



***CONFIDENTIAL***

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**AGENDA  
for an ORDINARY  
MEETING**

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**MANGAUNG  
METROPOLITAN  
MUNICIPAL COUNCIL**

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**COUNCIL CHAMBERS  
FIRST FLOOR  
BRAM FISCHER BUILDING  
BLOEMFONTEIN**

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**WEDNESDAY  
FEBRUARY 28, 2018  
AT 14:00**

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**MANGAUNG  
METROPOLITAN  
MUNICIPALITY**

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**MANGAUNG METROPOLITAN MUNICIPALITY****Bram Fischer Building  
BLOEMFONTEIN****FEBRUARY 21, 2018****ALL MEMBERS OF THE METROPOLITAN MUNICIPAL COUNCIL OF THE  
MANGAUNG METROPOLITAN MUNICIPALITY**

Ladies and gentlemen

Notice is hereby given in terms of the provisions of  
Section 29(2) of the Local Government:  
Municipal Structures Act, 1998 (Act No 117 of 1998) and  
Rule 6.1 of the Council's Standing Rules and Orders that

**ORDINARY MEETING OF THE  
MANGAUNG METROPOLITAN MUNICIPAL COUNCIL**

will be held in the

**COUNCIL CHAMBER  
FIRST FLOOR  
BRAM FISCHER BUILDING  
BLOEMFONTEIN**

On

**WEDNESDAY, FEBRUARY 28, 2018**

at 14:00

To consider the items as set out in this agenda.

  
.....  
**CITY MANAGER  
ADVOCATE TB MEA**  
.....  
**SPEAKER  
COUNCILLOR MA SIYONZANA**

**Note by Secretariat****1. Attendance Register:**

Every member attending a meeting shall sign his/her name in the attendance register kept for this purpose before the commencement of the meeting.

**2. Leave Register:**

In order to streamline administrative processes Councillors are friendly requested to submit applications for leave of absence in the appropriate register kept for this purpose. Members are requested to fill in this register 12 hours before the commencement of the meeting (Rule 22.2) (Yellow Form).

**3. Name-plates:**

Councillors are friendly requested to please take along their name-plates and to display it throughout the meeting.

**4. Apologies during the course of the Council meeting:**

Councillors are friendly requested to complete in full and submit the relevant apology form for this purpose (Yellow Form).

**5. Code of Conduct:**

Councillors are reminded of item 3, Schedule 1 of the Code of Conduct for Councillors which reads as follows, namely:

Attendance at Meetings: A councillor must attend each meeting of the municipal council and of a committee of which that councillor is a member, except when:

- (a) leave of absence is granted in terms of an applicable law or as determined by the rules and orders of the council; or
- (b) that councillor is required in terms of this Code to withdraw from the meeting.

**6. Meeting rules:**

- i. All Councillors must arrive at **least 15 minutes before the commencement** of the Council and all other Committee meetings;
- ii. Cellular phones **must be in silent mode** and **speaking on a cellular phone during the meeting is prohibited**; (Rule 50.2a)
- iii. A Councillor who speaks must **confine his or her speech strictly to the matter under discussion**; (Rule 31)
- iv. Unless expressly otherwise determined, a Councillor **may speak only once on a matter**; (Rule 32)
- v. No speech shall exceed **five (5) minutes** in length without the consent of the Speaker. (Rule 34.1)
- vi. Council members are reminded to uphold high level of good conduct during Council proceedings (No disruptions, no interruptions, no howling, no swearing to other Council members, less movement in the Chamber, no abuse of the PA system).

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**AGENDA**

**(OPEN COUNCIL)**

**8.  
OPENING**

**9.  
NOTICE OF THE MEETING**

**10.  
APPLICATIONS FOR LEAVE OF ABSENCE**

**11.  
ACCEPTANCE OF THE AGENDA**

**12.  
ANNOUNCEMENTS**

**12.A  
MOTION OF SYMPATHY AND CONGRATULATIONS**

**13.  
CONFIRMATION OF MINUTES**

1. Ordinary meeting: Friday, November 17, 2017
2. Special meeting: Thursday, December 14, 2017
3. Special meeting: Friday, December 22, 2017

**14.1A****MANGAUNG METROPOLITAN MUNICIPALITY: ADJUSTMENT BUDGET 2017/2018****Annexure: Undated report received from the City Manager. (Pages 1 – 62)****RECOMMENDATION**

- (a) That based on the details as outlined above and in terms of the Section 28 of the MFMA, it is recommended that Council approves the Adjustment Budget as contained herein, together with the resolutions as contained here below.
- (b) That the cost containment measures currently in place be implemented by all departments.
- (c) That overtime be managed and brought under control.
- (d) That debt collection levels for all services be improved and that all departments contribute to revenue collection.

**1. RESOLUTIONS**

- 1.1. That in terms of Section 28 of the MFMA, 56 of 2003, the annual budget (as approved on the 31 May 2017 of the municipality's Total Revenue be increased by R 45,774 million to R 7,288 billion, Operating Expenditure be reduced by R 17,342 million to R 6,130 billion and Capital Expenditure Budget be increased by R 98,092 million to R 1,237 billion, be adjusted for the 2017/18 financial year as set out in the following tables:

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- 1.2. That the financial position, cash flow, backed reserve/accumulated surplus, asset management be adopted as set-out in the following tables:

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- 1.3. The cost containment measures currently in place be implemented by all departments;

- 1.4. That overtime be managed and brought under control;
- 1.5. That debt collection levels for all services be improved and that all departments contribute to revenue collection.

#### 14.1B

##### **CENTLEC (SOC) LTD: ADJUSTMENT BUDGET 2017/2018**

**Annexure: Report received from the Chief Executive Officer of Centlec (SOC) Ltd signed on February 13, 2018. (Pages 1 – 31)**

#### 14.2

##### **CALEDON MODDER SUB-SYSTEM: IMPOSITION OF 20% WATER RESTRICTIONS AND WATER USE**

**Annexure: Report dated February 22, 2018 received on February 23, 2018 from the HOD: Engineering Services, recommended by the City Manager and approved by the Executive Mayor. (Pages 1A – 32)**

#### **RECOMMENDATION**

- (a) That the 20% water restrictions imposed by the National Department of Water and Sanitation (NDWS) be approved by Council for implementation immediately as per the Government Gazette No. 1221 of the 3<sup>rd</sup> November 2017 until the new one.
- (b) That the water use restriction level (Level 3) as recommended by Regional Department of Water and Sanitation (RDWS) be approved. Refer to Annexure A of the attached document.
- (c) That the 2017/2018 water tariffs as approved by Council be used to determine the applicable tariff for the consumption of water.
- (d) That water tariff level 1 be applied to charge water consumers.
- (e) That tariffs be increased from water tariff Level 1 to Level 2 should MMM not be able to achieve the water savings target (20%).
- (f) That tariffs be increased from water tariff Level 2 to Level 3 should MMM not be able to achieve the water savings target (20%).
- (g) That penalty charges for transgressions be applicable to Dewetsdorp, Wepener, Van Stadensrus and Soutpan as approved by the Chief Magistrate.
- (h) That Law Enforcement and Legal Services be requested to initiate the process of penalty charges for Dewetsdorp, Wepener, Van Stadensrus and Soutpan such that they are approved by the Chief Magistrate.



- (i) That water consumers of Bloemfontein, Botshabelo, Thaba Nchu, Dewetsdorp, Wepener, Van Stadensrus and Soutpan be informed of the new water restrictions (20%) and water use restriction level which is level 3 through various mechanisms including Executive, Councillors, management and officials.

#### 14.3

#### **PAYMENT PLAN: BLOEMWATER DEBTS AND DISPUTE RAISED BY MANGAUNG METROPOLITAN MUNICIPALITY**

**Annexure:** Report dated February 9, 2018 received on February 23, 2018 from the Chief Financial Officer, recommended by the City Manager and approved by the Executive Mayor. (Pages 1 – 5)

#### **RECOMMENDATION**

- (a) That the Council approve payment plan for settlement of outstanding Bloemwater bulk water account.
- (b) That Council approve the additional cash flow for the payment of Bloemwater accounts and the budget be adjusted accordingly.

#### 14.4

#### **PROGRESS REPORT ON THE PROPOSAL BY THE FREE STATE TAXI ASSOCIATION, AN ENTITY OF THE GREATER BLOEMFONTEIN TAXI ASSOCIATION TO LEASE THE INTERMODAL TRANSPORT FACILITY FOR A LONG TERM PERIOD**

**Annexure:** Report dated February 15, 2018 received on February 23, 2018 from the HOD: Human Settlements, recommended by the City Manager and approved by the Executive Mayor. (Pages 1 – 41)

#### **RECOMMENDATION**

- (a) That the process followed and progress made thus far in relation to the proposal by the Free State Taxi Association (FSTA), an entity of the Greater Bloemfontein Taxi Association (GBTA) to lease the Mangaung Intermodal Transport Facility for a long term period be noted;
- (b) That Council take note that the process involving unsolicited bids is a tedious one due to strict and peremptory regulatory prescripts;
- (c) That as a result of its complexity, it should be accepted that the matter is not yet ready to be submitted to Council for final approval in respect of the long term leasing of the facility;
- (d) That it should be accepted that the matter is also not yet ready to be submitted to the Bid Adjudication Committee for finalization in respect of the unsolicited bid proposal received;
- (e) That Council Resolution SC 48.3/2016(e) be reviewed to include Bastion Square;

- (f) That the proposal by the FSTA to exploit any possible space available (including Bastion Square) to increase the retail space be deliberated on and considered by Council in principle;
- (g) That the FSTA must assemble a team of professionals from different disciplines in a built environment e.g. Structural Engineers, Traffic Engineers, Architects, Quantity Surveyors, and Electrical Engineers etc. and submit a final design that should talk to all the development issues relevant in this regard; which submission will be subject to evaluation and approval by a professional team appointed by MMM;
- (h) That the model proposed is be long term lease of thirty (30) years with an option to renew for a further period not exceeding thirty (30) years;
- (i) That the rental payable by the FSTA be an amount which is payable on the property (if it was a private property used for business) for rates and sanitation in line with the tariffs approved by Council from time to time plus the amount that represent the insurance premium of the facility as revised from time to time by the insurer;
- (j) That the FSTA and MMM shall adopt a maintenance plan in terms of which the maintenance and upkeep of the facility will be guided therefrom and that MMM personnel will at all times have unrestricted access to the facility for inspections and or performance of any municipal function;
- (k) That all members of the public will at all times have access to the facility albeit within the management rules agreed upon between the FSTA and MMM;
- (l) That the facility shall accommodate the needs of the IPTN operations free of charge;
- (m) That all the structural alterations and additions up to and including the proposed retail space at Bastion Square shall be the property of MMM and no compensation shall be payable to the FSTA in that regard;
- (n) That the naming rights in respect of the buildings and structures shall be reserved for Council;
- (o) That the current occupants of the facility who were renting the space from Ejalk be accommodated on a month to month lease relationship with MMM on rental to be determined by the City Valuer and that any other new tenant be accommodated the same way to avoid leaving the facility completely vacant, in that way increasing the risk of possible vandalism and
- (p) That Legal Services shall closely monitor the case brought by Ejalk against MMM and at all times report progress to the City Manager.

15

**REPORTS OF THE SPEAKER****15.1****SOUTH AFRICAN CITIES NETWORK – PROPOSAL FOR REVISED LEGAL STRUCTURES**

**Annexure:** Report dated February 22, 2017 received from the Head: Office of the Speaker, recommended from the City Manager and approved by the Speaker. (Pages 1 – 33)

**RECOMMENDATION**

- (a) Council approves the report.
- (b) Council approves that MMM continue with its membership of SACN.
- (c) Council decides on its representatives (one Councillor and one official) MMM in the SACN Council, including voting on the appointment of directors of the SACN Board of Directors.

**15.2****MANGAUNG METROPOLITAN MUNICIPALITY AND SOUTH AFRICAN CITIES NETWORK – APPROVAL OF FUNDING MODEL**

**Annexure:** Report dated February 22, 2017 received from the Head: Office of the Speaker, recommended from the City Manager and approved by the Speaker. (Pages 1B - 15)

**RECOMMENDATION**

- (a) Council approves the report.
- (b) Council approves that MMM should continue to provide funding for its participation in SACN.

16

**REPORTS FROM MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

NONE

17

**REPORTS TO BE DEALT WITH IN COMMITTEE**

NONE

18

**NOTICE OF MOTION**

NONE

19

**QUESTIONS**

A.

**QUESTIONS IN TERMS OF RULE 38 OF THE STANDING RULES AND ORDERS**

1. Annexure: Response dated November 6, 2017 received from the City Manager to questions raised by **Councillor JM De Bruin** from a letter dated October 10, 2017 with regard to **completion and handover of the Billy Murison Soccer Stadium upgrading (Phase 2)**. (Pages 1A – 3A)

20.

**CLOSING OF AN ORDINARY COUNCIL MEETING**MS R MAMATELA  
SECRETARIAT UNIT