



CONFIDENTIAL

**AGENDA
for a SPECIAL
MEETING**

**MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

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

**FRIDAY
NOVEMBER 23, 2018
AT 10:00**

**MANGAUNG
METROPOLITAN
MUNICIPALITY**

MANGAUNG METROPOLITAN MUNICIPALITY

**Bram Fischer Building
BLOEMFONTEIN**

November 19, 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 5.1 of the Council's Standing Rules and Orders that

SPECIAL MEETING OF THE MANGAUNG METROPOLITAN MUNICIPAL COUNCIL

will be held in the

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

On

FRIDAY, NOVEMBER 23, 2018

at 10:00

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)

**90.
OPENING**

**91.
NOTICE OF THE MEETING**

**92.
APPLICATIONS FOR LEAVE OF ABSENCE**

**93.
ACCEPTANCE OF THE AGENDA**

**94.
ANNOUNCEMENTS**

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REPORTS OF THE EXECUTIVE MAYOR**95.1****REVIEW OF SALE OF BUSINESS (SOB) AND SERVICE DELIVERY AGREEMENT (SDA) AND CONDONE THE TREATMENT AND RECORDING OF TRANSACTIONS BETWEEN MMM AND CENTLEC**

Annexure: Report dated November 20, 2018 received from the City Manager, and approved by the Executive Mayor (Pages 1 – 80)

RECOMMENDATION that based on the ACSA concerns and the previous Council resolution on the SOB, SDA and all other agreements, it is therefore resolved that:

- (a) The Accounting Officer of both MMM and Centlec to finalise the due diligence report on the most appropriate mechanism for the provision of an interest in the entity, management and control of assets and transfer Shareholders Loan to Equity and report on the recommendations to Council by February 28, 2019.
- (b) Council condone the treatment of the financial transfer of R120m and the in-kind contributions (streets and public lights, FBE, municipal buildings) from Centlec to MMM as contributions towards service delivery as per the 2017/2018 Annual Financial Statements (AFS).
- (c) Council condone the reclassification of inter-company transactions in the books of MMM and Centlec as per the 2017/2018 AFS.
- (d) Centlec effect the changes in the 2017/2018 Annual Financial Statements in line with paragraph (b) and (c) above and the Sale of Business Agreement to reclassify the transactions.
- (e) Mangaung Metropolitan Municipality adjust the 2017/2018 Annual Financial statements to reclassify the transactions, where necessary.
- (f) Contingent liabilities and contingent assets in the books of the MMM and Centlec respectively, be reconciled and recorded as part of the 2017/2018 Annual Financial Statements.
- (g) Council take note that the review process of the SDA is currently taking place in terms of the Financial Recovery Plan (FRP)

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REPORTS OF THE SPEAKER

NONE

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REPORTS FROM MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

NONE

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REPORTS TO BE DEALT WITH IN COMMITTEE

NONE

99.

CLOSING OF THE ORDINARY COUNCIL MEETING

MS R MAMATELA
SECRETARIAT UNIT