

*CONFIDENTIAL*



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**MINUTES  
of a  
SPECIAL MEETING**

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**MANGAUNG  
METROPOLITAN  
MUNICIPAL COUNCIL**

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**VARIOUS VENUES  
VIRTUALLY  
BRAM FISCHER BUILDING  
BLOEMFONTEIN**

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**FRIDAY  
AUGUST 7, 2020  
AT 14:00**

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**MANGAUNG  
METROPOLITAN  
MUNICIPALITY**

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**MINUTES OF A  
SPECIAL MEETING**

**of the**

**MANGAUNG METROPOLITAN MUNICIPAL COUNCIL**

**held**

**IN VARIOUS VENUES VIRTUALLY**

**on**

**FRIDAY, AUGUST 7, 2020**

**at 14:00**

**SPEAKER**  
1 **COUNCILLOR SIYONZANA MA**

**EXECUTIVE MAYOR**  
2 **COUNCILLOR MLAMLELI SM**

**DEPUTY EXECUTIVE MAYOR**  
3 **COUNCILLOR MASOETSA LA**

**Absent with leave**

**CHIEF WHIP**  
4 **COUNCILLOR MANGCOTYWA ZE**

**MEMBERS OF MAYORAL COMMITTEE (MMC) (SECTION 80 CHAIRPERSONS)**

5 **COUNCILLOR JONAS-MALEPHANE VE**

6 **COUNCILLOR MAHASE MM**

7 **COUNCILLOR MONYAKOANA NP**

8 **COUNCILLOR MORAKE MA**

9 **COUNCILLOR NKHABU M**

10 **COUNCILLOR NOTHNAGEL J**

11 **COUNCILLOR PONGOLO XD**

12 **COUNCILLOR THIPENYANE G**

**Absent without leave**

13 **COUNCILLOR TITI-ODILI LM**

**Absent without leave**

**SECTION 79 CHAIRPERSONS**

14	COUNCILLOR MOTHIBI-NKOANE MM	
15	COUNCILLOR NKOE MJ	Absent with leave
16	COUNCILLOR SHOUNYANA MM	Absent with leave
17	COUNCILLOR RATSIU NA	
18	COUNCILLOR TLADI MM	

**PR & WARD COUNCILLORS**

19	COUNCILLOR BOLT W	
20	COUNCILLOR BOTES FR	Absent without leave
21	COUNCILLOR BRITZ JF	Absent without leave
22	COUNCILLOR CAMPHER ZMC	
23	COUNCILLOR NB CEZULA	
24	COUNCILLOR CHAKA NS	
25	COUNCILLOR DAVIES M	
26	COUNCILLOR DE BRUYN MAP	
27	COUNCILLOR DENNIS ME	Absent without leave
28	COUNCILLOR DYOSIBA S	
29	COUNCILLOR FERREIRA TI	
30	COUNCILLOR GAILELE IL	Absent without leave
31	COUNCILLOR GOLIATH EK	Absent without leave
32	COUNCILLOR KGANAKGA M	
33	COUNCILLOR KHOLOMBA KJ	
34	COUNCILLOR KHUNOU LM	Absent with leave
35	COUNCILLOR KLAASEN RS	Absent without leave
36	COUNCILLOR KOTZE GDP	Absent without leave
37	COUNCILLOR LEBONA NJ	

38	COUNCILLOR LEECH D	Absent without leave
39	COUNCILLOR LOTRIET PA	Absent without leave
40	COUNCILLOR MADELA BNV	
41	COUNCILLOR MAJARA LJ	Absent with leave
42	COUNCILLOR MAKHALANYANE TS	Absent without leave
43	COUNCILLOR MALELEKA PT	Absent without leave
44	COUNCILLOR MAPHATHE LM	
45	COUNCILLOR MAPOTA A	
46	COUNCILLOR MARAIS P	
47	COUNCILLOR MASOEU TD	
48	COUNCILLOR MATETHA NR	
49	COUNCILLOR MCKAY DMC	
50	COUNCILLOR MICHAELS SO	Absent without leave
51	COUNCILLOR MOFOKENG MJ	
52	COUNCILLOR MOGAPI KT	
53	COUNCILLOR MOHAPI TD	
54	COUNCILLOR MOHIBIDU PM	
55	COUNCILLOR MOHLABANE RJ	
56	COUNCILLOR MOHLOKI MM	
57	COUNCILLOR MOHULATSI MM	
58	COUNCILLOR MOKHOANATSE EM	Absent without leave
59	COUNCILLOR MOKOAKOA MI	Absent without leave
60	COUNCILLOR MOKOLOKO PR	Absent without leave
61	COUNCILLOR MONONYANE MB	
62	COUNCILLOR MOOPELO TM	Absent without leave
63	COUNCILLOR MOREENG KC	
64	COUNCILLOR MORURI MM	

65	COUNCILLOR MOTHUPI ML	
66	COUNCILLOR MOTLOUNG MV	
67	COUNCILLOR MVALA-MAJOLA DS	
68	COUNCILLOR NAILE TJ	
69	COUNCILLOR NDZUZO T	
70	COUNCILLOR NJIBA-LEBAJOA MA	
71	COUNCILLOR OLIVIER GJ	
72	COUNCILLOR PETERSEN JE	Absent with leave
73	COUNCILLOR POONE-RANKHOLO PP	
74	COUNCILLOR PRETORIUS JC	Absent with leave
75	COUNCILLOR PRETORIUS S	
76	COUNCILLOR RAMABOLU MJ	
77	COUNCILLOR RAMAINOANE TD	
78	COUNCILLOR RAMPAI CF	
79	COUNCILLOR RANCHOBE T	
80	COUNCILLOR RANTAI JH	Absent without leave
81	COUNCILLOR RASILE MM	
82	COUNCILLOR RASOEU LE	
83	COUNCILLOR SEBOLAO JE	
84	COUNCILLOR SEFUME NR	
85	COUNCILLOR SEFUTHI NM	
86	COUNCILLOR SEKAKANYO DM	
87	COUNCILLOR SELEBELI MG	
88	COUNCILLOR SELEKE PL	Absent without leave
89	COUNCILLOR SEWISA OP	
90	COUNCILLOR SNYMAN VAN DEVENTER E	
91	COUNCILLOR TERBLANCHE AP	Absent without leave

92	COUNCILLOR THATHO MV	
93	COUNCILLOR THWALA ZJ	Absent without leave
94	COUNCILLOR TLALE ME	
95	COUNCILLOR TSIANE MMP	
96	COUNCILLOR VAN DER MERWE R	Only until 17:45
97	COUNCILLOR VAN DER WALT TB	
98	COUNCILLOR VAN NIEKERK HJC	
99	COUNCILLOR VIVIERS BJ	
100	COUNCILLOR QWEMA MB	

**MEMBERS OF BAROLONG TRADITIONAL COUNCIL**

None of the members present

1	SETLOGELO M
2	MOROKA PE
3	MOLETSANE KC
4	SETLOGELO MB
5	MANYASHE V
6	MOKAKE KP
7	RANCHO TB
8	SESING LD
9	MOROKA MP
10	MOHAPI M

**OFFICIALS PRESENT:**

1	CITY MANAGER	ADV MEA TB	
2	CHIEF FINANCIAL OFFICER	MR MOFOKENG SE	Absent
3	HEAD: ENGINEERING SERVICES	MR NDLOVU M	Absent
4	HEAD: PLANNING	MR MTHEMBU BS	Absent
5	HEAD: SOLID WASTE AND FLEET MANAGEMENT	MR MORE S	Absent
6	HEAD: SOCIAL SERVICES	MR NKUNGWANA MG	Absent
7	HEAD: HUMAN SETTLEMENTS	ADV PHALADI MJN	Absent
8	HEAD: CORPORATE SERVICES	MR NKAISENG D	Absent
9	HEAD: ECONOMIC AND RURAL DEVELOPMENT	MR MAINE TA	Absent
10	CHIEF METRO POLICE	MR KGAMANYANE K	Absent
11	CEO: CENTLEC	MR MGOQI AN	Absent
12	CFO: CENTLEC	MR MATSIMELA M	Absent
13	GM: COMMITTEE SERVICES	MR MOTHEKHE M	
14	MANAGER: COUNCIL SUPPORT	DR VAN DER MERWE JP	
15	SENIOR ADMINISTARTIVE OFFICER	MS MAMATELA R	

**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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**MINUTES  
(OPEN COUNCIL)**

**67.  
OPENING**

**The meeting commenced at exactly 14:07**

**The Speaker, Councillor MA Siyonzana, in opening the meeting requested all to stand to observe a moment of silence for prayers and meditation.**

**He then officially declared the meeting opened.**

**NOTED.**

**68.  
NOTICE OF THE MEETING**

**The Speaker read the notice and declared that the Special meeting of Mangaung Metropolitan Municipal Council was convened in terms of Rule 6.1 of the Standing Rules and Orders of the Council read together with Section 6.7.3 of the Amendment of Directions issued in terms of Section 27(2) of the Disaster Management Act, 57 of 2002 under Government Gazette Number 43291 of 7 May 2020.**

**NOTED.**

**69.  
APPLICATIONS FOR LEAVE OF ABSENCE**

**All relevant leave of absence and apologies were recorded and minuted as such in the attendance list on the first four (4) pages of the minutes.**

**NOTED.**

**70.  
ACCEPTANCE OF THE AGENDA**

**The Council accepted the agenda as the official business of the Council meeting.**

**NOTED.**

71.

**ANNOUNCEMENTS**

**The Speaker remarked:**

“Councillors, there is a letter written by the Speaker to all Councillors. We said to Councillors, early this month; from now onwards we are not going to have the counting from point one until the last person. The reason is that it takes long. Last time we had to move until 00:15 and so we are not going to do that anymore. We are going to correct the connectivity. I said to the City Manager and the IT sub-Directorate that we need to have something like an intercom or micro something where one connects with everybody in all these halls.

We also noticed that social distancing not there. We have seen Councillor XD Pongolo and the other Councillor. We have observed that social distancing is a problem.

The other thing; the DA and the EFF at one point they fought because other Councillor of EFF and Councillor JF Britz, one of the two Councillors or other Councillors decided to play music and that created problems because I couldn't control the Council. That is why I want IT and Committee Services as well as the City Manager to come together so that we they can deal with this matter. Our systems are not up to standard.”

**NOTED.**

None.

**NOTED.**

**The Speaker presented the items as follows:**

“These reports are coming from the office of the Speaker, the three reports, namely:

- REPORT ON THE INVESTIGATIONS RELATING TO THE OVERSIGHT REPORT OF MPAC FOR THE YEAR ENDING 2017/18
- MUNICIPAL PUBLIC ACCOUNTS COMMITTEE OVERSIGHT REPORT FOR 2018/19 FINANCIAL YEAR
- MOTION OF NO CONFIDENCE AGAINST THE EXECUTIVE MAYOR, COUNCILLOR SM MLAMLELI RECIVED FROM THE FREEDOM FRONT PLUS

All these three items are tabled. Because its few items, we will deal with item by item.”

**Councillor BJ Viviers requested that the Speaker confirm if indeed the Council formed a quorum and that the Council meeting was made public via mediums such as Facebook. The Speaker thereupon confirmed:** “I had invited the media; it is also on paper and it is live on Facebook as we speak, and I think we are quorating.”

**Councillor BJ Viviers requested confirmation of numbers in different venues. The Speaker thereupon confirmed that in all the boardrooms, it is 68 Councillors and therefore, the Council was forming a quorum.**

**The Speaker then requested that each boardroom (venues occupied by Councillors) to have at least two officials from the Office of the Speaker.**

**On a point of clarity, Councillor BJ Viviers remarked:** “Mister Speaker, I just want to make sure, that people on MS Teams do they count as well?”

**The Speaker responded that they were not counted; only those in the boardrooms were counted.**

**Councillor PL Seleke indicated that she was at her home as she was not feeling well. The Speaker thereupon responded as follows:**

“We are not going to count you Councillor PL Seleke. We have sent a correspondence early this month, ra romela another correspondence. Re rometse tse tharo and you knew that you were supposed to be here.”

**Councillor E Snyman van Deventer on a point of order remarked:** “Mister Speaker, you said people on MS Teams cannot vote. If I am willing to sacrifice a secret vote, can they vote online?”

**The Speaker responded that no, they cannot vote and that the Council had not yet decided what was going to happen.**

**NOTED.**

### **73.1**

#### **REPORT ON THE INVESTIGATIONS RELATING TO THE OVERSIGHT REPORT OF MPAC FOR THE YEAR ENDING 2017/18**

**The Speaker remarked as follows:**

“I will take you back; on the 24<sup>th</sup> of December 2019, we had a report of MPAC, that day the City Manager ran to the Office of the Chief Whip, my office and Office of the Executive Mayor and indicated that some of the recommendations there, he is not comfortable about them. He submitted a report and that report did not include some of the responses of the City Manager. We then conducted an investigation through the Committee Services. What we discovered is that some of the information from the City Manager or from MPAC reached Committee Services but the period between the time it moves from Committee Services to a particular Directorate or Office, it becomes a problem.

We could not trace when this report moves from Committee Services, we then realised that for MPAC not to include some of the responses of the City Manager, they were correct because they did not have the report on their disposal, but also the City Manager is equally correct because he had sent the report; the problem is that it did not reach the office of the Oversight Committee Chairperson.

We the realised that, there is a need to improve our systems so that when a report goes to Committee Services, there must be a system that talks directly to that Directorate. Yes, if you check our offices, when a report comes, there is a receipt where you sign and indicate when you received the report but that report as it goes out, it is so difficult to trace that and so, it will be important to deal with that. So, we need to improve our systems so that at the end of the day, we are able to say this has reached this office and that has reached that office on this time. In short, our report is very clear that we need to improve our systems particularly if we can have electronic one that with deal with these matters. That is the report, we can deal with it.”

**Councillor M Davies addressed the Council:**

“Thank you, Mister Speaker. On September 1, 2016, this august house established the Municipal Public Accounts Committee to:

- Assist the Council and the Mayoral Committee to fulfil its constitutional mandate of service delivery and achieves the objectives set.
- To ensure the Municipality is managed in an efficient, effective and ethical corruption and fraud free manner.
- And Municipal resources are utilised in an economic manner.

## 6B

MPAC has been rendered to a barking dog whose teeth had been pulled due to the disrespect and non-compliance of Councillor Olly Mlamleli and her Mayoral Committee and Adv Tankiso Mea and his Team of HOD's.

I am really disappointed in you Mister Speaker, because this report serving in Council today shows, that you also have no will to strengthen MPAC's oversight mandate. Mister Speaker, you are supposed to be the custodian of the resolutions and decisions taken by this Council. But it seems you are complicit in the covering up within this Metro and protecting those who are in the wrong.

To ensure all causes are uncovered and addressed by appropriate actions immediate action must be taken. It took you six months to take action.

You ignored the root and underlying causes and your investigation did not yield any corrective actions.

Recommendation 3.2: that Council accepts that there is an immediate need for improvements on the systems and processes of submission and recording of reports in particular the interface, control and recording of documentation and information flow – is just once again stating the problem.

Mister Speaker, if you were serious you would at least have reprimanded the Executive Mayor and Municipal Manager, MMCs and HODs for the disdain they treat MPAC with.

The Democratic Alliance has too much respect for the Municipal Public Accounts Committee's mandate to approve this report. Thank you, Mister Speaker."

### **Councillor E Snyman van Deventer addressed the Council:**

"Thank you, Mister Speaker. I can only agree with every single word that Councillor M Davies just said. Furthermore, to bring recommendation to the Council that says: that Council accept that there is and then stop there, it is unacceptable. The recommendation should at least say that Council accept that there is a need and then add to that say what would be the resolution; how are we going to solve this problem. At least say that the City Manager must submit a report to Council on the steps to be taken for the improvements needed.

You have identified that there is a need for improvement on the system and processes on submission and recording and so, how are we going to solve that problem. The recommendation must be amended to include that there must be steps taken by the City Manager and that there must be feedback to the Council."

### **Councillor MM Tladi addressed the Council:**

"Thank you, Honourable Speaker. Let me take this opportunity to thank you for the report. I want the Speaker to know because of the resolution, it was last year on the 24<sup>th</sup> of December. In future, when the Council gives the Speaker the mandate to investigate...(inaudible – background noise and some Councillors chatting)"

**The Speaker interjected as follows:** “Sorry Councillor, you understand why I need a system that deals with this. At the moment there is a noise and sometimes it is done deliberately.”

**Councillor MM Tladi continued:** “Thank you, Honourable Speaker. I was saying that, yes indeed we need to improve the systems Honourable Speaker because as a Committee we were right to write a report to Council to say that the resolutions need to be implemented. If the systems were correct, we were not going to write that. So, in future Honourable Speaker, the systems must be rectified but in future, we are emphasising that...(inaudible – background noise and some Councillors chatting)”

**The Speaker requested that the noise on the MS Team be dealt with.**

**Note by Secretariat: the noise disrupted the recording of the meeting.**

**Councillor T Ranchobe addressed the Council:**

“Thank you, Mister Speaker. In fact, there is no response in this particular report of yours. We expected that the resolution will be clear in terms of what action will be taken to correct things. This thing of hiding behind systems, is not going to assist us. The systems are there, and people are not willing to do the work properly. We don’t understand, from the City Manager to Committee Services and to the Chairperson of MPAC; what is the problem there? Committee Services is in the very same building that the City Manager is at and the Chairperson is within the reachable distance. There is no reason why the report cannot reach the office of the Chairperson.

Mister Speaker, your role in the Council is to make sure that; in fact, you are the champion of accountability. You were given the task to investigate December 2019 and you were given three months to do so and now we are sitting with officials and the Executive Mayor that are not doing their job properly; that you must make sure that they are accountable. You were given a task to perform for three months; you don’t do that, and you come later with nothing. Basically, there is nothing in this report and I am highly disappointed Mister Speaker...”

**At this point, Councillor T Ranchobe’s microphone was muted and Speaker requested him to switch in on. He continued as follows:**

“I am saying, with this type of report, there is no wonder why there is no accountability whatsoever in this Municipality. I am highly disappointed in you Mister Speaker; I think you should do better if you want this Municipality to do things correctly. Thank you, Mister Speaker.”

**The Speaker responded as follows:**

“Yes, maybe you expected different results, but you know very well that we need to be fair to everybody. When you do investigation, you move to a point that everybody is innocent until proven otherwise. So, we did our investigation and yes there is something that we are coming up with, that is why we have this report. This report indicate that we want Council to approve it and we also say that we need to improve, we need to move away from this manual. We need a system that will be able to talk to all Directorates by just pressing a button and that is what we are saying. Failure to do that, I can tell you, it is going to create problems.

One of the recommendations that I think you are talking about; I did not even look at it. Even the Committee itself according to Councillor M Davies, they had realised that there is this problem. But I only concentrated on the mandate that I was given.

Yes, we were supposed to at least between three and four months to report on the mandate given by Council but I must just tell you, after March we had covid-19 and our mandate were given on the 24<sup>th</sup> of December 2019. You don't count December because there were a lot of holidays and even January and March, there were a lot of holidays.

So, the period of covid-19, we were just told by the Minister that we must not call meetings since such time that there was an improvement where we were told that we can call Council meetings. Remember, at one point we called a Council meeting and the MEC told us to cancel that meeting. In short yes, it took time but like I am saying, there were reasons regarding that.”

**Councillor BJ Viviers stated that some Councillors on MS Teams indicated that they cannot raise their hand. The Speaker then asked where were those Councillors as he asked that they should be in Bram Fischer Building.**

**Councillor BJ Viviers asked the Speaker that whether Councillors who were on MS Teams may not be part of the meeting and the Speaker confirmed that it was exactly what he said.**

**Councillor M Kganakga remarked:**

“Mister Speaker, you made it clear that you rule this house...(inaudible – background noise)”

**Councillor DM Sekakanyo requested that Councillor BJ Viviers should go to the Boardroom of the City Manager, he will see him there.**

**The Speaker responded to Councillor M Kganakga as follows:** “One of the powers of the Chairperson of Council or the Speaker of Council is to convene Council meetings. The venue of the Council meeting is decided by the Speaker. When the Speaker says, there are thee halls go there; you must go there.”

**On a point of clarity, Councillor M Kganakga remarked:** “Mister Speaker, as far as I know we are in a democracy. There are people at home, some of our Councillors that have the covid-19 virus but cannot be here at these venues. You are taking away their rights as Councillors to participate in this meeting.”

**The Speaker responded:** “Remember if a Councillors is unable to come to a Council meeting, you then apologise.”

**Councillor GDP Kotze remarked:** “Thank you Mister Speaker. I will just want to bring this to your attention. One of your responsibilities is to protect our freedom of speech. We cannot be there, but we want to be part of the so-called system that you want to work. Why can we not vote and there are still Councillors that cannot raise their hands. So, you are stamping on the democracy of South Africa. Thank you, Mister Speaker.”



**The Speaker responded:** “If you are unable to come to a Council meeting, you normally apologise.”

Councillors were raising point of order however the Speaker declined and stated that the discussions were closed.

**Councillor BJ Britz raised a point of order and the Speaker stated that he was not in the building but at his home.**

**Councillor ME Dennis raised her point of order that she was not going to allow the Speaker to leave her out of the Council meeting and that the Speaker was taking away her constitutional right to vote and exclude her from the meeting. That she was not going to leave it there.**

**Councillor FR Botes on a point of order:** “Mister Speaker, I think the same attitude of the other Councillors had just said...(inaudible – music in the background)”

**The Speaker stated that Councillors were playing music and that he was not going to allow Councillor GDP Kotze as he was not in the Council meeting but at his home.**

**Councillor FR Botes remarked:** “Mister Speaker, I think the same attitude of the other Councillors had just said is also applicable on my side. I think it is unfair from you as a Speaker to not allow us to vote. By the way, I think you must listen to what the announcement was from your President and from your Minister Zuma that people within a certain age must not be in boardrooms or anywhere else. Now, you make your own ruling and not taking the President and the Minister in consideration on what they just said. I think it is unfair. Please Mister Speaker, relook into the situation and let us take part in the meeting today. Thank you, Mister Speaker.”

**After the Speaker had declared the results on voting, Councillor BJ Viviers requested that it be noted that the DA voted against the approval of the item. Furthermore, that the system is not reliable, and that the Speaker denied Councillors their constitutional right to vote, those who were not at the meeting.**

*It was thereupon with **41 votes in favour and 24 voted against***

**RESOLVED** that the recommendation as set out in the agenda be accepted, adopted and approved, by the Council.

*The final resolution thus resolved upon, adopted and approved by the Council reads as follows, namely:*

**RESOLVED**

- (a) That Council approves the report.
- (b) That Council accept that there is an immediate need for improvements on the system and processes of submissions and recording of reports in particular the interface, control and recording of documentation and information flow.

Prior Councillor MM Tladi can table the report, Councillor LE Rasoeu raised a point of order and the Speaker did not allow him and requested that he allow Councillor MM Tladi to table the item.

Councillor LE Rasoeu continued talking even though the Speaker requested Councillor MM Tladi to speak.

Councillor MM Tladi tabled the item as follows:

“Honourable Speaker let me take this opportunity to table the Annual Report of the City. As we all know the Annual report was supposed to be tabled by March and ...”

**Whist Councillor MM Tladi was speaking, Speaker interjected:** “Ndizo dibana nawe e-koneni”

Councillors raised point of order that the Speaker was threatening Councillor LE Rasoeu whereupon the Speaker stated that it was not a threat.

Councillor M Kganakga requested the Speaker to withdraw what he said as he was threatening Councillor LE Rasoeu.

The Speaker thereupon stated that he will withdraw his words as there were those who did not understand isiXhosa.

On a point of order, Councillor T Ranchobe remarked:

“Point of order procedurally is allowed. You are having have a dialogue there with Councillor M Kganakga. You are collapsing the Council and it is fine. I am rising on a point of order, something that is provided by the rules. You are saying that you are not going to give me.”

**The Speaker indicated that Councillor MM Tladi had not said anything and Councillor T Ranchobe stated that the point of order was on the Speaker and he continued as follows:**

“I really do not like it when you are making as if I am out of order while I am in order in terms of the rules. Mister Speaker I am rising to protect Chairperson of MPAC to say that she is on a platform and you are having a dialogue with your sweet Councillor M Kganakga and Councillor LE Rasoeu. You must be in order otherwise you are going to collapse this Council.”

Councillor T van der Walt stated that the meeting was not broadcast to the public and the Speaker confirmed that it was broadcast.

Councillor MM Tladi continued:

“Thank you, Honourable Speaker. As I was saying as we all know, our report was supposed to be tabled on the 30<sup>th</sup> of March but now, the report is late because of the reasons that there is lack of consequence management in this institution.

## 6G

Honourable Speaker, on my report:

- On page 3, it is a table of contents.
- Point 1 is the introduction;
- Point 2 is the public hearings. We did have public hearings because of the report. We dealt with it in the era of covid-19, so we advertised on newspapers and it is part of the packages.
- We held meeting to discuss the Annual Report as a Committee. We did send the questions to the City Manager and our entity Centlec and they did respond to us. Their response and questions are part of the report.
- Point 5, there are challenges and proposed solutions.
- Point 6, is the key focus area that requires intervention.
- Point 7 is the conclusion.
- Point 8 is the recommendations.

I want to jump to our recommendations as submitted by the Committee. All of us do have the report. We as a Committee we decided that we are going to accept the findings of the AG and we are going to accept the responses from the City Manager and the entity, i.e. 8.1

8.2 That in line with Section 129(1)(a), we recommend that the Council approve the 2018/19 Annual Report with reservations,

8.3 That the Oversight Report that is tabled today, that is going to be adopted by Council is going to be made public;

8.4 That our Report should be submitted to the Provincial Legislature and PROPAC.

8.5 That Council appoint the investigation team to be led by Exco Representative to investigate the following:

- Tabling of the Annual Report that has non-compliance matters.
- Non-submission of investigation report by the Speaker as per the Council Resolution that was taken on the 24<sup>th</sup> December 2019.
- Functionality of the Disciplinary Board
- Incompetency of the City Manager
- Political interference.

Honourable Speaker, I table our report as it is. Thank you, Honourable Speaker.”

**NOTED.**

### 74.1

#### **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE OVERSIGHT REPORT FOR 2018/19 FINANCIAL YEAR**

**Councillor TD Masoeu addressed the Council:** “Thank you, Mister Speaker. I just want to bring to this point 5; I know Chairperson has read through the recommendations but what I want to bring is independent panel. In other words, the investigation on point 5 should be by independent panel and lastly Mister Speaker, to prevent any mishaps in terms of investigation that the City Manager be suspended as a precautionary measure.”

**Councillor M Davies remarked:** “Thank you, Mister Speaker. I just want to support Councillor TD Masoeu because point 5 is not what we agreed upon in our MPAC meeting. We said at our MPAC meeting that it must be independent investigation and so that must be rectified. Thank you, Mister Speaker.”

**The Chief Whip addressed the Council:**

“Thank you, Honourable Speaker. As the ANC we support the item of MPAC, but we want to make an amendment on the last recommendation. We are saying that recommendation 5: *That Council appoint the investigation team to be led by the Exco Representative*; our view is that the Exco Representatives is not here to come and investigate but the mandate of Exco Representatives is very clear Honourable Speaker is to make sure that they guide the Municipality out of the woods in terms of the Financial Recovery Plan. That is their basic mandate; to us they cannot then come in to make investigations on either the City Manager or Councillors or anything. We are therefore saying the investigation team must take place, but that investigation must be conducted by the Disciplinary Board.

In terms of the matters that needs to be investigated, the first bullet, the investigation must actually end there, on the tabling, they must investigate non-compliance in terms of the Annual report and the MFMA).

Bullet two, the investigation on the Speaker’s investigation report, the report is here, and we have approved it just now in Council. So, it is neither here nor there.

The question on the functionality of the DC Board, we are saying this Disciplinary Board is fairly new, we cannot investigate its functionality when it has not been started. Remember it was established late last year towards the end of the year. So, the Disciplinary Board must be given time and space to execute its mandate as it was established by Council. So, it has not been given the time and space for us to come to a conclusion that they need to be investigated now. They have not been here for years, it is only a few months that they have been here and so, they must be given space to do their work.

On the incompetency of the City Manager, the bullet itself it is partisan in a sense that it already talks about, it wants an investigation but at the same time it talks about the incompetency and so, in our view, that is a contradiction because it is like there is already a conclusion that the City Manager is incompetent and therefore we are saying that bullet must also not be there.

The question of political interference as well, in terms of the AG’s report 2018/19, there has been a tremendous improvement in terms of performance of Council, it is there, it is evident it was written as an improvement; in terms of the executive, there is an improvement.

Therefore, as the ANC we are saying the investigation by the Disciplinary Board must be only confined to non-compliance on the Annual Report in terms of the MFMA. Thank you, Honourable Speaker.”

**Councillor MG Selebeli supported the proposal made by the Chief Whip.**

**Councillor E Snyman van Deventer addressed the Council:** “Thank you, Mister Speaker. The Freedom Front Plus second the proposal of Councillor M Davies and to a certain extent that of the Chief Whip to amend recommendation 5. The investigation should be external, and it should be independent. It is definitely outside the scope of the Intervention Team’s mandate and it will also be an illegal action. The Intervention Team...”

**Councillor XD Pongolo raised a point of order but was denied by the Speaker and requested that he allows Councillor E Snyman van Deventer to finish speaking.**

**E Snyman van Deventer continued:** “Mister Speaker, I actually agree with what the Chief Whip said. The Intervention Team should assist with the implementation of Financial Recovery Plan, it is not their place to investigate what is going on pertaining to these issues mentioned. I must say that I am very uncomfortable on this because of the undue influence of members of the Intervention Team on MPAC bearing on the last MPAC meeting. They should not be the one to do the investigation. Thank you, Mister Speaker.”

**Councillor XD Pongolo address the Council:** “Thank you, Honourable Speaker. I wanted to highlight something before you can take any investigation to the outside, to the external, the first thing, there is a Committee called Ad Hoc Committee internally. That Committee must be formed and investigate internally. After they are done with the investigation internally therefore the Council can take a decision to say the matter can go externally. How can you take the thing externally, but you do not know exactly which Department is supposed to be followed? Thank you, Honourable Speaker.”

**Councillor Viviers on a point of clarity:** “I just want to make sure and I know you will assist me. The Councillor with us here tabled the report as it is. If I remember correctly, it was then seconded. Does the ANC now have different proposal? I just want clarity, as the Chief Whip by Councillor has made another suggestion. Thank you, Mister Speaker.”

**The Speaker explained as follows:** “The report was tabled but no one seconded the report. Councillor TD Masoeu came with a different proposal which was seconded by Councillor M Davies. The Chief Whip came with another one which was seconded by Councillor MG Selebeli. So now, I have a problem because the item came but no one seconded.”

**The Speaker thereafter reiterated that Councillor MM Tladi tabled the item but was not seconded; Councillor TD Masoeu was seconded by Councillor M Davies and The Chief Whip seconded by Councillor MG Selebeli. That the Council will be voting three times.**

**Councillor JE Sebolao supported the item as tabled by Councillor MM Tladi.**

**The Councillors voted as follows: for the item as is, 10 voted in favour, 17 voted for the amendments as raised by Councillor TD Masoeu and 45 voted for the amendments as raised by the Chief Whip.**

**After announcing the voting results, the Speaker afforded Councillors 20 minutes caucus.**

*It was thereupon*

**RESOLVED** that the recommendation as set out in the agenda be accepted, adopted and approved with amendments, by the Council.

*The final resolution thus resolved upon, adopted and approved by the Council reads as follows, namely:*

## **RESOLVED**

Having thoroughly considered the contents of 2018/19 Annual Report and the findings of the Auditor General for the year under review, it is therefore recommended by the MPAC that:

- 1) That Council adopt the Oversight Report with responses received from the City Manager and the Entity on the 2018/19 annual report.
- 2) That in line with Section 129(1)(a) the Council approve the 2018/19 Annual Report with reservations, details of which are outlined under Section 5 and 6 of the report.
- 3) That the Oversight Report on 2018/19 financial year be made public in line with Section 129(3) of the MFMA.
- 4) That the Oversight Report on 2018/19 financial year be submitted to the Provincial Legislature in line with Section 132(2) of the MFMA.
- 5) That Council appoint the investigation team to be led by the **Disciplinary Board** to investigate the following matter:
  - Tabling of the 2018/19 Annual Report (Non-Compliance with the MFMA requirements).

<b>75</b>	<b>REPORTS TO BE DEALT WITH IN COMMITTEE</b>
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**None.**

**NOTED.**

<b>76</b>	<b>MOTIONS</b>
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**76.1**

**MOTION OF NO CONFIDENCE AGAINST THE EXECUTIVE MAYOR, COUNCILLOR SM MLAMLELI RECIVED FROM THE FREEDOM FRONT PLUS**

**As the Speaker started addressing the Council, Councillor JE Sebolao raised a point of order as follows:** "Mister Speaker you requested a 20 minutes break and we spend more than 20 minutes waiting for the ANC. You cannot bulldoze us; we are Councillors and we need to respect the laws. Why do you do this to us. It is cold here where we are sitting. You said 20 minutes; we don't want to hear your difference in the ANC, but the law is the law and it must be adhered to."

**The Speaker responded:** “Yes, it is true, I gave you 20 to 30 minutes then later Chief Whip requested another additional 5 minutes, that is why we took time.”

**Councillor JE Sebolao asked the Speaker where did the Chief Whip ask for another 5 minutes because he said 20 minutes. The Speaker responded that Councillor JE Sebolao probably did not hear him.**

**Councillor T Ranchobe raised a concern that they ran out of data as they did not receive any from the Municipality and thus depriving them an opportunity to participate in the meeting.**

**The Speaker thereupon apologise for taking more than 20 minutes break and thereupon remarked:**

“The Freedom Front Plus submitted a motion and they requested for a secret ballot. In the past DA submitted a motion and they requested a secret ballot. The EFF did the and all of them quoted one court ruling and if you check the court ruling, they are saying I must explain why I did not allow a secret ballot. So, I did for the past three motions and this will be the fourth one. I did give a show of hands, but I am expected to respond why I did not give a secret ballot.

If you check this time around; this I am not doing it because there is any other thing but like the same ruling, it indicates that the Speaker must decide how we are going to vote. As we are going to vote, I must indicate why I am giving these reasons not to give a secret ballot. So, this time around we had allowed a secret ballot.

2. Political parties are going to monitor; they would be allowed to go to all the boardrooms.
3. After each and every room voted, all the ballot will come here (i.e. the Chamber) and then we will count them here.

Political parties are going to monitor also here, as they count. I am not going to count; I am just going to give you ballots and we will check those ballots starting from Indaba to Chief Whips' boardroom njalonjalo. So, I will give the officials to explain to us how we are going to vote. I will give to Mr TB Mae or Mr M Mothekhe. Thank you.”

**Councillor BJ Viviers on a point of clarity asked whether Council can confirm the discretion of the Speaker was a secret ballot and the Speaker confirmed that his discretion was a secret ballot.**

**The Speaker explained the processes of deliberation after the officials has explained the voting process: That Councillor MAP De Bruyn will lead the deliberation, thereafter the Executive Mayor will respond then the seconder, Councillor E Snyman van Deventer, then the Chief Whip of the ANC and thereafter other political parties. The Speaker further explained that the ballots were in different venues.**

**Councillor MAP De Bruyn presented the motion as follows:**

“Thank you, Mister Speaker. The Freedom Front Plus brings this motion to Council because urgent action is needed to save the Mangaung Metro Municipality. We did not bring this motion to score political points but to ensure that the Metro survive and prosper. It is true that the Executive Mayor cannot do the work herself and she cannot do the work of the officials but she has a Constitutional duty to fulfil the objectives of local government and to promote social and economic development and basic need for the community.

The vote of no confidence is based on the following:

- i. The non-compliance of the Executive Mayor to fulfil her duties, obligations and responsibilities in terms of the Constitution of South Africa, the Municipal finance Management Act, the Municipal Systems Act and the Municipal Structures Act;
- ii. Failure by the Executive Mayor to manage the Financial Recovery Plan and the Section 139(a) and (b) intervention;
- iii. Qualified AG report. The fact that the Mangaung Metro Municipality received a qualified audit, is already proof of the failure of her duties by the Executive Mayor and the reasons given for the qualified audit, are in itself enough evidence for motion of no confidence in the Executive Mayor;
- iv. The downgrading of the Metro by Moodys is also further proof of the lack of political, financial and administrative guidance by the Executive Mayor;
- v. The investigation by the Hawks into the payment of overtime in the Metro, is also a reflection on the state of the financial chaos in the Metro;
- vi. Lack of basic good governance;
- vii. The negative image of the Metro in the media;
- viii. The lack of confidence in the Metro and general negative perception of the Metro by the residents of Mangaung and
- ix. The lack of services and assistance to Soutpan and Naledi.

Mister Speaker, furthermore, the recent downgrade by Moodys to level B3 clearly shows again the financial disaster this Metro is in. Moodys also assigned a negative outlook in the Municipality as there is uncertainty that the Mangaung Metro Municipality will succeed in improving its financial performance over the next year and a half. This is in contradiction with then Executive Mayor’s budget speech where she stated that the Metro’s financial situation will improve during this financial year.

Mister Speaker, the Executive Mayor must monitor the administration of this Metro but the complaints against the City Manager, the Auditor General’s report and even the report of MPAC served today, all of these served to proof that the Executive Mayor does not monitor the administration of this Metro. These are only a few examples of the Executive Mayor’s inability to perform her duties and a detailed list can be viewed in the document attached in this agenda.

Mister Speaker, in the mist of economic crisis, that faces this Metro and its citizens; we simply can no longer afford to have the Executive Mayor who is absent in her duties. We as Councillors have an obligation to our citizens to act in their best interest and therefore this motion today, must succeed and the Executive Mayor must be removed from her sit so that we can start to rebuild Mangaung Metro Municipality. Thank you, Mister Speaker.”



**The Executive Mayor responded as follows:**

“Thank you, Honourable Speaker and honourable Councillors. The motion does not specify the instance or activities that suggest the lack of fulfilment by the Executive Mayor. No evidence has ever been provided to back-up the above allegation. If the legislation has not been complied for or undermined, remedial action contained in the relevant legislation would have been instituted.

Honourable Speaker, the Hawks issue, is the criminal investigation to determine any criminal wrong-doing and abuse of the system. It is not suggesting that overtime in itself is criminal but that it might be element of abuse that need to be rooted out.

The motion does not specify the instance of activities that suggest that the lack of fulfilment by the Executive Mayor. No evidence has ever been provided to back-up the above allegation. If the legislation has not been complied, remedial action also again was relevant legislation would have been identified.

As part of the turn around plan, the Municipality has been addressing service delivery complaints and community customer complaints on a consistent basis. The efforts on service delivery are regularly communicated to the media and the community at large.

The maintenance budget as approved by Council covers all areas of the Municipality although the allocation is insufficient to cover the demand and ever-increasing challenges. The main challenges across the City is the ageing infrastructure and the constraints in terms of the financial resources available.

Honourable Speaker, as the Executive Mayor, I acknowledge that there are some challenges with regards to provision of some services. However, it is not correct to assert that service delivery is almost non-existence. I wish to cite just but some instances of service delivery in the City.

Roads and Stormwater*Gravelling*

Maintenance of roads ad stormwater is carried out on an on-going basis and form part of daily routine. The following reflect total meters (m) done to date per area.

<u>Area</u>	<u>Distance</u>
Thaba Nchu	20180m
Bloemfontein North	116732m
Bloemfontein South	175214m

*Patchwork*

<u>Area</u>	<u>Distance</u>
Bloemfontein South	29510,69m <sup>2</sup>
Bloemfontein North	13189,62m <sup>2</sup>
Botshabelo	14388,73m <sup>2</sup>
Thaba Nchu	1126,16m <sup>2</sup>
<u>Total</u>	<u>58215,20m<sup>2</sup></u>

## 7D

Planning, we achieved the following:

- (a) Township establishment for Farm 862 Botshabelo in progress and planned to be completed October 2018
- (b) Township establishment for Thaba Nchu Ratau in progress and planned to be completed the same year
- (c) Township establishment for Matlharantlheng is complete
- (d) Township establishment for Heidedal Ext 30 3 complete
- (e) Township establishment for Lourier Park 1/702 in progress
- (f) Township establishment for Rodenbeck 2972 in progress and planned to be completed by November 2018
- (g) Formalisation of infill planning in progress and almost completed. We also address projects as we receive request
- (h) Township establishment Botshabelo in progress and almost completed
- (i) Township establishment Botshabelo West Ext is completed
- (j) Land surveying in all the above township establishments is in progress and planning to complete by November 2018

Economic and Rural Development I respond as follows:

- (a) Construction and completion of 44 hawking stalls in Botshabelo
- (b) Construction of 108 hawking stalls still in Botshabelo (i.e. Phase 2)
- (c) Compilation of management and regularisation plan for hawking activities in the City
- (d) Training of cooperatives and SMMEs on entrepreneurial and skills development as well as awareness raising across the 5 regions, namely Naledi, Soutpan, Thaba Nchu, Botshabelo and Mangaung
- (e) Embarking on water augmentation programme for livestock
- (f) Identification of municipal owned properties for the translocation of commonages and better management of roaming livestock
- (g) Fencing of municipal camps to control and manage roaming livestock in Naledi
- (h) Appointment of SPCA to be a pound master for the Municipality
- (i) Attraction of Korean solar power consortium SA (Ltd) to invest in Mangaung

Water and Fleet Management

Moving into the new financial year, a basket of proposals to be implemented includes:..”

**Councillor XD Pongolo raised a point of exigency as follows:** “Tell the Executive Mayor is not accountable to Freedom Front Plus, she is accountable to the ANC. She cannot keep answering this document read by the Freedom Front...”

**The Speaker interjected to explain to Councillor XD Pongolo that when the Executive Mayor is speaking on these matter, he was supposed o keep quiet and allowed the Executive Mayor and that he will be given an opportunity to speak should he wishes and not to disrupt the Executive Mayor.**

**The Executive Mayor continued:** Water and Fleet Management: Moving into the new financial year, a basket of proposals to be implemented includes:

- (a) Standing allocation of certain areas to be serviced by contracted SMMEs
  - 16774 households in Bloemfontein
  - 19253 households in Thaba Nchu

## 7E

- (b) Standing allocations of certain areas to be services by TikToks (areas inaccessible to normal trucks) – 1000 households
  - Compaction – 17 600 households to be covered
  - Allocation of certain areas to the City's permanent fleet
  - The Department will outsource trade waste to external service providers, with all employees of the division being absorbed by other sections of Waste and Fleet, except the supervisory, managerial and administrative support whose essence will be to assure quality and monitor collections
  - introduce shift system to cover the CBD of three main towns
- (c) Deploy skip bins in 48 identified problematic areas
- (d) Education and enforcement
  - Enforcement – deploy Peace officers in 60 identified critical problematic areas
  - Implement a massive education and compliance programmes
  - Solid Waste and Law Enforcement – deployment of education and enforcement officers
  - Economic Development – regulation of hawking activities
  - Environmental Health – regulation of business activities

Human Settlements, my response is as follows:

- (a) Kgotsong informal settlement upgrading (1600 + 211 households to be connected with water and sewer) – in progress
- (b) Botshabelo Section L informal settlement upgrading (500 households to be connected with water and sewer) – in progress
- (c) Botshabelo Section M and E informal settlement upgrading (135 households to be connected with water and sewer) – in progress
- (d) Botshabelo Section R informal settlement upgrading (2403 households to be connected with water) – in progress
- (e) Botshabelo West informal settlement upgrading (2000 households to be connected with water) – design phase
- (f) Magashule Square informal settlement upgrading (51 households to be connected with water and sewer) – completed in July
- (g) Namibia informal settlement upgrading (53 households to be connected with water and sewer) – in progress
- (h) Thabo Mbeki Square informal settlement upgrading (56 households to be connected with water and sewer) – in progress
- (i) Grassland 4 informal settlement upgrading (2500 households to be connected with water) – design phase
- (j) Botshabelo 9 & 10 informal settlement upgrading (3500 households to be connected with water and sewer) – design phase
- (k) Bloemside Phase 7 informal settlement upgrading (1791 households to be connected with water and sewer) – design phase
- (l) Thaba Nchu Ext 25 informal settlement upgrading (390 households to be connected with water and sewer) – contractor to be appointed
- (m) Thaba Nchu Ratau informal settlement upgrading (78 households to be connected with water) – design phase

Social Services

- (a) The City has conducted several Reclaiming the City Campaign across all the Regions
- (b) We have increased the amounts for indigent burials
- (c) We have increased capacity of Traffic and Law Enforcement to fight and combat crime
- (d) We have recruited almost 100 learners to be prepared for job opportunities that may arise at Public Safety

Honourable Speaker, the City has developed a comprehensive water conservative and water demand management 10-year plan that was approved by Council. The plan seeks to reduce the water losses to a reasonable value of 20% which is within the National Treasury norm range of 15% to 30%. A total of R3.12 billion is required to fund all the envisaged projects/programs in the plan. Mangaung Metro Municipality is currently funding the plan through its operational budget and USDG but the funding is insufficient to make a meaningful impact due to the condition of the water infrastructure hence blended financing is recommended. Preliminary engagement with DBSA for potential funding has commenced.

Honourable Speaker and honourable Councillors, Mangaung Metro Municipality do respond to water related complaints within the period of 48hours, however we sometimes experience resource challenges and in that case we prioritise major pipe burst at the expense of minor leakages, resulting in the minor leaks sometimes over running the 48hours.

One of the pervasive problems in the City Honourable Speaker is the proliferation of illegal spider networks that are illegal upgrading from the communal system to a reticulation network e.g. Makurung in Thaba Nchu. To address this issue Honourable Speaker, the Department has planned for the incremental upgrading of the communal system to reticulation network to enable the installation of the water meters. Makurung is scheduled to be upgraded in this financial year. Furthermore, two consultants thus far have been appointed for the metering programme, and the scope of their work entail the auditing of the meter and formulation of the project plans to address the gap identified.

Honourable Speaker and Councillors, the water business of the Metro has already been pronounced by the National Treasury to be severely stressed. Mangaung Metro Municipality has already invited National Treasury to help in turning around the water business. The main factor contributing to the water losses is the frequent pipe burst caused by the aging of the infrastructure. Mangaung Metro Municipality commissioned a scientific study to ascertain the extend of this problem and the draft reports titled the Maintenance and Rehabilitation Report. Preliminary findings indicate that a substantial length of the network will need to be replaced and they have reached their economic life. In the meantime, Mangaung Metro Municipality appointed three contractors to augment its internal capacity to deal with the emergency repairs while sourcing funding for the replacement programme.

The City declared a dispute with regards to Bloemwater first to Provincial Government in 2016 and with the National Treasury in 2018, with regard to levying of drought tariffs and non-compliance by Bloemwater to the provisions of the Service Level Agreement with regard to the provision of raw water.

## 7G

The City and Bloemwater are in the process of the review and amendment of the current Service Level Agreement (SLA) and should finalise the process very soon. Once concluded, the SLA will serve the interest of both parties in an equal manner and prevent future challenges.

Discussions have been elevated to National Treasury to initiate a dialogue of all stakeholders on water provisioning in the Country and the role of water boards in relation to the Department of Human Settlement, Water and Sanitation which also plays a regulatory role over the water boards especially with regards to tariffs setting which municipalities are proposing that it must be done by an independent body like with electricity.

Honourable Speaker, it is well known that various municipalities are in financial distress but the allegation that Mangaung Metro Municipality is totally bankrupt is totally refuted. If this were true, the various oversight committees run by inter alia Provincial Government and this very same Council, would have taken necessary legislative steps required when dealing with a bankrupt organ of state. Furthermore, to prevent such an eventuality occurring, I have tabled a Financial Recovery Plan in this Council. It must also be emphasised that the development of the Financial Recovery Plan was a City's initiative to improve our financial management.

Secondly Honourable Speaker, it is well known fact that most of our citizen are indigent hence their inability to pay for services. It is also a fact that our Municipality does not have big industries who would be paying more for services, meaning, our revenue/tax base is very limited. The Municipality has, however put in place measures to protect and increase our revenue. These include amongst others, the Financial Recovery Plan as alluded to earlier, installation of pre-paid meters, strict application of Credit Control Policy, disconnection of defaulting customers, enter into payment plan with Province to settle their account, capacitation of Debt Collection Section and application of cost containment measures.

The Honourable Councillors are further advised that following the incorporation of the former Naledi Municipality and Soutpan region, the City grew in boundaries and populace. The incorporation was not balanced with the resources available for the City.

Honourable Councillor, the Council approved the IDP/Budget process that outlined the process and milestones in the compilation of the MTREF budget and the review of the IDP. Part of the process plan outline the public participation milestones which were conducted in November 2019. However, due to the covid-19 pandemic and disaster management regulations, non-contact public participation was engaged on by the Municipality. At an institutional level, the Municipality has an established and robust process for the key administrative and compliance matters:

- A five-year IDP that is approved by Council and reviewed annually by the Council. An important part of the IDP is the generation of municipal sector plans that outlines strategic performance focus area of the Municipality in relations to sector issues such as integrated human settlements, energy, climate change, rural development, economic development, waste management etc.
- Annual Service Delivery and Budget Implementation Plan (SDBIP) signed off by the Executive Mayor and noted by Council.
- Periodic reporting on implementation of SDBIP in the form of quarterly, mid-term and annual reports.

## 7H

- Conclusion of the Annual Performance Agreements of senior managers in terms of the provisions of the Municipal Systems Act and regulations.
- Institutionalisation of MFMA Circular 88 outcome indicators. The Municipality is part of the National Treasury's Reporting Forum to deal and reflect on the implementation of Circular 88 Outcome Indicators.

Honourable Speaker, the Municipality has been having challenges relating to recovery of debts from defaulting consumers, including government debt. This has resulted in delay in payment of creditors including Bloemwater, where a payment arrangement was concluded to pay the outstanding debt of more than R176 million over a period of twelve months.

The City has strengthened the implementation of Credit Control and Debt Collection Policy by appointing debt collectors tasked to ensure that arrears more than 90 days for business and non-indigent residential customers are collected. The City has also entered into arrangement with Provincial Department of Public Works for payment of their long-outstanding arrears.

Some of the initiative on improvement of revenue collection include the following:

- Improved billing systems and replacement of faulty meters is part of the priorities in the Directorate.
- Enforcement of Credit Control Policy and implementation of electronic debt collection systems in order to improve collection rate and to reduce debt impairment as the main contributor to the deficit.
- Installation of pre-paid water meters in order to improve cash collection and monitoring of leakages and/or water losses.

Honourable Speaker, the issue of payment of creditors was fully dealt with and I engaged with all the role-players including the City Manager, CFO, HODs and all affected service providers to ensure that we do not have this problem in future. The report that I received was that there were various factors that led to the delays in payment of some of the service providers, which include the following; over commitment by some sub-Directorates; errors in documents, use of votes that did have money..."

**Councillor LE Rasoeu raised a point of order at which the Speaker stated that he was out of order as he was disrupting the Executive Mayor as she was responding.**

**The Executive Mayor continued:**

Again, Honourable Councillor is reminded that in the previous Council meeting, amongst others, Council considered and approved a report to condone payments of several service providers who some of them all within the categories that I mentioned above. It is, however, our commitment that service providers should always be paid on time.

The Council approved the IDP/Budget process that outlines the process and milestone in the compilation of the MTREF budget and the review of the IDP. Part of the process plan outlines the public participation milestones which were conducted in November 2019. However, due to the covid-19 pandemic and disaster management regulation issued, non-contact public participation was engaged on by the Municipality.

The payment of creditors is linked to collection of revenue, the Municipality has been having challenge relating to recovery of debts from defaulting consumers, including government debt. This has resulted in delay in payment of creditors including Bloemwater.

The City has strengthened the implementation of Credit Control and Debt Collection Policy by appointing debt collectors tasked to ensure that arrears more than 90 days for business and non-indigent residential customers are collected. The City has also entered into arrangement with Provincial Department of Public Works as I have already said Honourable Speaker.

The sale of business agreement between Mangaung Metro Municipality and Centlec is under review so that a new governance model is put in place in line with the Council resolution on due diligence. Currently the sale of business is still treated in the old way, 2012/13 and as such the financial accounts between Centlec and Mangaung agree fully.

Council has so far approved the Memorandum of Understanding and the other outstanding documents/agreements will be submitted soon to Council. These documents, which are in line with the current legislative requirements and local government dispensation are the Memorandum of Incorporation, Shareholder Compact and Service Delivery Agreement. That is my response Honourable Speaker, ladies and gentlemen. Thank you, Honourable Speaker.”

**Councillor E Snyman Deventer remarked:** “Thank you, Mister Speaker. Thank you for the Executive Mayor for replying in writing but unfortunately it is too little too late. The motion of the Freedom Front Plus as in the agenda, sets out all the problems we are experiencing in this Metro. Based on that, we want to ask every Councillor present to vote with their conscious and not against party political lines. We cannot carry on like this.

Political leadership is needed to save this City. None of the services the Executive mayor referred to are actually happening. We did not bring this motion to score political points or to play political game but as a last resort to try and save our City from financial ruins. We owe the residents basic services. The so called pro-poor budget, it supposed to contribute to the whole development of the Metro, Bloemfontein, Thaba Nchu, Botshabelo, Naledi and Soutpan but it is not happening. Soutpan did not have water for three days, I think now its five days. All of Mangaung Municipality is suffering. Grassland, people are now moving into private land.

There is a saying, an American President said: *the buck stops here!* Madam, through you Honourable Speaker, Madam Executive Mayor, that is the reality. Unfortunately, you as the Executive Mayor must take responsibility for the continuous downgrading of the Metro.

You can write a lot of things in the report and you can write a lot of things and read it in your report, but residents do not see or experience any of the things you have just mentioned. Again, every Councillor, vote with your conscious. Think about the people who actually voted for you; think of what they are experiencing in this Metro and then vote for them. Thank you, Mister Speaker.”

**Chief Whip remarked:** “Thank you, Honourable Speaker. As Council, we need to take collective responsibility for this Municipality because it is our Municipality. We are all in government here including the Freedom Front Plus.

Once you get elected as a Councillor and you form part of Council, you participate in decision making processes for this Municipality.

Honourable Speaker, first and foremost I want to address the issue raised by the FFP regarding the Financial Recovery Plan. The initiative of the Financial Recovery Plan was that of the Metro. The Metro itself drafted its own Recovery Plan of course with the help of the National Treasury and the Provincial Treasury but it was our own baby.

The only snag raised by the AG and Moodys report about the Recovery Plan was monitoring its implementation to the latter which we have acknowledged all of us that we lacked in that particular regard but it is our own initiative; the Financial Recovery Plan. Nobody imposed it upon us. We took full responsibility for its establishment.

Secondly Honourable Speaker, the reason Moody's report about Mangaung Municipality is not like the previous one. Yes, we are still downgraded, but at least there is some sort of stability in terms of the view of Moodys regarding Mangaung Municipality. So, all is not lost.

Regarding the media that they have negative perceptions, sometime ourselves as Councillors, we feed the media these negative stories about the Municipality. We are the ones who leak information to the media. We are the one who feed the media negative stories about the Municipality and so we cannot come back and cry and say we have negative publicity. Because partly, we are responsible for this negative publicity. Before even items are considered by Council, they are already leaked to Maritjie from Volksblad.

On the matter of lack of services and assistance to Soutpan and Naledi; remember when Soutpan and Naledi when they were brought to the Metro, they had no budget at all. So, the Metro had to make ends meet, we had to improvise to make sure that we extend services even to Naledi and Soutpan. There was no budget provided for those particular areas. We speak of areas which are very poor whereby 80% of the people there are unemployed. There is no revenue coming into the Metro from those particular areas.

Honourable Speaker, once more, the FFP talks about Constitution Chapter 2 and the Bill of Rights, about health care, food and social security, but they are the ones who vote against the budget. They are the ones who reject the Indigent Register in this Municipality. The last Indigent Register was rejected by the opposition including the FFP. How are you going to make people have access to water when you reject the Indigent Register which is supposed to make sure that people have water, the poor of the poorest?

On top of that, about revenue, this Municipality is not able to collect in the North from some businesses there, in the North. Precisely because some of these people are stealing water and electricity of the Municipality and they are conniving with some of the Councillors in doing so. There are many businesses here which are using our water for free and stealing electricity and nobody is saying anything ...(Councillors interrupted the Chief Whip whilst he was talking). The opposition is conniving with thieves who are stealing water from this Municipality.

There are farmers in the North who have been diverting water from the Municipality for their own private use and the opposition is silence on those things; we know.



We know that we have declared a dispute with Bloemwater and that dispute that we have declared, it is still in the process and it has not yet been finalised Honourable Speaker. Once our tariffs which we are paying to Bloemwater are corrected then the Municipality would be able to pay.

With those words Honourable Speaker, when you point one finger at one person, you must know that four other fingers are pointing at you. Thank you, Honourable Speaker.”

**Councillor BJ Viviers remarked:** “Honourable Speaker, it is common knowledge that two of the major problems facing Mangaung Metro Municipality amongst all other problem is the fact that political head of Mangaung Metro Municipality do not have the ability to fulfil their duties, obligations and responsibilities to this Metro. Its Council and its community as prescribed by various legislations, the DA has been advocating this fact as from 2016 and by now the notorious slogan: Olly must go or Olly moet gaan was formed during our struggle.

Unfortunately, during all the years as from the date that these heads were appointed, they were never held accountable for their failures. The meaning of accountable is when an individual is held responsible for the performance of a specific function essentially she/he is liable for the correct execution of a particular task even if she/he may...(inaudible–microphone muted)

**Councillor T Ranchobe made the Speaker aware that Councillor BJ Viviers was inaudible. The Speaker thereupon requested that Councillor BJ Viviers speak to his gadget/device.**

**Councillor BJ Viviers continued:** “Through the action that is taken today, when even other opposition parties in the past even the DA brought motion of no confidence against the Executive Mayor, at least one positive matter was formed that ...(inaudible–microphone muted)

**Councillor JE Sebolao asked whether Councillor BJ Viviers was done and there was no audio. Other Councillors also raised concern that the Speaker nor Councillor BJ Viviers were audible.**

**Councillor PP Poone-Rankholo remarked:** “Kelebohile haholo Motsamaisi wa Dipuisano. Ke tshempa hore kannete Modimo o nko e metsi wa Masepala wa Mangaung o utlwile dithapelo le dithapedi tsa baahi. Modulaqoha, ke dilemo tse kaba nne jwale Lekgotla lena le le teng. Ka bo madimabe ke ke swabile haholo hore ke re, ke emong ya ba bileng teng Lekgotleng lena, le qetang selemo selemong se tlang.

Ha esale Lekgotla lena le le teng, ha hona letho le kileng la etsahala ya ba ho a bonahala setshabeng. Ke a di utlwa ditho tseo dintse di buwa, di ngolwa dipampiring empa ha ele hantle, evidence oe fumana tlase mane, at the receiving end, bathing b abo rona ba batsho.

Ditariff tseo di nyolwang selemo le selemo, dibudget speech tsena tse ho buwang tsa dibillion tse sa etseng letho ho batho b abo rona bao ba senang metsi ba sena ditoilet; bantse ba tsheiswa dintho empa di sa etsahale. Ka nnete ke mohlolo ho iphomana hore lekgetlo la rona la pele re le ka hara Council re kgona ho bona boshodu le maladministration ka tsela ya ditjhelete e makatsang hakana.

Ka nnete a re tloheleng ho babala phupe ka lefe, re tlohele ho etsa batho dintho tse sankeng hantle re ke bue nnete. Motho le motho o tlamehile a bue le maikotlo a hae hona jwale. Re a tseba kannete hore service delivery is non-existent in Mangaung Municipality. Re a tseba our beloved City of Roses has now turned into City of rubbish. Re a tseba hore dikoloi tseo hothweng di rekuwe tsa fleet ha di kgone ho etsa mosebetsi oo di o etsang. Re a tseba hore overtime tsa batho ha di patalwe ebile ha ho lebaka la hore ho tlamehile ho be le overtime hobane we are understaffed.

Re a tseba hore seseng le seseng seo ho dumalanang ka sona budgeting hore se tlo etsahala ha se etsahale; ke ka hoo rentse re downgrate-wa ke Moodys ebe re ema mona re lla, re bua dintho tse siyo. Ha re tloheleng ho ikaketsa; re dumellane hore kannete Majoro ha a etsa seo a neng a rongwe ke setshaba. Mohlomong o entse seo a neng a se rongwe ke ANC empa seo a neng a se rongwe ke setshaba chee, setshaba se lla ka mehla le mehla ke Mangaung ena eo se iphumanang se le ka hare ho ona. Ka mantsoe ano Modulaqoha, ke batla hore fela EFF e support motion of no confidence against the Executive Mayor. Re se re ka emela dikgetho. Kealeboha.”

**Councillor DM Sekakanyo remarked:** “Thank you, Honourable Speaker. Let me start and advice our Executive Mayor to say that; never play chess with a pigeon no matter how good u are, the bird is going to excrete on the board and struts around like it won anyway.

Honourable Speaker, it important to express our regret to this motion tabled here today. Besides this motion being a ...(inaudible – microphone muted)”

**Councillor DM Sekakanyo requested the Speaker assistance as he was being muted unless the administration was conniving. Councillor DM Sekakanyo continued:**

“Honourable Speaker, I think this motion was written by who was still listening to a song called delarai delarai, hoor die karitjie wat lag ...(inaudible – microphone muted)”

**Councillor DM Sekakanyo was being muted every-time he spoke, and in responding to Councillor M Kganakga on the relevance of delarai, the Speaker mentioned that delarai was the one who came with a choo.**

**Councillor DM Sekakanyo continued:** “I hereby reject this motion as it is ...it does not meet the requirements of the Standing Rules and Orders of the Council. This is just a PR excise ...(inaudible – microphone muted and dogs barking on the background)

Honourable Speaker, you know there is a saying that a behaviour of someone is the reflection of character which is informed by his upbringing. Whilst we must always and ...(inaudible – microphone muted and dogs barking on the background) it is important that we keep this institution as respectful, factual and decent body that is committed to the delivery of services to the people and these constant act of hooliganism from opposition benches; for the very first time ultra-lefties EFF...(inaudible – microphone muted) with a right-wing organisation FFP then it is a serious problem...(inaudible – microphone muted). Allegations levelled against Executive Mayor by Freedom Front Plus right wing that remind us of atrocities happened on the 9<sup>th</sup> of December 1982...(inaudible – microphone muted). The founder of FFP, Constand Viljoen was the army ...(inaudible – microphone muted)”

**The Speaker mentioned that someone allowed dogs to bark and they were doing that deliberately to Councillor DM Sekakanyo.**

**Councillor DM Sekakanyo continued:**

“Honourable Speaker, we need to remind one another about Lesotho massacre of 1982, who was the general of the army at that time...(inaudible – other Councillors speaking and raising a point of order) they thought by throwing this motion, they were dividing the members of the ANC and therefore we are united in this. There will be no one who is going to remove the Executive Mayor...(inaudible – other Councillors speaking). The very same Councillor who submitted a motion of no confidence, he is a member of Finance, IDP and Performance Management ...(inaudible – other Councillors speaking). I am not threaten, the Moodys rating agency has placed our Municipality into a stable admin and the liquidity position is improving...(inaudible – other Councillors speaking and microphone muted). Third parties and salaries paid in time. ...(inaudible – other Councillors speaking, microphone muted and dogs barking). No matter how high they can jump, no matter how they disturb, the Executive Mayor does not ...(inaudible – other Councillors speaking).”

**Councillor KT Mogapi remarked:**

“Thank you, Honourable Speaker. Ke surprised ke the manner the Freedom Front Plus just came up with the proposal of removing the Executive Mayor of the ANC. If you check Honourable Speaker, the Freedom Front Plus only have two members in the Council. the Freedom Front Plus think that they have majority that they can remove the Executive Mayor. You must remember Honourable Speaker; the Executive Mayor belongs to the ANC and not to any opposition parties. We are the one who put the Executive Mayor ...(inaudible – other Councillors speaking). I am very much disappointed because when you talk about the Freedom Front Plus, you can see even the representatives ba Freedom Front Plus, they are all whites...(inaudible – other Councillors speaking).

We did not even have water and sanitation during their time but they come and claim that the ANC did nothing ...(inaudible – other Councillors speaking). I know the opposition parties will never say that the ANC have done something because they don't even vote for the budget of the community. How can you claim service delivery but when you are doing the budget, you are the one saying that you are not going to vote for the budget?

The Freedom Front Plus try, we will see in that ballot paper, if you think as ANC that we are divided, we are not divided. We are united; we can differ, but you must not test us. Test us and we will show you. That is why we are here in these boardrooms ...(inaudible – other Councillors speaking). Let me tell you something, you pushed the wrong button; the Executive Mayor will stay as the Executive Mayor until 2021. Let me tell you...(inaudible – other Councillors speaking), the Executive Mayor will come again for the second term. Watch and see the space because u-imbokotho ...(inaudible – other Councillors speaking).”

**The Speaker thereupon called Councillor NR Sefume to order as she was disrupting Councillor KT Mogapi.**

**At this point Councillors were speaking at the same time even though the Speaker indicated that Councillor KT Mogapi was left with one minute.**

**The Speaker explained why he wanted all Councillors to come to the Bram Fischer Building because Councillors were disrupting the meeting deliberately. That the DA was disrupting and Councillor JF Britz muting Councillors and other Councillors were playing music.**

**Councillor MB Mononyane remarked:** “I will like to applaud all those who are in charge and able to deliver services. It appears that some Councillors are so found of holding to the past. Whenever facts are being tabled before them, they ignore the facts and start rallying the community of Mangaung...”

**Councillor DM Sekakanyo raised a point of order:** “Honourable Speaker can you please tech honourable Councillor MB Mononyane that the past informs the future. Thank you, Honourable Speaker.”

**Councillor T Ranchobe on a point of order requested that the Speaker give his ruling on the point of order raised by Councillor DM Sekakanyo as a matter of procedure.**

**The Speaker thereupon stated that what Councillor DM Sekakanyo raised was not a point of order, but he just wanted to speak English. Councillor T Ranchobe thereupon requested that the Speaker rebuke Councillor DM Sekakanyo as this will cause that Councillors raise a point of order to just speak English which will cause disturbance.**

**The Speaker indicated that Councillor DM Sekakanyo’s point of order was denied.**

**Councillor MB Mononyane continued:** “Mister Speaker, Mangaung Municipality has become a milking cow for the looters who are leading this Council. Mangaung Municipality did have investments but today; Mangaung Municipality is living by loans...”

**Councillor XD Pongolo raised a point of order:** “Honourable Speaker, if Councillor MD Mononyane knows people who are looting. He must go to the police station closer to the building...”

**Councillor MB Mononyane continued talking even though the Speaker indicated that Councillor XD Pongolo raised a point of order and other Councillors speaking without being afforded a chance to speak.**

**Council MAP De Bruyn remarked:** “Thank you, Mister Speaker. What I can lastly add is that every Councillor should vote with their own conscious and put party politic aside. Thank you, Mister Speaker.”

**The Speaker explained that he will give over to officials and Councillors will vote and thereafter all ballot boxes will come to the Council Chamber for verification and counting. That political parties can monitor the process.**

**Councillor M Kganakga requested confirmation of Councillors present prior voting.**

**The Speaker thereupon confirmed as follows:**

**Council Chamber = 13**

**Boardroom-Office of Speaker = 7**

**Boardroom-Chief Whip = 6**

**Boardroom-City Manager = 15**

**Indaba Auditorium = 9**

**Committee Room A = 9**

**Boardroom-Councillor MA Morake = 6**

**Boardroom 702 = 2**

**Total 67 Councillors were present for the secret ballot voting.**

**The Speaker thereupon allowed voting. After Councillors voted and votes were verified and counted, the Speaker confirmed the numbers of Councillors present to check whether they were forming a quorum before announcing the results of the secret ballot voting.**

**The Speaker remarked:** I want to check first how many of us before I can confirm. I want to say it in the meeting, but people are gone now. By-law I must make a determination..."

**Councillor BJ Viviers indicated that all representatives for all political parties were present together with Mr M Mothekhe and therefore the results were valid.**

**The Speaker mentioned that, he was not saying the results were not valid, but he had to make an announcement. He further stated:** "Mr TB Mea, legally if people are not here, what do we say?"

**The GM: Committee Services, Mr M Mothekhe stated that in terms of the Standing Rules and Ordre, if there is no quorum, it means we have to check the quorum. Thereafter the Speaker indicated that due to members not forming a quorum, the meeting the collapses.**

**The Speaker checked whether Councillors were quorating and stated that legally he could not make an announcement. In response to Councillor E Snyman van Deventer, the Speaker confirmed that at the moment the Councillors were not forming a quorum however when they voted they were quorating. That Councillors already voted and cannot take the vote however legally he cannot make an announcement.**

**Councillor E Snyman van Deventer indicated that they will announce in the media.**

**The Speaker allowed political parties 10 minutes caucus thereafter close the meeting. After the caucus, the Speaker stated that it was difficult to make an announcement because the Councillors did not form a quorum and that the announcement will be done in a Council meeting.**

**NOTED.**

77	CLOSING OF THE SPECIAL COUNCIL MEETING
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**Note by Secretariat: Due to the fact that the Council did not form a quorum and the Speaker and other Councillors left the meeting without the Speaker officially declaring the meeting closed and it was at 19:00.**

**NOTED.**

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**CITY MANAGER  
ADVOCATE TB MEA**

.....  
**SPEAKER  
COUNCILLOR MA SIYONZANA**

**SECRETARIAT UNIT**