



**MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON THURSDAY, 20 MAY 2021 AT 10:00**

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**PRESENT:**

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

Members of the Mayor's Committee:

Clr 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 requested ald R F van der Westhuizen 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 13 APRIL 2021**

**RESOLUTION**

That the minutes of an Ordinary Executive Mayor's Committee Meeting held on 13 April 2021 are approved and signed by the Mayor.

**5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 12 MAY 2021**

**5.1.1 MUNICIPAL MANAGER, ADMINISTRATION AND FINANCES**

**RESOLUTION** that the Executive Mayor ratifies the recommendations in the relevant minutes.

### 5.1.2 CIVIL AND ELECTRICAL SERVICES

#### RESOLUTION

- (a) That the Executive Mayor ratifies the recommendations in the relevant minutes, subject to the following addition –

#### ITEM 6.1: REPORT IN RESPECT OF THE FINDINGS OF THE WHEELIE BIN PILOT PROJECT

#### FURTHER RESOLUTION

- (f) That there is pro-active communication with all residents in the Swartland municipal area in respect of the pilot project and therefore, that the use of wheelie bins will not be implemented in the rest of the municipal area.

### 5.1.3 DEVELOPMENT SERVICES

**RESOLUTION** that the Executive Mayor ratifies the recommendations in the relevant minutes.

### 5.1.4 PROTECTION SERVICES

**RESOLUTION** that the Executive Mayor ratifies the recommendations in the relevant minutes.

## 6. MATTERS ARISING FROM THE MINUTES

None

## 7. NEW MATTERS

### 7.1 FOURTH REVISION OF THE 2017-2022 INTEGRATED DEVELOPMENT PLAN AND AREA PLANS (2/1/4/4/1)

The Council's Integrated Development Plan (IDP) must be revised on an annual basis in terms of Section 34(a) of the Local Government: Systems Act, 2000 (Act 32 of 2000).

**RESOLUTION** (for recommendation to the Council on 27 May 2021)

That the -

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

### 7.2 BUDGET MANAGEMENT COMMITTEE: TECHNICAL RECOMMENDATIONS FOR THE MULTI-YEAR CAPITAL AND OPERATING BUDGETS, AMENDED BUDGETS AND RELATED POLICIES, PROPERTY RATES AND TAXES, TARIFFS AND OTHER LEVIES FOR 2021/2022; 2022/2023 AND 2023/2024 (5/1/1/1; 5/1/1/2; 5/1/4)

The Director: Financial Services referred to the requirement in accordance with Section 23 of the MFMA that, because the public input/comment necessitated a desirable amendment between the 90-day and 30-day budget, the Executive Mayor must expand on this during the Council meeting of 27 May 2021.

**RESOLUTION** (for recommendation to the Council on 27 May 2021)

**The following are recommendations made by the Budget Steering Committee on 12 May 2021, for consideration by the Executive Mayoral Committee on 20 May 2021, and for final approval by the Council on 27 May 2021:**

- (a) That cognisance be taken of the inputs received from the public and province and that the comments and responses thereto (**Annexure E, Inputs received on the Draft Budget**) be accepted as recommendations by the Budget Steering

Committee and Executive Mayoral Committee, insofar as it relates to the consideration of the final 2021/2022 MTREF Budget;

- (i) That council specifically note the Executive Mayor's decision in the above regard as allowed for in Section 23 of the MFMA, resulted in the following changes to the draft final budget:
- Reduced property rates increase for the 2021/22 financial year from 5.9% to 3.9% (linked to estimated headline inflation) resulting in reduced planned revenue around R 2, 780 million;
  - Water tariffs reduced from 6% and 4.9% to a low 3.5% for all users inclusive of reducing the block tariff for consumption between 26-35 KL and no increase for consumption from 36 KL and more. The planned increases tabled in the draft budget for the outer years were further reduced to 4,5% from a planned 6%;
  - Electricity Increases– Tariff 12 (block 1) of the residential prepaid tariff to increase by only 13.8% instead of 14.59% tabled in the draft budget and that the deficit be recovered from the energy components of the bulk industrial tariffs (Tariff 3 and Tariff 10) by means of an increase of 15%;
  - Salary increases were revised/limited to 2.8% resulting in a reduced salary bill in the final budget as SALGA, contrary to the 0% mandate provided by the municipality, entered into negotiations with the aforementioned 2.8%;
- (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 costs as per **(Annexure A, Section 1: 2021/22 – 2023/24 Final Budget and Tariff File)** and consider same;
- (c) That council prior to approving the capital projects above R50 million as listed in **(Annexure B: 2021/22 – 2023/24 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;
- (d) 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;

<b>FINANCING SOURCES</b>	<b>Final Budget 2021/2022</b>	<b>Final Budget 2022/2023</b>	<b>Final Budget 2023/2024</b>
Capital Replacement Reserve (CRR)	R 119 720 229	R 88 134 732	R 87 207 848
Municipal Infrastructure Grant (MIG)	R 22 700 000	R 23 810 000	R 24 711 000
Dept. Human Settlements	R 14 600 000	R 15 800 000	R 19 760 000
Integrated National Electrification Programme (INEP)	R 8 355 000	R 5 000 000	R 5 000 000
Dept. Cultural Affairs and Sport	R 1 033 000	R -	R -
Community Safety Grant	R 27 500	R -	R -
<b>GRAND TOTAL</b>	<b>R 166 435 729</b>	<b>R 132 744 732</b>	<b>R 136 678 848</b>

- (e) 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;

- (f) That council approves the capital projects as part of its consolidated capital program as per **(Annexure A, Section 1: 2021/22 – 2023/24 Final Budget and Tariff File)**;
- (g) That the final high-level multi-year Capital and Operating budgets with respect to the 2021/22 – 2023/24 financial years be approved as final, in accordance with sections 16, 17 and 19 of the MFMA;

	<b>Original Budget 2020/21</b>	<b>Special Adj Budget 2020/21</b>	<b>Final Budget 2021/22</b>	<b>Final Budget 2022/23</b>	<b>Final Budget 2023/24</b>
Capital budget	212 435 837	212 204 973	166 435 729	132 744 732	136 678 848
Operating Expenditure	810 670 080	812 407 741	911 967 151	983 835 346	1 055 314 274
Operating Revenue	882 786 413	895 651 145	968 875 619	1 048 008 388	1 119 714 984
<b>Budgeted (Surplus)/ Deficit</b>	<b>(72 116 333)</b>	<b>(83 243 405)</b>	<b>(56 908 468)</b>	<b>(64 173 042)</b>	<b>(64 400 709)</b>
Less: Capital Grants, Donations & Development Charges	86 863 600	80 767 351	47 912 409	45 865 556	50 788 078
<b>(Surplus)/ Deficit</b>	<b>14 747 267</b>	<b>(2 476 054)</b>	<b>(8 996 059)</b>	<b>(18 307 486)</b>	<b>(13 612 631)</b>

- (h) 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 2021/2022 financial year with effect from 1 July 2021;

<b>Category of property</b>	<b>Rate ratio</b>	<b>(c/R) rate determined for the relevant property category</b>
Residential properties	1: 1	0,5361
Business and Commercial properties	1: 1,4367	0,7702
Industrial properties	1: 1,4367	0,7702
Agricultural properties	1: 0,25	0,1340
Mining properties	1: 1,4367	0,7702
Public Service Infrastructure	1: 0,25	0,1340
Public Benefit Organisations	1: 0	0,0000
Vacant properties	1: 1,347	0,7221
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;
- **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.

- (i) That council approve the final tariff structures and charges for water, refuse removal, sewerage and other sundry charges as set out in **(Annexure A: 2021/22 – 2023/24 Final Budget and Tariff File)**;
- (j) That council approve the electricity tariffs as final for the 2021/2022 financial year, bearing in mind that it is still subject to NERSA's final approval;
- (k) 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 2021/22 – 2023/24)**;
- (l) That the amended budget and related policies as set out in **(Annexure D: Final Budget Related Policies 2021/22)** hereto, be approved as final;
- (m) That the training budget limited to **0,70%** of the salary budget in the amount of **R1 820 006** for the 2021/2022 financial year be approved as final;
- (n) That SALGA be informed of Council's dissatisfaction that, despite a 0% mandate received from various municipalities, SALGA went to the negotiations with a 2.8% increase;
- (o) That Council takes note of the increases of the directors: Corporate, Electrical Engineering Services and Protection Services 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 2.8% for 2021/2022; 2.8% for 2022/2023 and 2.8% for the 2023/2024 financial years, excluding the increase in other benefits that are applicable and the annual 2.5% notch increase where applicable;
  - In respect of the Directors: Corporate Services, Electrical Engineering Services and Protection Services, a 2.8% increase with effect from 1 July 2021;
  - In respect of the Municipal Manager a 2.5% increase with effect from 1 July 2021;
  - That it be noted that the Directors: Civil Engineering Services, Financial Services and Development Services received no increase for the 2020/21 year with no indication of increases for 2021/22 either;
  - That it be noted that all councillors received no increase to their allowances during 2020/21;
  - Provision has been made for a 2.8% increase for political office bearers which is within the mid band of the inflation targets set by the South African Reserve Bank (SARB).
- (p) 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 **12.3%** from the current to the new financial year and the reduced revenue streams with minimal growth in revenue of **8.2%** 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 **8.9 months** for 2021/2022, **8.8 months** for 2022/2023 and **8.3 months** for 2023/2024 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 operating surpluses are envisaged for 2021/2022 to an amount of **R 8 996 059**, for

2022/2023 an amount of **R 18 307 486** and for 2023/2024 an amount of **R 13 612 631 (excluding capital grant income)**;

- (q) 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;
- (r) That Council take note that the budget was prepared in the new mSCOA Version 6.5 as required by National Treasury.

### **7.3 APPROVAL OF THE PROPERTY RATES AND TAXES REGULATION (1/1)**

The draft Property Rates and Taxes Regulation was submitted to the Council on 30 March 2021 in order to follow a public participation process.

No input/comment was received from the public.

The Director: Corporate Services stated that the draft Property Rates and Taxes Regulation was drawn up according to an example of a regulation which was provided by the Department of Co-operative Governance and Traditional Affairs (CoGTA) during February 2021. The relevant department proposed further amendments on 18 May 2021, and these were presented to the committee.

**RESOLUTION** (for recommendation to the Council on 27 May 2021)

- (a) That it be noted that the Department of Cooperative Governance and Traditional Affairs has notified in an email dated 18 May 2021 that further amendments have been made to the copy by-law provided to the Municipality during February 2021, and on ground on which the Municipality made amendments to its by-law, which draft by-law was published for public comment;
- (b) That it be noted that the above-mentioned amendments are not of a material nature;
- (c) That the above-mentioned amendments be incorporated into the draft by - law which will be presented to the Board on 27 May for adoption.

### **7.4 AMENDMENT TO THE KPI's AND GOALS (2/4/2)**

The revision of the key performance indicators (KPI's) and goals are prescribed by the *Municipal Planning and Performance Management Regulations*. Regulation 11(2) stipulates specifically that when there is an amendment to the Integrated Development Plan (IDP) the KPI's and goals must be amended accordingly.

**RESOLUTION**

That the following amendment of key performance indicators (KPI's) and targets be approved:

- (a) Addition Municipal Manager: KPI - A hand-over report that can be tabled at the first meeting of the newly elected council completed; Target - Yes (by end of September 2021);
- (b) Amendment all directors and division heads: KPI - % of all correspondence recorded by Collaborator less than 60 days old - make inactive for 2021/22 until such time as Collab reporting on the KPI is possible again;
- (c) Amendment Manager Fire and Emergency Services: KPI 13-0010(3) - Disaster Management Plan and Disaster Recovery and Business Continuity Plan reviewed - Change target to: Yes (annually by end of Feb); and
- (d) Addition Manager Strategic Services: KPI 09-0015 - "Key performance indicators and targets reviewed", Target - "Yes (annually by June)"

## 7.5 SWARTLAND ECONOMIC AND RECOVERY PLAN (2/1/4/4/1)

The Manager: Strategic Services, ms O Fransman, explained that the new Economic Development and Recovery Plan has been drawn up firstly in order to revise and amend the old LED strategy, and secondly to incorporate the Economic Recovery Plan, which was approved by the Executive Mayor's Committee on 23 November 2020, into the new plan.

In order to implement the plan it is necessary to develop *implementation commitments*, in other words how can the Municipality become involved or support developments and recovery initiatives.

**RESOLUTION** that the Swartland Economic Development and Recovery Plan that is attached as **Annexure A**, be approved.

## 7.6 ALLOCATION OF DEVELOPMENT CONTRIBUTIONS FOR 2021/2022 (15/1/B)

The Municipal Manager stated that the development contributions have not escalated in the past five years. The submission only serves to determine the rebate for the 2021/2022 financial year.

### RESOLUTION

- (a) The attached Development Charges for the 2021/2022 financial year be approved:
  - "Greenfields" Development Charges – Malmesbury (Annexure "A").
  - "Brownfields" Development Contributions – Swartland Municipal Area (Annexure "B").
  - Development Charges – Riebeeek Valley (Annexure "C" and Annexure "C1").
  - Development charges for Bulk Services – Yzerfontein (Annexure "D").
- (b) A rebate of 40% on the above-mentioned development contributions in respect of the 2021/2022 financial year is granted;
- (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 Riebeeek Valley of 100m<sup>2</sup> or smaller in extent, be reconfirmed in respect of the 2021/2022 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.

## 7.7 PROPOSED REVISION OF AGREEMENT (T23/18/19): GROUP LIFE SOLUTIONS: UNDERWRITING OF THE MUNICIPALITY'S GROUP LIFE INSURANCE PORTFOLIO FOR THE PERIOD 1 JULY 2019 TO 30 JUNE 2022 (4/7/5/2)

Tender T23/18/19 was awarded to VERSO Financial Services for the underwriting of the Municipality's group life insurance portfolio for the period 1 July 2019 to 30 June 2022.

A letter dated 26 April 2021 was received from VERSO Financial Services in which the extent of the impact of the Covid-19 pandemic on the insurance industry was explained and the resultant revision to the underwriter's pricing for deaths.

The Municipal Manager stated that some municipalities have decided to call for new tenders. The proposed tariff increase by VERSO Financial Services, given the circumstances, is not really excessively high and is still beneficial to the Council in comparison with the above mentioned quotations.

**RESOLUTION** (for recommendation to the Council on 27 May 2021)

- (a) That Council take note of the fact the COVID-19 negatively impacted the insurance industry given the current elevated level of death rates in the country and the expectation of a third and possibly more waves later in 2021, to the extent that the underwriter had no choice but to review their mortality pricing basis;
- (b) That cognisance be taken of the reasons tabled for the amendment of Contract T23/18/19 in terms of the enabling provisions of Section 16(3) of the Municipal Finance Management Act, (Act 56 of 2003);
- (c) That cognisance be taken that due process was followed and comments/representations are awaited by 5 June 2021 regarding the proposed amendment of Contract T23/18/19;
- (d) That should no comments/representations be received regarding the amendment of Contract T23/18/19, Council approves the amendment of the rates in terms of Contract T23/18/19 as follows with effect from 1 July 2021:

	Current	1 July 2021
<b>Council (this rate affects the municipal expenditure)</b>		
Compulsory Death and Instalment Disability	R0,4800	<b>R0,6270</b>

- (e) That the Municipal Manager be authorised to sign the amended certificate of participation, should no comments/representations be received;
- (f) That Council take note that if any comments/representations against the proposed amendment of Contract T23/18/19 are received the matter will be referred back to Council for consideration before end June 2021;
- (g) That the required adjustments to the multi-year operating budget be made for approval by Council by means of an adjustments budget.

**7.8 DETERMINATION OF CONTINUED MEDICAL BENEFITS (4/2/8)**

The rules of the *Consolidated Retirement Fund (CRF)* in respect of the retirement age have changed in that retirement age has been increased from 60 years to 65 years. Although this does not have any tax implications for any personnel who are members, continued medical fund membership is affected by this, because the benefit kicks in automatically with the normal retirement (now 65 years).

There is however a standing policy decision, which empowers the Municipal Manager to consider prior requests for continued medical fund membership from any employee who applies for early retirement after at least ten years service with the Swartland Municipality.

SALGA has requested that the Municipality reconsider the requirements for this benefit, inter alia, SALGA is of the opinion that ten years service is relatively little and that it must be changed to fifteen years service for new employees.

The Director: Financial Services stated that there are mainly two reasons why ten years service must be affirmed, namely (1) two different systems which have considerable implications for the costs involved in actuarial calculations, which must be done annually (2) skilled persons must be attracted to senior positions, inter alia, by this benefit.

**RESOLUTION**

That the following requirements and limitations with regards to post retirement medical aid membership be approved with effect from 1 June 2021:

- (a) That an employee, who is a member of a medical aid fund and who reaches



normal retirement age, must complete at least ten years' service at Swartland Municipality before the employee can qualify for post retirement medical aid membership;

- (b) That the Municipal Manager is authorised to approve advance requests for post retirement medical aid membership of any employees who apply for early retirement, in terms of the standing policy resolution (dated 14 August 2013) in this regard, but that the advance request must be supported by a motivation and reasons and is furthermore subject to the requirement regarding years' service as indicated in paragraph (a) above;
- (c) That the following limitations with regards to post retirement medical aid membership shall apply to all employees who belong to a medical aid fund, regardless if the employee is applying for early retirement or is retiring normally due to reaching retirement age:
  - (i) That only the member, spouse and dependents who are registered by the medical aid fund on date of retirement, will be subsidised;
  - (ii) That no new spouse/life partner or additional child dependents will be subsidised after date of retirement;
  - (iii) That dependent children will only be subsidised until the age of 24 years;
  - (iv) That disabled dependents will be subsidised until the death of such dependent, provided that such dependent is registered by the medical aid fund on date of the member's retirement;
- (d) That all existing employees be informed in writing of the resolution and that the employment contract in respect of all new employees is amended with effect from 1 June 2021 to define the requirements and limitations of post retirement medical aid membership.

## **7.9 RESTRUCTURING: CAPE WEST COAST/SWARTLAND TOURISM ASSOCIATION (9/1/3/B)**

The Cape West Coast/Swartland Tourism Association has requested the Municipality to investigate a new tourism model for reasons given in the report.

The Executive Mayor's Committee approved two tourism models on 17 April 2019 for further fine tuning in order to decide on a suitable model. A tender process was followed in order to appoint a qualified facilitator for this purpose, with the mandate to investigate and recommend a tourism model in conjunction with all interested parties.

A proposed tourism model, which was developed after various workshops and consultations, was presented on 9 February 2021 by the facilitator, *MJvV Consulting & Mobile Marketing Pty Ltd*. This model proposes a central tourism structure under private management by a non profit organization.

### **RESOLUTION**

- (a) That consideration be given to approval of the proposed Tourism Model, as well as the financial implications of same;
- (b) That it be recommended to Council that the Service Level Agreement between the Municipality and Cape West Coast/Swartland Tourism Association be renewed for a year from 1 July 2021 until 30 June 2022;
- (c) That should the model be approved:
  - (i) the current information offices that will not be in operation in terms of the new model, be closed in 2021/22;
  - (ii) a non-profit organization be formed in 2021/22 and the appointment of a Board of Directors;
- (d) That it be noted that the tourism sector is likely to be the sector hardest hit by the Covid-19 pandemic, and that a special effort will have to be made to get the sector back on its feet in order to taking their rightful place with regard to the economy and creating an environment to optimize jobs;

- (e) That it is also be noted that Swartland Municipality, compared to other municipalities, makes a much smaller contribution to tourism;
- (f) That the Municipality's management be requested to, with a view to the following financial years, make the following provision on the budget (due to the possibility that some of the tourism officials, who are on the municipal staff establishment, may retire ), being:
- 2022/23 - R1.5 million
  - 2023/24 - R2 million
  - 2024/25 - R2.5 million

**7.10 MOORREESBURG ACTION GROUP (MAG): APPLICATION FOR USE OF THE FORMER CLINIC BUILDING (12/1/7)**

Two separate applications were received from the Moorreesburg Action Group (MAG) for the use of the former clinic building in Moorreesburg for two days per week.

During discussions with the Municipality MAG, revealed that a request/tender was handed in for the use of the "Old Commando Building" in Moorreesburg, and was requested to hand in a copy of the tender to mr Solomons in the Directorate Corporate Services.

**RESOLUTION**

- (a) That the measure be maintained that use of the former clinic building be permitted only on an ad hoc basis, and by means of advanced bookings;
- (b) That approval therefore not be granted to MAG to use the building on a standing basis on specific days for office purposes and engagements with members of the community as requested, for the following reasons:
- The organisation is not an extension or mouthpiece of the Municipality, and does not have a mandate to communicate or negotiate on behalf of the Municipality with its clients, or to perform certain actions on behalf of the Municipality;
  - The recent protest action and resulting petition clearly indicates that there is a conflict of interest between the Municipality and the action group, and that the latter has political motives in its dealings with the community.

**7.11 OFFICE ACCOMMODATION: MOORREESBURG SPORT FORUM (12/1/3/1-9/1)**

The Council leases the office known as the old Tourism Office in Moorreesburg on an annual basis to the Moorreesburg Sport Forum.

An application has been received from the Moorreesburg Sport Forum to rent the office space for a further 12 months.

**RESOLUTION**

- (a) That the former Tourism Office in Moorreesburg be leased to the Moorreesburg Sport Forum for a further term of 12 months as from 1 May 2021 for administrative purposes;
- (b) That the lease tariff be set at R10,00 plus VAT, per month;
- (c) That the existing conditions of lease remain unchanged.

**7.12 ANNUAL GENERAL MEETING: LOCAL GOVERNMENT RETIREMENT FUND: NOMINATION OF DELEGATES (11/1/2/5)**

The 37th Annual General Meeting of the Local Government Retirement Fund takes place on 27 May 2021. The fund requests the nomination of delegates on behalf of the members and on behalf of the Council to attend the meeting

**RESOLUTION**

- (a) That it be noted that Mr A M Zaayman has been nominated to represent the members at the Annual General Meeting of the Local Government Retirement Fund on 28 May 2021;
- (b) That it be further noted that, if Mr A M Zaayman is not available, a second from members, if any, will be designated;
- (c) That rdh R F van der Westhuizen be nominated to represent the Council at the meeting.

**7.13 2020/2021 STOCK TAKE (6/1/1)**

The annual stock take at the main store and the stationery office in Malmesbury and the electrical store in Moorreesburg is scheduled for the 24 June 2021.

A request has been received to delegate councillors to supervise the stock take.

**RESOLUTION**

- (a) That ald O M Stemele and ald R F van der Westhuizen (clr P Solomons as second) be designated for the stocktaking on 24 June 2021 at the Malmesbury *magasyn*;
- (b) That ald M van Zyl (ald O M Stemele as second) be designated for the stocktaking on 24 June 2021 at the Moorreesburg Electric Store;
- (c) That the relevant Councillors take note that the Chief Warehouse Master would like to start punctually at 09:00 at the main warehouse in Malmesbury.

**7.14 OUTSTANDING DEBTORS: APRIL 2021 / OUTSTANDING DEBT: APRIL 2021 (5/7/1/1)**

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

The Director: Financial Services stated that there has been an improvement in the payment figures of taxpayers and that, in spite of the impact of the Covid-19 pandemic, a payment figure of 96% can be anticipated for the 2020/2021 financial year.

**RESOLUTION**

- (a) That the report regarding the state of Swartland Municipality's outstanding debtors for April 2021 be noted;
- (b) That the possibility of obtaining approval from officials for new appointments to recover his / her municipal account directly from his / her salary be investigated, otherwise, that if the official were to fall into arrears with his / her municipal account the outstanding amount may be recovered from his / her salary.

**7.15 PROGRESS IN RESPECT OF 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 30 April 2021.

**7.16 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: APPOINTMENT OF A SECURITY COMPANY (8/1/B/2)**

The Standard Bank and Nedbank Buildings have recently been purchased by the Municipality for use as office accommodation.

On 19 April 2021 a break-in was discovered at the Standard Bank building and the building was badly damaged by vandals. A security company was urgently appointed to guard the building in order to prevent further damage.

#### **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 Dogs & All to the amount of R 79 695, 00 (VAT Incl.);
- (c) That the reasons for the deviation from the prescribed procurement process be recorded as:
  - (i) The burglary to the building was of such a nature that Council needed to secure it against further damage.
  - (ii) The appointment is an emergency to safeguard municipal property against vandalism;
- (d) That it be noted that the expenditure was allocated to mSCOA vote 9/217-1017-1311 and that there was sufficient funding available for the order in the amount of R 79 695, 00 including 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.

#### **7.17 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIRS TO THE WASTE PUMPS AT THE MALMESBURY WWTW (8/1/B/2)**

The Malmesbury WWTW is operated by a membrane system, which consists of various mechanical components in the purification process. One of the components consists of two synchronized transfer pumps, one of which failed.

This component was thus only 50% functional, which could lead to further mechanical damage and urgent repairs are necessary. The Director: Civil Engineering Services confirmed that the exchange rate influences the large costs for the repairs, because many of these components must be imported.

#### **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 acting Municipal Manager be condoned with regards to the repairs of the permeate pumps at the Malmesbury Wastewater Treatment Works by GW Trautman for the amount of R104 898.00 excluding VAT;
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
  - (i) The permeate pump would have been left out of service for an extended period of time following due process;
  - (ii) This would have had the consequence of treatment process failure and further damages to other mechanical components;
  - (iii) The repair work to the permeate pump therefore had to be handled 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 R104,898.00 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.

**7.18 NOTIFICATION IN RESPECT OF THE FINAL APPROVAL OF THE WATER SERVICES DEVELOPMENT PLAN (16/11/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 by section 13 of the Act.

Sectoral inputs were received for 2021/2022 which must be taken into account during the revision processes of the IDP in order to ensure efficient, affordable, economic and sustainable access to water services for the 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.

**7.19 APPOINTMENT OF MEMBERS TO THE DISCIPLINARY COUNCIL FOR RECOMMENDATION TO THE MUNICIPAL COUNCIL (5/15/1/5)**

The aim of the Disciplinary Council is to serve as an independent advisory body to support the Council during investigations into financial misconduct, in accordance with the *Financial Misconduct Regulations*.

The Disciplinary Council must consist of five members. The term of office of the Internal Audit Manager expires on 31 May 2021.

**RESOLUTION** (for recommendation to the Council on 27 May 2021)

- (a) That paragraph 4 (3) of the Financial Misconduct Regulations provides that the term of office of members of the Disciplinary Board may not exceed a term of three years and that the Executive Mayoral Committee, having regard to the comment in paragraph 2 of the report, grant the following approval in order to ensure continuity in the existence of the Disciplinary Board;
- (b) That the extension of the term of office of Mr P le Roux, Manager Internal Audit be approved from 1 June 2021 to 31 May 2022.

**7.20 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIRS TO THE SEWERAGE TRUCK, CK 18526 (8/1/B/2)**

The truck, CK 18526 is equipped with specialized equipment to clear sewerage blockages in the main sewerage systems.

The Municipality has only one vehicle available to carry out this specialized service and 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 Acting Municipal Manager be condoned with regards to the repair of the reduction gearbox and the high pressure pump of the sewerage blockage truck CK 18526 by Hydromatic for the amount of R111

244.24 (including VAT);

- (c) That the reasons for the deviation from the prescribed procurement processes 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 sewerage blockage clearing service with serious environmental and public health risks;
  - (iii) The repair works to the truck therefore be handled as an emergency;
- (d) That it be noted that the total cost as per the quoted amount of R111 244.24 (including VAT) was allocated to vote number 9/210-1253-557;
- (e) That the Manager: Financial Statements and Control be instructed to include the aforementioned reason as a note to the financial statements at the time when the statements are compiled.

**7.21 WRITE-OFF OF NON-RECOVERABLE AND OTHER DEBT: APRIL 2021 (DESTITUTE HOUSEHOLDS TO THE AMOUNT OF R 7 182 978,34 AND OTHER NON-RECOVERABLE DEBT TO THE AMOUNT OF R 2 784 045,07) (5/7/3)**

Although they receive a subsidy for services, the socio economic circumstances of destitute households makes it impossible for users to keep their monthly accounts up to date. The result is that these outstanding amounts can be classified as non-recoverable.

In the case of other outstanding debtors, all possible efforts are made to collect the monies and the indication is that outstanding debts are not going to be recovered and must be considered for write-off.

**RESOLUTION**

- (a) That the Executive Mayoral Committee approves that the amount of **R 7 182 978,34** be written off as irrecoverable, in respect of indigent households;
- (b) That the Executive Mayoral Committee approves that the amount of **R 2 784 045,72** be written-off as irrecoverable, in respect of other debtors linked to and as a direct result of the individual reasons per case;
- (c) That, if after the date of this approval, it comes to light that a portion of the debt owed by a debtor is not correct, or that any information was not made known to the Executive Mayoral Committee at the time of write-off, which would have led to the committee not considering the amount for write-off, the Executive Mayoral Committee retains the right to write back the debt to the relevant debtor and that the necessary steps will be taken to recover the debt;
- (d) That, if a property is in any way alienated, the Council retains the right to refuse clearance on the relevant property in order to recover the amounts written-off, before clearance is given. In order to enforce this decision a register is kept by the Rates and Taxes Division which enables the department to see if any debts were written-off within the previous two years, and if so to recover the amounts before clearance is considered;
- (e) That approval is also given that the current levies, which is not yet incorporated in the current list due to the period from the starting of the administrative process of compiling the write-off list and the period thereafter, form part of the write-off, providing that the Credit Control Division is convinced that the new debt is also irrecoverable under the same circumstances;
- (f) That approval is also given that the amounts owed to the Council, which to date, do not appear on the schedule as a result of the non-completion of socio-economic investigations at all indigent households, will also form part of the write-off, providing that the Credit Control Division is convinced that the new debt is also irrecoverable under the same circumstances;

- (g) That the actual amount written off, after this submission has been made to the Executive Mayoral Committee, will be resubmitted at the next meeting;
- (h) That any VAT levied on the services is claimed back from the Receiver of Revenue in the prescribed manner;
- (i) That the Credit Control Division attempt to pay a personal visit to each indigent household in order to explain the write-off and the future obligations of 'responsible users', as well as to explain the installation and workings of water demand management systems, as a proactive credit control measure;
- (j) That approval be given that the costs relating to the replacement of the credit meter with a prepaid electricity meter are for the municipality to bear and that the Chief Financial Officer will recover the costs from the Equitable Share allocation;
- (k) That the Mayoral Committee takes cognizance of the fact that the administration will attempt to put measures in place in a bid to force those users of services not on our financial system to agree and complete the necessary services connection form/s.

**7.22 REVISION OF COMMUNICATION STRATEGY AND ASSOCIATED POLICIES (6/2/2/B)**

The Communication Strategy for the period 2017-2022 and associated policies are revised on an annual basis in order, inter alia, to keep pace with the amendments to the Integrated Development Plan.

**RESOLUTION** that cognizance be taken that no amendments to the Communication Strategy (2017-2022) and associated policies are required.

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