



MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON TUESDAY 13 APRIL 2021 AT 10:00

PRESENT:

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

Members of the Mayor's Committee:

CrI P E Solomons
Ald O M Stemele
Ald R F van der Westhuizen
Aldd M van Zyl

Officials:

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

1. OPENING

The Executive Mayor welcomed members and asked aldd M S I Goliath to open the meeting with a prayer.

2. APOLOGIES

Apology received from the Speaker, ald M A Rangasamy.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None.

4. MINUTES

4.1 MINUTES OF AN ORDINARY EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 23 MARCH 2021

RESOLUTION

That the minutes of an Ordinary Meeting of the Executive Mayor's Committee held on 23 March 2021 are approved and signed by the Mayor.

5. MATTERS ARISING FROM THE MINUTES

None

6./...

6. MONTHLY REPORTS: FEBRUARY 2021

6.1 MUNICIPAL MANAGER (7/1/2/2-7)

RESOLUTION that note is taken of the contents of the monthly report from the Municipal Manager in respect of February 2021.

6.2 CORPORATE SERVICES (7/1/2/2-1)

RESOLUTION that note is taken of the contents of the monthly report from the Directorate Corporate Services in respect of February 2021.

6.3 FINANCIAL SERVICES (7/1/2/2-2)

RESOLUTION that note is taken of the contents of the monthly report from the Directorate Financial Services in respect of February 2021.

6.4 CIVIL ENGINEERING SERVICES (7/1/2/2-4)

RESOLUTION that note is taken of the contents of the monthly report from the Directorate Civil Engineering Services in respect of February 2021.

6.5 ELECTRICAL ENGINEERING SERVICES (7/1/2/2-6)

RESOLUTION that note is taken of the contents of the monthly report from the Directorate Electrical Engineering Services in respect of February 2021.

6.6 DEVELOPMENT SERVICES (7/1/2/2-5)

RESOLUTION that note is taken of the contents of the monthly report from the Directorate Development Services in respect of February 2021.

6.7 PROTECTION SERVICES (7/1/2/2-3)

- 6.7.1 PERFORMANCE MANAGEMENT
- 6.7.2 TRAFFIC AND LAW ENFORCEMENT SERVICES
- 6.7.3 FIRE FIGHTING SERVICES

RESOLUTION that note is taken of the contents of the monthly report from the Directorate Protection Services in respect of February 2021.

7. NEW MATTERS

7.1 HALF-YEARLY REPORT IN RESPECT OF THE PERFORMANCE AND RISK MANAGEMENT AUDIT COMMITTEE FOR THE PERIOD ENDING 31 DECEMBER 2020 (5/15/1/3)

The Audit Committee serves as a duly constituted, independent committee of the Council and fulfils its function in accordance with the stipulations of section 166 of the Local Government: Municipal Financial Management Act No. 56 of 2003.

The half-yearly report of the above mentioned committee for the period ending 31 December 2020 was circulated with the agenda. The Municipal Performance and Risk Audit Committee is happy with the continued progress being made by the Municipality in improving the controls for the limitation of risks.

RESOLUTION

That cognizance be taken of the Performance and Risk Audit Committee's bi-annual report for the period ending 31 December 2020.

7.2 REPORT IN RESPECT OF THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 JANUARY 2021 TO 31 MARCH 2021 (8/1/B/2)

7.2/...

Section 6(3) of the *Supply Chain Management Regulations* stipulates that the activities of the relevant division must be 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 January 2021 to 31 March 2021 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);
- (c) That cognisance is also taken of Covid-19 related emergency purchases below the threshold value of R30 000.00 to the amount of R 51 643.05.

7.3 SECOND AMENDMENT TO THE 2020/2021 MIG DETAILED PROJECT IMPLEMENTATION PLAN (5/9/2/6/1)

The MIG detailed project implementation plan contains information in respect of projects and associated cash flow, which must be implemented in accordance with the MIG programme.

Any departures from the MIG detailed project implementation plan must be submitted to the Executive Mayor's Committee for approval.

RESOLUTION

- (a) That the Executive Mayoral Committee notes that the 2020/2021 MIG allocation for Swartland Municipality has been increased from R 20 923 000.00 with R 2 000 000.00 to R 22 923 000.00;
- (b) That the Executive Mayoral Committee notes that in order to achieve successful project implementation a re-allocation of funds between registered MIG projects is required and that the 2020/2021 DPIIP must be amended accordingly;
- (c) That the Executive Mayoral Committee approves the following projects and budgets for the amended DPIIP for the 2020/2021 financial year:

Nr	Project	Budget
1	Upgrade Moorreesburg WWTW (WC1710S/17/122)	R 11 432 435
2	Darling Upgrading of Waste Water Treatment Works & Dewatering Facility (WC1780/S/19/22)	R 9 750 565
3	Malmesbury Rehabilitation of Roads (WC1765/R.ST/19/23)	R 1 740 000
Total		R 22 923 000

- (d) That the amended DPIIP be submitted to the Department of Cooperative Governance and Traditional Affairs.

7.4 APPROVAL OF THE WATER SERVICES DEVELOPMENT PLAN: INTEGRATED DEVELOPMENT PLAN, SECTORAL INPUT REPORT (16/1/1/B)

The Water Services Act: Act 108 of 1997 stipulates that every water services authority must draw up a water services development plan, the contents of which are prescribed in section 13 of the Water Services Act.

7.4/...

The Swartland Municipality: Water Services Development Plan was approved by the Municipal Council on 30 March 2016 for the time period concurrent with the 2017-2022 Integrated Development Plan (IDP) and serves as a sectoral plan to the IDP.

Sectorial input was received for 2021/2022, which must be included in the revision process in respect of the IDP in order to ensure efficient, affordable, economic and sustainable access to water services for residents of the municipal area.

RESOLUTION

- (a) That the Water Services Development Plan (WSDP) – Integrated Development Plan Sector Input Report for 2021/2022 be adopted for input to the IDP within the current revision process;
- (b) That a soft copy of the report be made available to the public and any other interested parties through placement on the Swartland Municipality's website, and a hard copy be made available at the offices of the Director: Civil Engineering Services.

7.5 LABOUR AGREEMENT WITH THE COUNCIL OF THE SWARTLAND MUSLIM CEMETERY FOR THE OPERATION AND MAINTENANCE OF THE CHATSWORTH MUSLIM CEMETERY (16/6/B)

A letter was received from the *Swartland Muslim Cemetery Board* in which it was indicated that the latter wishes to enter into a labour agreement with Swartland Municipality for the operation and maintenance of the Muslim division of the Chatsworth cemetery.

The proposed labour agreement will allow the Muslim burials to be carried out according to their traditions without following the necessary booking and payment processes prior to the burial.

RESOLUTION

- (a) That it be noted that the Swartland Muslim Cemetery Board has expressed that they are eager to enter into a working agreement with Swartland Municipality with respect to the operation and maintenance of the Muslim section of the Chatsworth Cemetery;
- (b) That the attached proposed working agreement of the Swartland Muslim Cemetery Board be amended to include the following:
 - (i) That graves may not be reserved exclusively for members of the Swartland Muslim Cemetery Board and must remain available for all those that qualify in accordance with the Muslim faith;
 - (ii) That the agreement be reconsidered on an annual basis or as necessary;
 - (iii) That the applicable grave tariffs will apply;
- (c) That it approved that the proposed working agreement of the Swartland Muslim Cemetery Board be entered into subject to the amendments as mentioned in (b).

7.6 LEASE OF STORAGE SPACE IN MALMESBURY (12/1/2-6/2)

At present the Council leases storage space in Malmesbury from the Bester Family Trust for the storage of refuse bags and water meters.

The storage space is needed for a further period. The Director: Corporate Services confirmed that the rental amount has remained the same.

Resolution/..

7.6/...

RESOLUTION

- (a) That a rental agreement be entered into with Bester Family Trust for the use of storage space in Malmesbury, for a further term of 12 months as from 1 April 2021;
- (b) That the rental tariff of R1155.00, VAT included, per month be paid from voting number 9/241-369-3007 (purchase of refuge bags);
- (c) That the existing conditions of lease remain unchanged.

7.7 PROPOSALS FOR THE MANAGEMENT AND OPERATION OF BUILDING KNOWN AS THE OLD COMMANDO BUILDING IN MOORREESBURG AS A MULTI-PURPOSE CENTRE (12/1/3/1-9/1)

The municipal building situated at 6 Main Street, Moorreesburg, also known as the Old Commando Building, has been used by Sinethemba since 1 May 2017 for community activities.

During March 2020 community based organizations were invited to apply for the use of the Old Commando Building, but the process was not completed due to the Covid-19 restriction regulations.

Invitations were therefore again issued in November 2020 and on both occasions the only application received was from Sinethemba,

RESOLUTION

- (a) That the building situated in 6 Main Road, Moorreesburg, be leased to Sinethemba to be operated as a multipurpose centre;
- (b) That the term of lease shall be for a period of three years;
- (c) That the rental amount be established at R100,00 plus VAT per annum, payable in advance;
- (d) That the lessee be responsible for the payment of service levies (water, electricity consumption, etc.).

7.8 LEASE AGREEMENT: VUYOLWETHU CRÈCHE, MOORREESBURG (17/9/2/R)

The Vuyolwethu Crèche in Moorreesburg has leased Erf 4175, Moorreesburg, from the Council since 1 March 2018, for the purpose of operating an Early Childhood Development Centre (ECD centre).

During the rental period permanent structures were erected from which the ECD centre as well as other community based programmes are operated.

Application has been made to extend the lease agreement for a further 3 years.

RESOLUTION

- (a) That a three (3) year lease agreement be entered into with Vuyolwethu Crèche Moorreesburg as of 1 March 2021 for the lease of erf 4175, Moorreesburg, for the operating of an Early Childhood Development Centre;
- (b) That the rental amount be established at R100,00 per annum plus VAT;
- (c) That should Vuyolwethu Crèche Moorreesburg prove itself as a financially sustainable enterprise, consideration be given in future to the alienation of erf 4175, Moorreesburg, to said institution.

7.9 LEASE AGREEMENT: LITTLE DARLINGS CRÈCHE (17/9/2/R)

7.9/...

It was the intention of Little Darlings Crèche to erect an ECD centre within the three year rental period, from March 2018, on erf 4048, Darling. Due to financial constraints this could not be realized.

An application has been received from Little Darlings Crèche to extend the rental period because they are now in a position to erect an ECD centre.

RESOLUTION

- (a) That a one (1) year lease agreement be entered into with Little Darlings Crèche as of 1 March 2021 for the lease of erf 4048, Darling, for the construction of an Early Childhood Development Centre;
- (b) That the rental amount be established at R100,00 per annum plus VAT;
- (c) That should Little Darlings Crèche prove itself as a financially sustainable enterprise, consideration be given in future to the alienation of erf 4048, Darling, to said institution.

7.10 LEASE AGREEMENT: VUYA FOUNDATION CRÈCHE (17/9/2/R)

The Vuya Foundation Crèche is registered as a non-profit organization which intends establishing an ECD centre in Riebeek Kasteel.

A needs analysis was undertaken in conjunction with the Department of Development Services in respect of the need for an ECD centre for the 435 serviced plots project in Riebeek Kasteel. The survey found that there are at present 75 children who must be placed in an ECD centre.

The Vuya Foundation Crèche operates a very successful ECD centre in Prince Alfred's Hamlet, which has grown in number from 75 to 150 children.

RESOLUTION

- (a) That a three (3) year lease agreement be entered into with Vuyo Foundation Creche as of 1 May 2021 for the lease of erf 2502, Riebeek Kasteel, for the construction of an Early Childhood Development Centre;
- (b) That the rental amount be established at R100,00 per annum plus VAT;
- (c) That should Vuya Foundation prove itself as a financially sustainable enterprise, consideration be given to the alienation of erf 2502, Riebeek Kasteel, to said institution in future.

7.11 BLUE FLAG STATUS: YZERFONTEIN BEACH 2021/2022 SEASON (17/10/R)

The Municipality applied for blue flag status for Yzerfontein beach for the 2018/2019 season. The pilot project was rolled out for a further two seasons under the leadership of Rupert Joone from the Yzerfontein Tourism Office, who assisted the Municipality with the application and achievement of the requirements.

According to the guidelines from WESSA (*the Wildlife and Environment Society of South Africa*) a pilot project can run for four consecutive years after which application can be made for full blue flag status.

On 11 February 2021 mr Joone made a presentation to the Municipality to table the various options in respect of blue flag status.

RESOLUTION

- (a) That cognisance is taken of the Blue Flag pilot status which was run for 3 consecutive years in a row;

7.11/...

- (b) That cognisance is taken of the three options, as presented in the report by mr Joone, with a recommendation in favour of option 3 due to the cost and other implications of full Blue Flag status; namely:

Option 3: To discontinue all Blue Flag plans, but still make use of the lifeguards during the season in order to keep the beach facilities to a high standard;

- (c) That cognisance is taken that lifesavers are sufficiently budgeted for in the draft budget for 2021/22.

7.12 OUTSTANDING DEBTORS: FEBRUARY 2021(5/7/1/1)

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

RESOLUTION that cognizance be taken of the report with reference to the state of the outstanding debtors of Swartland Municipality for February 2021.

7.13 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.

RESOLUTION that cognizance be taken of the progress with outstanding insurance claims for the period ending 28 February 2021.

7.14 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCESS: NEED FOR THE PURCHASE OF LAPTOP COMPUTERS IN ORDER TO MANAGE THE NEW COVID-19 LEVEL 3 REGULATIONS (8/1/B/2)

With the revised Covid-19 regulations there was an urgent need for officials, who share offices, to move to other open areas, such as committee rooms, or to work from home in order to maintain the required social distancing.

An urgent need arose for laptop computers and only one quotation was received in which the order could be delivered within 24 hours.

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 the action of the Municipal Manager be condoned not to invite tenders but to approve the acceptance of the quotation for the appointment of Technology Strategy Corp for 10 x Notebooks computers to the amount of R215 280.00 excluding VAT;
- (c) That the reason for the deviation from the prescribed procurement process to alleviate the emergency situation be recorded as follows:
- (i) Officials were required to urgently relocate to open spaces in municipal buildings or to work from home in compliance with Covid regulations whilst maintaining service delivery;
- (d) That it be noted that the expenditure was allocated to mSCOA vote 9/118-64-729 and that there was sufficient funding available for the order in the amount of R215 280.00 excluding VAT;
- (e) That the Manager: Financial Statements and Control be requested to include the above reasons as a note to the financial statements, when same are compiled.

7.15/...

7.15 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCESS: URGENT REPAIRS TO THE ENGINE OF THE FIRE FIGHTING VEHICLE, NISSAN CABSTAR, CK 27350 (8/1/B/2)

The Nissan Cabstar, CK 27350, is the only available fire fighting vehicle in Moorreesburg, which is used for fire fighting and other emergencies. The engine of the vehicle broke down and because the vehicle is only due for replacement in the 2024/2025 financial year, urgent repairs were necessary.

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 it be noted and the action of the Municipal Manager be condoned with regards to the repair of the engine of the Nissan Cabstar fire fighting vehicle by Truck Marine Centre CC for the amount of R 59 086, 68 (excluding Vat);
- (c) That the reasons for the deviation from the prescribed procurement procedures are as follows:
 - (i) the engine of the fire-fighting vehicle has given in and the vehicle is necessary for the rendering of emergency services. The fact that the engine had to be taken apart made it impractical to obtain three quotations, although two quotations were obtained;
 - (ii) treat the repairs as an emergency for the purpose of capturing them in the financial statements, as the vehicle must be available to put out fires, but mainly because it is the only fire engine in Moorreesburg;
- (d) That it be noted The expenditure allocated to mSCOA vote: 9 / 1-14-5 and that sufficient funds are available for the quoted amount of R59 086,68 (excluding VAT);
- (e) That the Manager: Financial Statements and Control be requested to include the above reasons as a note to the financial statements, when same are compiled.

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