

Committee Services

REPORT: COUNCIL RESOLUTIONS FOR THE FOURTH QUARTER (APRIL TO JUNE 2018) OF THE 2017/2018 FINANCIAL YEAR

#	Item No	Description of the item	Resolution	Directorate/Sub
			SPECIAL MEETING: THURSDAY, APRIL 19, 2018	Directorate
1	28.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE OVERSIGHT REPORT ON 2016/2017 ANNUAL REPORT	RESOLVED that the item be postponed to be dealt with at the next meeting of Council.	MPAC
			SPECIAL MEETING: THURSDAY, APRIL 26, 2018	
1	37.1	PAYMENT PLAN: BLOEMWATER DEBTS AND DISPUTE RAISED BY MANGAUNG METROPOLITAN MUNICIPALITY	 (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 	FINANCE
			accounts and the budget be adjusted accordingly.	
2	37.2	2017/2018 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN AMENDMENTS IN LINE WITH ADJUSTMENT BUDGET	RESOLVED It is resolved that Council:	OFFICE OF THE CITY MANAGER
			(a) Consider and approve the revisions made to the Service Delivery and Budget Implementation Plan for 2017/18 financial year as informed by the approved adjustment budget;	
			(b) Notes that the revised SDBIP document will be sent to Provincial and National Treasuries as well as provincial COGTA for record and	
			(c) Notes that the revised 2017/18 SDBIP document will be publicised in the	

			municipal website as required by law.	
3	37.3	TABLING OF MANGAUNG METROPOLITAN MUNICIPALITY REVIEWED DRAFT INTEGRATED DEVELOPMENT PLAN (2018/2019) FOR NOTING	 That Council notes the reviewed draft IDP 2018/2019 for Mangaung Metropolitan Municipality; 	OFFICE OF THE CITY MANAGER
			 That Council notes the Sector Plans as follows, namely: Draft Spatial Development Framework – Chapter 5 Draft Local Economic Development – Chapter 8 Draft Integrated Human Settlement Plan – Chapter 8 Draft Climate Change Adaptation and Mitigation Strategy – Chapter 8 Integrated Waste Management Plan – Chapter 8, previously approved by Council Water Services Development Plan – Chapter 8, previously approved by Council Ten - Year Water Conservation and Water Demand Management Strategy – Chapter 8, previously approved by Council Disaster Management Plan – Chapter 8, previously approved by Council Integrated Public Transport Network Plan – Chapter 8, previously approved by Council That Council notes that copies of the reviewed draft IDP 2018/2019 will be forwarded to provincial and national departments of Treasury and Co-operative Governance and Traditional Affairs; That Council notes that the reviewed draft IDP will be published on the website 	
			and newspapers for comments and That Council notes that the public participation meeting on the draft IDP in line with the approved 2018/2019 IDP and Budget Process Plan will be embarked on. (Refer to the attached annexure on the Approval Phase of the IDP and Budget Process Plan)	
4	37.4	I. MANGAUNG METROPOLITAN	NOTED	FINANCE

MUNICIPALITY: MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF): 2018/2019 – 2020/2021
II. CAPITAL BUDGET: 2018/2019 – 2020/2021
III. GENERAL TARIFFS: 2018/2019 – 2020/2021
IV. BUDGET RELATED POLICIES: 2018/2019 - 2020/2021
 Property Rates Policy 2018/2019 Tariffs Policy (Draft 1) 2018/2019 Credit Control and Debt Collection Policy March 15, 2018 Petty Cash Policy Travel Management Policy 11th Supply Chain Management Policy (Revised draft)
V. CENTLEC (SOC) LTD: MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF): 2018/2019 - 2020/2021
VI. CENTLEC (SOC) LTD: BUDGET RELATED POLICIES: 2018/2019 – 2010/2021

5	37.5 37.6	1. Credit Control and Debt Collection Policy 2. Unauthorised, Irregular, Fruitless and Wasteful Expenditure 3. Value Added Tax (VAT) Policy 4. Supply Management Policy SERVICE DELIVERY & BUDGET IMPLEMENTATION PLAN (SDBIP) 2018/2019 CENTLEC (SOC)LTD BUSINESS	NOTED NOTED	CENTLEC
		PLAN 2018 – 2023		
7	38.1	SOUTH AFRICAN CITIES NETWORK - PROPOSAL FOR REVISED LEGAL STRUCTURES	 (a) Council approves the report. (b) Council approves that MMM continue with its membership of SACN. (c) Council decided on its representatives (one Councillor, The Speaker, Councillor MA Siyonzana and one official, The City Manager, Advocate TB Mea) MMM in the SACN Council, including voting on the appointment of directors of the SACN Board of Directors. 	OFFICE OF THE SPEAKER
8	38.2	MANGAUNG METROPOLITAN MUNICIPALITY AND SOUTH AFRICAN CITIES NETWORK – APPROVAL OF FUNDING MODEL	 (a) Council approves the report. (b) Council approves that MMM should continue to provide funding for its participation in SACN. 	OFFICE OF THE SPEAKER
9	39.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE OVERSIGHT REPORT ON 2016/2017 ANNUAL REPORT	 RESOLVED that having thoroughly considered the contents of 2016/2017 Annual Report and the findings of the Auditor General for the year under review, it is therefore recommended by the MPAC that: (a) Council adopt the Oversight Report together with the Responses received from the City Manager on the 2016/2017 Annual Report; (b) In line with Section 129 (1) Council approve the 2016/2017 Annual Report with reservation; (c) Council pass the following resolutions of MPAC: 	MPAC

1. Resolution 1/2018 – Outstanding MPAC Resolutions:

The resolutions of the MPAC 2015/2016 Oversight Report that were passed by Council were not implemented.

The Accounting Officer must provide the MPAC with reasons for not implementing the resolutions of the MPAC as passed by Council within seven days after the tabling of this report.

2. Resolution 2/2018 – Audit Action Plan:

The Accounting Officer must provide the MPAC with the Municipality's audit action plan within seven working days of the tabling of this report.

3. Resolution 3/2018 – Risk Management Function:

The Auditor General has raised concern regarding the absence of a Risk Management Function for the 2015/2016 and 2016/2017 financial years. This creates a risk in that there is a lack of consequence management due to the municipality's lack of capacity to conduct investigations. Therefore the filling of the vacant post of Chief Risk Officer must take priority and be finalised within 60 days of tabling of this report.

4. Resolution 4/2018 – Consolidated Financial Statements:

Note 17 states that the City defaulted on the payment of service providers by more than 90 days.

The Accounting Officer must provide a detailed report on this matter, which must include the names of the service providers affected and financial implications of such delays

5. Resolution 5/2018 – Claims related to unfair dismissals:

The Municipality spent an amount of R4, 879, 817 on claims related to unfair dismissals. The Accounting Officer must provide a comprehensive report relating to all cases and claims related to this expenditure

6. Resolution 6/2018 – Amalgamation of Naledi Local Municipality and Ikgomotseng/Soutpan:

Note 40: The Mangaung Metropolitan Municipality acquired control of the Naledi Local Municipality and the Ikgomotseng/Soutpan community as a result of the redetermination of boundaries by the Municipal Demarcation Board.

The Accounting Officer must submit a register of all inherited assets and a comprehensive progress report on the transfer and placement of staff from the former Naledi Local Municipality to the Mangaung Metropolitan Organogram.

7. Resolution 7/2018 – Deduction of monies owed by Councillors and Officials/Employees:

The Accounting Officer must ensure that arrangements are made with Councillors and officials/employees for the debiting of outstanding monies owed in respect of rates and services on a monthly basis. A quarterly report must be submitted to the MPAC in this regard.

8. Resolution 8/2018 – 2016/2017 Annual Report:

Risk Management must investigate all targets not reached as documented in the annual report for the year under review and report to the MPAC within 60 days of the tabling of this report.

9. Resolution 9/2018 – Unauthorised, irregular or fruitless and wasteful expenditure:

The report of the Auditor General reflects a substantial cumulative increase in unauthorised, irregular or fruitless and wasteful expenditure

The Accounting Officer must compile a separate action plan for the reduction and curbing of incurring these expenditures and submit to the MPAC within 30 days of the tabling of this report.

10. Resolution 10/2018 – Performance Bonuses

The performance bonuses of section 56 & 57 management be revoked until further notice. The Accounting Officer must also provide the MPAC with the employment contracts of section 56 & 57 managers within seven days of the tabling of this report.

			11. Resolution 11/2018 – Cost cutting measures				
			The Accounting Officer should devise a plan that would ensure that the Mangaung Metro Municipality transitions into a paperless institution within the next financial year.				
			12. Resolution 12/2018 – Appointment of Centlec Chief Financial Officer				
			The Accounting Officer must ensure that a Chief Financial Officer for Centlec is appointed within 60 days of the tabling of this report				
			13. Resolution 13/2018 – Relocation of ICT offices				
			The Accounting Officer must ensure that secure premises are acquired and that all necessary resources are in place to ensure the safety of all financial information systems and efficiency of the ICT sub-directorate. This process must unfold within 60 days of the tabling of this report.				
			14. Resolution 14/2018: Skills audit				
			A skills audit must be conducted for section 56 and 57 management within 90 days of the tabling of this report and outcomes thereof be reported to the MPAC.				
			15. Resolution 15/2018 – Financial Statements				
			The Accounting Officer must ensure that financial statements are submitted to the MPAC on a quarterly basis or upon request.				
10	40.1	RESIGNATION OF SECTION 56:		OFFICE OF THE			
		CHIEF FINANCIAL OFFICER	NOTED SPRINGS THEREDAY MAY 04 0040	CITY MANAGER			
	ORDINARY MEETING: THURSDAY, MAY 24, 2018						

1	49.1	PROGRESS REPORT ON THE PROPOSAL BY THE FREE STATE	RESOLVED	HUMAN SETTLEMENTS
		TAXI ASSOCIATION, AN ENTITY OF THE GREATER BLOEMFONTEIN TAXI ASSOCIATION TO LEASE THE INTERMODAL TRANSPORT	(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;	SETTLEMENTS
		FACILITY FOR A LONG TERM PERIOD	(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;	

			(k) (l) (m) (o) (p)	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; 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; That the facility shall accommodate the needs of the IPTN operations free of charge; 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; That the naming rights in respect of the buildings and structures shall be reserved for Council; 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	
				and at all times report progress to the City Manager.	
2	49.2	AUDIT COMMITTEE MID-YEAR REPORT TO COUNCIL FOR THE 2017/2018 FINANCIAL YEAR	RESOL	VED that the Council approved the report.	OFFICE OF THE CITY MANAGER
3	50.1	APPOINTMENT OF A CURATOR IN TERMS OF SECTION 5(1) OF THE FINANCIAL INSTITUTIONS (PROTECTION OF FUNDS) ACT, 2001 FOR THE WHOLE OF THE BUSINESS OF THE MUNICIPAL COUNCILLORS PENSION FUND	(a) (b) (c) (c)	That the Municipal Council take note of the Report; That the Municipal note the current developments and Court injunctions against MCPF; That the Municipal Council mandate the Speaker and other members participating at SALGA committees to seek review of legislation for incorporation of Councillors in the Public Office Bearers pension schemes;	OFFICE OF THE SPEAKER

4	50.2	ESTABLISHMENT OF OFFICE OMBUDSMAN	 (d) That the Municipal Manager should update the affected Councillors about any developments, investment matters on the MCPF Court matters and (e) That once Councillors are incorporated and accepted in the envisaged new pension schemes, then those participating in the MCPF should be requested to withdraw. RESOLVED (a) That the report on the establishment of the Office of Ombudsman within the MMM 	OFFICE OF THE SPEAKER
			 (b) That the CFO be tasked to secure the relevant budget for the establishment of the Office of the Ombudsman. (c) That the post of the Ombudsman and supporting staff be advertised as soon as the budget has been allocated SPECIAL MEETING: THURSDAY, MAY 31, 2018 	
4	04.4	LINEODEGEN		FINANCE
1	61.1	UNFORESEEN AND UNAVOIDABLE EXPENDITURE REPORT: MUNICIPAL FINANCE MANAGEMENT ACT (2003)	WITHDRAWN	FINANCE
2	61.2	CONSIDERATION AND APPROVAL OF UNAUTHORISED EXPENDITURE REPORT	It is therefore recommended that Council: (a) Takes note of Circular 68 issued by National Treasury in May 2013 aimed and clarifying the processing of Unauthorised, Irregular, Fruitless and Wasteful Expenditure; (b) Approves the unauthorised expenditures incurred as follows: (i) Human Settlements R726 718.24 (ii) Planning R3 415 546.95 (iii) Fleet and Waste Management R15 162 791.93 (iv) Social Services R61 684 405.81 (v) Strategic Projects and Service Delivery Regulation R2 387 700.00 (vi) Corporate Services R6 961 523.60	FINANCE

			(vii) Engineering Services R17 830 457.71	
			(viii) Office of the Speaker R110 444.00	
3	61.3	PAYMENT OF MARKET RELATED RENTALS ON REFURBISHMENT	RESOLVED	HUMAN SETTLEMENTS
		MUNICIPAL RESIDENTIAL RENTAL PROPERTIES: EXEMPTION OF OMEGA AND	(a) That Council takes note of the market related rentals payable on the recently refurbished Omega and Stillerus Old age homes;	
		STILLERUS OLD AGE HOMES	(b) That Council grant approval for the exclusion or exemption of Omega and Stillerus Old age homes from paying market related rentals as determined by the City Valuer;	
			(c) That process and engagements with all relevant stakeholders be commenced with to ensure the establishment of effective and efficient property management structure and systems for Omega ad Old Age Home;	
			(d) That the 30% threshold of the gross salary, being the old age grant, be implemented in Omega Old Age Home;	
			(e) That Council takes note that all tenants at Stillerus Old Age Home are already paying an equivalent of the 30% threshold of the old grants received and	
			(f) That the application of the maximum percentage in (d) above be applied within the confines and provisions of the Rental Housing Act Unfair Practices Regulations 2008.	
4	61.4	THIRD QUARTER REPORT ON	RESOLVED that the 2017/2018 third quarter SDBIP report for the quarter ending March	OFFICE OF THE
		REVISED SERVICES DELIVERY	31, 2018 be considered and approved.	CITY MANAGER
		AND BUDGET IMPLEMENTATION		
5	61.5	PLAN (SDBIP) 2017/2018 APPROVAL OF GUIDELINES FOR	RESOLVED	SOCIAL
5	01.5	THE IMPLEMENTATION OF	RESOLVED	SERVICES
		BURIALS OF INDIGENT	(a) That the Council approve the amended Guidelines for implication of Burial of	
		PERSONS AND UNIDENTIFIED	Indigent persons and Unidentified bodies in line with the policy of Indigent	
		BODIES IN LINE WITH THE	Customers and	
		POLICY ON INDIGENT		
		CUSTOMERS	(b) That the Council approves the implementation of the Guidelines for the Burial of	

		Indigent persons and unidentified bodies will be effective from the first day of the	
		calendar month after approval of the Council.	
61.6	PENALTIES AND	calendar month after approval of the Council. RESOLVED	CENTLEC
	61.6	PENALTIES AND RECONNECTION COSTS FOR TAMPERING BY APPROVED INDIGENT CUSTOMERS IN MANGAUNG METRO	Galendar month after approval of the Council. THE REDUCTION OF THE PENALTIES AND RECONNECTION COSTS FOR TAMPERING BY APPROVED INDIGENT CUSTOMERS IN MANGAUNG MUNICIPALITY (b) That based on merits of each case and at the Board's discretion, all indigent customers who cannot afford to pay the penalties and the reconnection fees in full, be assessed upon declaration in the prescribed form and compliance with prescribed qualifying condition below: (b) (b) the customer must be indigent; (b)(c) the customer must be unable to pay the prescribed penalties and reconnection fees; (b)(d) the customer must be unable to pay the prescribed penalties and reconnection fees; (b)(e) the indigent customer would pay a once off amount equal to 20% of the monthly household income for the reconnection of the service and the remainder of the fine would be cancelled; (c) That in the event the Board is satisfied that such indigent customer have properly declared tampering in the prescribed form and complied with prescribed conditions, such customers be granted a complete reduction in penalties and reconnection costs or discount, which reduction or discount shall be determined by the entity's Board in terms of approved delegated powers; (d) That repeated transgressors be dealt with in terms of the Mangaung Metropolitan Municipality Credit Control and Collection Policy and should not qualify for the

7	61.7	REQUEST FOR APPROVAL OF RENTAL HOUSING MANAGEMENT PROCEDURE	 (e) That in order to qualify for consideration in reduction of penalties and reconnection costs, transgressors be given a window grace period of nine months to declare transgressions or report suspected tampering to the entity of which will be determined by the Executive Mayor of Mangaung Metropolitan Municipality and (f) That transgressors who come forward by themselves without a fine being imposed be given discount on the penalty they would have incurred if identified by CENTLEC. WITHDRAWN 	HUMAN SETTLEMENTS
8	61.8	MANUAL MUNICIPAL FINANCE MANAGEMENT ACT (MFMA): BUDGET AND PERFORMANCE ASSESSMENT REPORT IN TERMS OF THE MFMA, SECTION 52(D), FOR THE QUARTER ENDED MARCH 31, 2018	 RESOLVED That in compliance with Section 52 of the MFMA (a) The Accounting Office submits to the Executive Mayor this statement reflecting the implementation of the budget and the financial state of affairs of the Municipality for the quarter ending March 31, 2018; (b) That the Executive Mayor of the Municipality must, within 30 days of the end of each quarter, submit a report to the Council on the implementation of the budget and the financial state of affairs of the Municipality and (c) In order to comply with Section 71(4) of the MFMA, the Accounting Officer ensure that this statement be submitted to the National Treasury and the Provincial Treasury, in both a signed document format and in electronic format. 	FINANCE
9	62.1	TABLING OF MANGAUNG METROPOLITAN MUNICIPALITY REVIEWED INTEGRATED DEVELOPMENT PLAN (2018/2019) FOR APPROVAL		OFFICE OF THE CITY MANAGER

				 Spatial Development Framework – Chapter 5 Local Economic Development – Chapter 8 Integrated Human Settlement Plan (Pages 1 – 118) Climate Change adaptation and Mitigation Strategy – Chapter 8 Integrated Waste Management Plan – Chapter 8, previously approved by Council Water Service Development Plan - Chapter 8, previously approved by Council Ten- Year Water Conservation and Water Demand Management Strategy - Chapter 8, previously approved by Council Disaster Management Plan - Chapter 8, previously approved by Council Integrated Public Transport Network Plan - Chapter 8, previously approved by Council That Council notes that copies of the reviewed IDP 2018/2019 will be forwarded to the Provincial and National Departments of Treasury and Co-Operative Governance and Traditional Affairs and (d) That Council notes that the reviewed IDP will be published on the website. 	
10	62.2	II. III.	MANGAUNG METROPOLITAN MUNICIPALITY: MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF): 2018/2019 - 2020/2021 CAPITAL BUDGET: 2018/2019 - 2020/2021 GENERAL TARIFFS: 2018/2019 - 2020/2021 BUDGET RELATED POLICIES: 2018/2019 -	RESOLVED	FINANCE

	2020/2021	(d) Multi-year and single year capital appropriations by municipal vote and		•
		standard classification and associated funding by source - Table A5		
	1. Property Rates Policy			
	2018/2019	3.2 Tha	1	cash-backed
	2. Tariffs Policy	res	serve/accumulated surplus, asset management and basic se	rvice delivery
	2018/2019	targets be approved, as set out in the following tables:		
	3. Credit Control and			
	Debt Collection	(a)	Budgeted Financial Position -	Table
	Policy March 15,		A6	
	2018	(b)	Budgeted Cash Flows -	Table
	4. Petty Cash Policy		A7	
	5. Travel Management	(c)	Cash-backed reserves and accumulated surplus reconciliation	- Table
	Policy		A8	
	6. 11 th Supply Chain	(d)	Asset Management -	Table
	Management Policy		A9	
		(e)	Consolidated Basic Service Delivery measurement - T	able A10
V.	CENTLEC (SOC) LTD:		•	
	MEDIUM TERM REVENUE	3.3 Tha	t the consolidated budget that includes Mangaung Municipality	and Centlec
	AND EXPENDITURE		OC) Ltd be approved,	
	FRAMEWORK (MTREF):	`	, , , , , , , , , , , , , , , , , , , ,	
	2018/2019 – 2020/2021	3.4 Tha	t the Council of Mangaung Metropolitan Municipality acting in ter	ms of Section
			A of the Local Government Municipal Systems Act, Act 32	
VI.	CENTLEC (SOC) LTD:		ended be approved, the following tariffs are hereby	
	BUDGET RELATED		plementation with effect from 01 July 2018:	
	POLICIES: 2018/2019 -			
	2010/2021	1)	Property Rates Page 54	
		2)	Sewerage Fees Page 54	
	1. Credit Control and	3)	Refuse Removal Fees Page 55	
	Debt Collection	4)	Supply of Water Page 56	
	Policy	5)	Supply of Electricity Page 56	
	2. Unauthorised,		- ago 00	
	Irregular, Fruitless	3.5 That the consolidated General Tariffs as set out in the Tariffs Booklet for		ooklet for the
	and Wasteful	2018/19 financial year be approved for implementation with effect from 01 July		
	Expenditure Policy	2018.		
	3. Value Added Tax			
	J. 10.00 / 10.00 1 10/			

(VAT) Policy 4. Supply Management Policy	3.6 That in terms of Section 21(b)(ii)(bb) of the Municipal Finance Management Act, Act 56 of 2003 the budget related policies including any amendments be approved.	
VII. SERVICE DELIVERY & BUDGET IMPLEMENTATION PLAN (SDBIP) 2018/2019	 3.7 That the Centlec (SOC) Ltd budget submissions for the period 2018/19 – 2020/21 be approved as set out below: a. MTREF Operating and Capital Budget (as incorporated in the consolidated budget above). 	
VIII. CENTLEC (SOC)LTD BUSINESS PLAN 2018 – 2023	b. Service Tariffs c. Policies d. Business Plan e. SDBIP	