PARCELS FOR THE COMMUNITY (SPAR, MOORREESBURG)

[See remarks under item 7.18]

RESOLUTION

- (a) That the departure from the prescribed procurement procedures in accordance with paragraph 36(2) of the Supply Chain Management Policy be noted;

7.20/...

- (b) That it be noted and the action of the Municipal Manager be condoned with regards to the purchasing of 200 food parcels from Spar Moorreesburg to the amount of R 74 768.00;
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) Spar Moorreesburg had sufficient stock available and could provide the municipality with the required items immediately given the emergency and urgent need as motivated above;
 - (ii) The issuing of food parcels to the community was seen as urgent and regarded as an emergency;
- (d) That it be noted that the expenditure was allocated to vote 9/231-355-31 (disaster management) and that there is sufficient funding available for the quoted amount of R 74 768.00 (Vat Inclusive)
- (e) That the Senior Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.21 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: PURCHASE OF 600 FOOD PARCELS FOR THE COMMUNITY (SPAR, MALMESBURY)

[See remarks under item 7.18.]

RESOLUTION

- (a) That the departure from the prescribed procurement procedures in accordance with paragraph 36(2) of the Supply Chain Management Policy be noted;
- (b) That it be noted and the action of the Municipal Manager be condoned with regards to the purchasing of 600 food parcels from Spar Malmesbury to the amount of R 197 718.00 (VAT included);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) Spar Malmesbury had sufficient stock available and could provide the municipality with the required items immediately given the emergency and urgent need as motivated above;
 - (ii) The issuing of food parcels to the community was seen as urgent and regarded as an emergency.
- (d) That it be noted that the expenditure was allocated to vote 9/231-355-31 (disaster management) and that there is sufficient funding available for the quoted amount of R 197 718.00 (Vat Inclusive).
- (e) That the Senior Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.22 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: PURCHASE OF 800 FOOD PARCELS FOR THE COMMUNITY (PICK 'N PAY, RIEBEEK WEST)

[See remarks under item 7.18.]

RESOLUTION

- (a) That the departure from the prescribed procurement procedures in accordance with paragraph 36(2) of the Supply Chain Management Policy be noted;

7.22/...

- (b) That it be noted and the action of the Municipal Manager be condoned with regards to the purchasing of 800 food parcels from Pick n Pay Riebeek Wes to the amount of R 237 488.00 (VAT included);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) Pick n Pay Riebeek Wes had sufficient stock available and could provide the municipality with the required items immediately given the emergency and urgent need as motivated above;
 - (ii) The issuing of food parcels to the community was seen as urgent and regarded as an emergency;
- (d) That it be noted that the expenditure was allocated to vote 9/231-355-31 (disaster management) and that there is sufficient funding available for the quoted amount of R 237 488.00 (Vat Inclusive);
- (e) That the Senior Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.23 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: URGENT PURCHASE OF THERMOMETER (8/1/B/2)

Section 8 of the Occupational Health and Safety Act, 1993 stipulates that a working environment is provided which is as safe as is practicably possible and without risks, and maintained.

With the outbreak of the COVID-19 pandemic measuring the temperature of personnel and persons entering the workplace is one of the precautionary measures to be observed in preventing the possible infection with the virus.

RESOLUTION

- (a) That the departure from the prescribed procurement procedures in accordance with paragraph 36(2) of the Supply Chain Management Policy be noted;
- (b) That it be noted and the action of the Municipal Manager be condoned with regards to allowing the purchase of 100 non-contact infrared Thermometer (PC868) at the amount of R227 700.00;
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) That Covid 19 is something new to the world, South Africa as well as the workplace.
 - (ii) The purchase of non-contact infrared Thermometers should be seen and handled as an emergency item;
- (d) That it be noted that the expenditure will be from the Disaster Management vote - 9/231-355-31 (disaster management);
- (e) That the Senior Manager: Financial Statements and Control be instructed to include the above reasons as notes to the financial statements, when same are compiled.

7.24 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: PURCHASE OF MASKS AND GLOVES FOR PROTECTION AGAINST THE COVID-19 VIRUS (8/1/B/2)

The proliferation of the COVID-19 virus has forced Municipalities to introduce urgent preventative measures in order to safeguard employees from the virus by providing, inter alia, masks and gloves as protective equipment (PPE).

7.24/...

RESOLUTION

- (a) That the departure from the prescribed procurement procedures in accordance with paragraph 36(2) of the Supply Chain Management Policy be noted;
- (b) That it be noted and the action of the Municipal Manager be condoned with regards to the purchasing of masks and gloves from GAP Way Communications to the amount of R59,950.00 (supplier not registered for VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) GAP Way Communications had sufficient stock available and could provide the municipality with the required items immediately given the emergency and urgent need;
 - (ii) The issuing of protective equipment to employees for protection against the Covid-19 virus was seen as urgent and regarded as an emergency;
- (d) That it be noted that the expenditure was allocated to vote 508069006841 and that there is sufficient funding available for the quoted amount of R 59,950.00 (supplier not VAT registered);
- (e) That the Senior Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.25 STOCK-TAKE: 2020 (6/1/1)

The annual stock-take will take place on 24 June 2020.

RESOLUTION

- (a) That ald R F van der Westhuizen (accompanying by cllrs O M Stemele or P E Solomons) in respect of the Malmesbury Stores and ald M van Zyl (accompanying by cllrs O M Stemele or P E Solomons) in respect of Moorreesburg Stores be appointed to oversee the stock taking for 2020;
- (b) That the stock taking procedures shall commence at 09:00 on 24 June 2020 at the stores in Malmesbury.

7.26 REQUEST FOR SUPPORT FOR FEEDING SCHEMES/SOUP KITCHENS IN THE SWARTLAND MUNICIPAL AREA

[The Executive Mayor left the meeting for the discussion of this item, due to family ties with members on the management board of the ACVV and requested that the Deputy Executive Mayor act as chairman. The Director: Protection Services, mr P A C Humphreys also left the meeting due to family ties with members on the management board of Darling Outreach]

The community expects the Swartland Municipality to provide assistance during the COVOD-19 pandemic. The Municipality has managed, in accordance with their mandate, to deliver continued basic services to the community with the number of essential personnel that may be in service for these purposes.

There are, however, other spheres of government which are not in a position to carry out the government programmes in accordance with their mandate during the COVID-19 pandemic. Therefore an amount of R 850 000 has been made available to the Municipality in order to support the Western Cape Local Government to carry out the humanitarian aid programme.

Resolution/...

7.26/...

RESOLUTION

- (a) That it be noted and accordingly approved that expenditure incurred for humanitarian aid be considered as unforeseen and unavoidable expenditure in order to avert a disaster of starvation;
- (b) That an amount of R500 000,00 in the 2019/2020 financial year, and possibly a further amount of R350 000,00 by means of adjustment, be made available by Swartland Municipality for support to feeding schemes / soup kitchens;

RESOLVED FURTHER

- (c) That a meeting be arranged with the Leader Organizations to, in consultation with the members of the Executive Mayoral Committee, formulate a decision regarding support for feeding schemes / soup kitchens in the Swartland municipal area.

7.27 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: PURCHASE OF HAND SANITIZERS FOR PROTECTION AGAINST THE COVID-19 VIRUS (8/1/B/2)

The proliferation of the COVID-19 virus has forced municipalities to introduce urgent preventative measures in order to protect employees from the virus by, inter alia, providing hand sanitizers as protective equipment (PPE).

RESOLUTION

- (a) That the departure from the prescribed procurement procedures in accordance with paragraph 36(2) of the Supply Chain Management Policy be noted;
- (b) That it be noted and the action of the Municipal Manager be condoned with regards to the purchasing of 1,000 litres of hand sanitizer from NH Civil Contractors to the amount of R44,000.00 (Supplier not registered for VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) NH Civil Contractors had sufficient stock available and could provide the municipality with the required items immediately given the emergency and urgent need;
 - (ii) The issuing of protective equipment to employees for protection against the Covid-19 virus was seen as urgent and regarded as an emergency.
- (d) That it be noted that the expenditure was allocated to vote 9/231-355-31 (disaster management) and that there is sufficient funding available for the quoted amount of R 44,000.00 (Supplier not VAT registered);
- (e) That the Senior Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.28 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: PURCHASE OF REFRESHMENTS/FOOD FOR TRAFFIC AND LAW ENFORCEMENT OFFICERS DURING THE NATIONAL LOCKDOWN (8/1/B/2)

The Traffic and Law Enforcement Services are seen as essential services during the national lockdown in order to support the SAPD and other roleplayers. The working hours of officials were adjusted from 8 hours per shift to 12 hours per shift in order to carry out effective policing of the Regulations.

Resolution/...

7.28/...

RESOLUTION

- (a) That the departure from the prescribed procurement procedures in accordance with paragraph 36(2) of the Supply Chain Management Policy be noted;
- (b) That the action of the Municipal Manager be condoned with regards to the appointment of Malmesbury Spar to provide refreshments/meals to Traffic and Law Enforcement Officers;
- (c) That the reasons for the deviation from the prescribed procurement processes be recorded as follows:
 - (i) Malmesbury Spar was the only service provider during this disasterous time who was willing to provide meals for the 56 Traffic and Law Enforcement Officers as the officers worked 12 hour shifts without lunch breaks due to the complexity of the job at hand, but more-over the state of emergency which required officers to remain on duty;
- (d) That Malmesbury Spar be paid the amount of R74 556.94 (VAT included) from vote number 9/231-355-31 (disaster management);
- (e) That the Senior Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

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