

CONFIDENTIAL



AGENDA
for an
ORDINARY MEETING

**MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

VIRTUALLY ON MS TEAMS

**WEDNESDAY
MARCH 31, 2021
AT 15:00**

**MANGAUNG
METROPOLITAN
MUNICIPALITY**

MANGAUNG METROPOLITAN MUNICIPALITY

**Bram Fischer Building
BLOEMFONTEIN**

MARCH 19, 2021

**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(1) of the Local Government:
Municipal Structures Act, 1998 (Act No 117 of 1998) and
Rule 6.1 of the Council's Standing Rules and Orders 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 44201 of 28 February 2021, that

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

will be held

VIRTUALLY ON MS TEAMS

On

WEDNESDAY, MARCH 31, 2021

at 15:00

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)

**31.
OPENING**

**32.
NOTICE OF THE MEETING**

**33.
APPLICATIONS FOR LEAVE OF ABSENCE**

**34.
ACCEPTANCE OF THE AGENDA**

**35.
ANNOUNCEMENTS**

**36.
MOTION OF SYMPATHY AND CONGRATULATIONS**

**37.
CONFIRMATION OF MINUTES**

- 1. Special meeting: Thursday, May 28, 2020 (virtual meeting)**
- 2. Special meeting: Tuesday, June 30, 2020 (virtual meeting)**
- 3. Special meeting: Friday, November 15, 2020 (virtual meeting)**
- 4. Special meeting: Tuesday, December 15, 2020 (virtual meeting)**

1. SUBMISSION OF THE ANNUAL PERFORMANCE REPORT FOR MANGAUNG METROPOLITAN MUNICIPALITY AND CENTLEC 2019/2020 FINANCIAL YEAR

Annexure: Report dated March 25, 2021 received from the City Manager and the Acting Executive Mayor

RECOMMENDATION that Mangaung Metropolitan Municipal Council tables and notes:

- (a) The Mangaung and Centlec's standalone – annual reports and annual financial statements (AFS).
- (b) The Mangaung and Centlec's standalone – audit reports as presented by Auditor General.
- (c) The above components will be incorporated in the consolidated annual reports once the audit process of the consolidated AFS has been finalised by the Auditor General.
- (d) Refer the above reports to the Municipal Public Accounts Committee that will process the said report and develop the oversight report and thereon advise Council accordingly.

2.

TABLING OF:

- i. **MMM DRAFT MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2021/22 – 2023/24**
- ii. **MMM DRAFT CAPITAL BUDGET 2021/2022**
- iii. **MMM BUDGET RELATED POLICIES**
 - **Adopt-A-Park**
 - **Asset Management Account Policy and Procedures**
 - **Credit Control**
 - **13th Supply Chain Management**
 - **Parking By-Law**
 - **Property Rates**
 - **Tariffs**
 - **Traven Management**
 - **Write-Off**
- iv. **MMM DRAFT GENERAL TARRIFFS 2021/2022**
- v. **CENTLEC MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK: 2021/22 – 2023/24**
- vi. **CENTLEC BUDGET ANNEXURES**
 - **Annexure A - Tariffs**
 - **Annexure B - Policy Amendment Register**
 - **Annexure C - Training Tariffs**
 - **Annexure G - Salary Schedule**
 - **Annexure H - Bulk Purchases**

vii. **CENTLEC BUDGET RELATED POLICIES****Amended**

- **Draft Asset Management**
- **Draft Bad Debt**
- **Draft Connection Disconnection**
- **Draft Credit Control and Debt Collection**
- **Draft SCM**
- **Draft Virement**

Not Amended

- **Draft Banking Investment**
- **Draft Borrowing**
- **Draft Budget Reporting**
- **Draft Customer Care**
- **Draft Estimation**
- **Draft Long-Term Debtors**
- **Draft Petty Cash**
- **Draft Pre-paid Electricity Vending**
- **Draft Revenue**
- **Draft Service Connection**
- **Draft Sundry Income**
- **Draft Tariffs**
- **Draft Unauthorised, Irregular, Fruitless and Wasteful Expenditure**
- **Draft VAT**

FOR NOTING**3.**

- A. TABLING OF THE DRAFT IDP 2021/2022**
- B. IDP SECTOR PLANS 2021/2022**

FOR NOTING**4.**

REQUEST FOR APPROVAL TO ENTER INTO A SERVICE LEVEL AGREEMENT (SLA) WITH THE HOUSING DEVELOPMENT AGENCY (HDA) FOR THE IMPLEMENTATION OF IDENTIFIED PROJECTS RELATED TO HUMAN SETTLEMENTS

Annexure: Report received from HOD: Human Settlements, recommended by the CFO and the City Manager, ratified by the Administrator and approved by the Acting Executive Mayor.

RECOMMENDATION

- (a) That the Council gives the City Manager the approval to enter into an SLA with the HDA for the implementation of identified projects related to human settlements, including but not limited to the projects within the Upgrading of Informal Settlements Programme, land assembly, compilation of development plans of the Priority Housing Development Areas ("PHDA"), feasibility study, economic analysis, market analysis and the housing needs of all the approved Metro's catalytic projects.

- (b) That the services to be acquired from the HDA are to be funded under the USDG: OPSCAP and UISP.
- (c) That there is budget approved for these services under the current financial year and the two outer years.
- (d) That the Municipality will pay compensation to the HDA based on satisfactory completion of the specified piece of work and the submission of an invoice.
- (e) That the SLA will be for a period of two years and it may be extended if there is a need.

5.

WRAP AROUND PROJECT: APPLICATION FOR A CONSENT TO EFFECT FURTHER IMPROVEMENTS, ADDITIONS OR ALTERATIONS TO THE LEASED PREMISES AS WELL AS THE AMENDMENT OF A CONTRACT SIGNED BETWEEN THE MANGAUNG METROPOLITAN MUNICIPALITY AND THE FREE STATE RUGBY UNION IN RESPECT OF PORTION 2 OF ERF 26408, WILLOWS, BLOEMFONTEIN (FREE STATE TOYOTA RUGBY STADIUM)

Annexure: Report dated July 3, 2019 received from the HOD: Human Settlement and the City Manager and approved by the then Executive Mayor.

RECOMMENDATION

- (a) That the Mangaung Metropolitan Municipal Council consider the proposal submitted by the Free State Rugby Union to be granted a consent to evoke Clause 10 of the lease agreement entered between Mangaung Metropolitan Municipality and the Free State Rugby Union 1 December 2001 to effect further improvements, additions or alterations to the leased property and further accepts the proposed amendment of Clause 3.2 and 6 of the lease agreement respectively in terms of which the Free State Rugby Union will be granted irrevocable option to extend the lease agreement for a further period of thirty (30) years after the expiry date with a further irrevocable option to renew for a further period of thirty (30) years and include within the leased property a four star hotel with conference facilities and office block, provided that a public participation is conducted in terms of Section 116(3) of the Municipal Finance Management Act 56 of 2003;
- (b) That the rental be set at an amount of R176 000.00 (One Hundred and Seventy-Six Thousand) plus VAT per month for the first year from the date that appears on the certificate of occupation issued by the relevant authority;
- (c) That the said rental shall at least six months prior to its anniversary (a year from the date of the issuing of occupation certificate) be reviewed by considering the amount that could be levied for rates and taxes if the property was privately owned;
- (d) That the rental payable be an amount of R176 000.00 (One Hundred and Seventy-Six Thousand) plus VAT per month or the amount that could be levied for rates and taxes, whichever is greater;

- (e) That the final rental amount shall escalate at a rate of 8% per annum on the anniversary date of the lease agreement;
- (f) That the rental for the leased premises without the proposed development (The Rugby Stadium) shall remain at R500 000.00(Five Hundred Thousand Rand) the same as in the current contract;
- (g) That Clause 3.2 of the lease agreement be amended in terms of which Free State Rugby Union shall be granted irrevocable option to renew the lease agreement for a further period of thirty (30) years;
- (h) That Clause 6 of the lease agreement be amended to include within the leased property, a hotel with conference facilities and office block;
- (i) That Section 21 and 21A of the Local Government: Municipal Systems Act 32 of 2000 be applied when soliciting representations from the public on the intended amendment of the lease agreement;
- (j) That notwithstanding the date of approval, the amendment be effective from the first day of the month following the respective signing dates of the addendum by the Lessee and the Lessor, the last date of signature being the signing date for this purpose;
- (k) That the Lessee shall not cede, assign, delegate its right or obligations under this lease without the consent of the Lessor represented by the accounting officer, a consent which shall not be unreasonably withheld;
- (l) That the lease property shall at no point serve as security for the Lessee's obligations and that the Lessee shall not have a right to mortgage or encumber the lease property or any part thereof;
- (m) That maintenance plan for all the improvements on the leased property shall be drafted and agreed upon between the Lessor and Lessee and that the Lessee shall adhere to maintenance requirements per the approved maintenance plan and that the consequences for failure to adhere thereto must be incorporated in the said plan;
- (n) That the Lessee shall be responsible for taking out adequate insurance policy in favour of the leased property and be responsible for all the premiums;
- (o) That the addendum be annexed to the existing lease agreement be registered against Portion 2 of erf 26408, Willows, Bloemfontein and that the notarial registration of the amended lease agreement be for the sole account of the Lessee and
- (p) That all improvements shall become the property of Mangaung Metropolitan Municipality by means of *accession* and that control thereof shall pass to the Mangaung Metropolitan Municipality on termination of the lease agreement free of charge.

**6.
STRATEGIC INTEGRATED PROJECT (SIPS) AS LAUNCHED BY THE SUSTAINABLE
INFRASTRUCTURE DEVELOPMENT SYMPOSIUM OF SOUTH AFRICA (SIDSSA): VISTA
PARK EXTENSION 2 AND 3**

Annexure: Report dated August 12, 2020 received from HOD: Human Settlement, recommendation the City Manager and approved by the Acting Executive Mayor.

RECOMMENDATION That:

- (a) Council takes note of the classification of Vista Park Extensions 2 and 3 as Presidential Strategic Integrated Projects (SIPs) in terms of the Sustainable Infrastructure Development Symposium of South Africa (SIDSSA),
- (b) Council takes note that, additionally, Vista Park Extensions 2 and 3 projects form part of Priority Human Settlements and Housing Development Areas (PHSHDAs) gazetted on the 15 May 2020,
- (c) Council takes note that South Africa's Infrastructure Investment Plan calls for implementation prioritization and initiatives from all spheres of government to unblock the mechanisms, whether technical, financial, legal or administrative that could hinder the successful delivery of the projects,
- (d) Council takes note that South Africa's Economic Reconstruction and Recovery Plan expects all spheres of government to fast-track the implementation of gazetted strategic infrastructure projects through the provision of bulk and link infrastructure and related services,
- (e) Council prioritises and fast-track the implementation of gazetted strategic infrastructure projects through the provision of bulk and link infrastructure and related services in line with the South Africa's Economic Reconstruction and Recovery Plan and
- (f) Council takes the initiatives to liaise with other spheres of government to facilitate the gazetting of funding for Human Settlements, Vista Park II and III projects which were gazetted in the Government Notice Number 812 on the 24 July 2020.

39	REPORTS OF THE SPEAKER
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NONE

40	REPORTS FROM MUNICIPAL PUBLIC ACCOUNTS COMMITTEE
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NONE

41	REPORTS TO BE DEALT WITH IN COMMITTEE
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NONE

42	MOTION
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NONE

43	QUESTIONS
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A

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

1. Response dated October 14, 2020 received from the City Manager to questions raised by **Councillor FR Botes** from a letter dated October 13, 2020 with regard to **prepaid water meters.** (Page 1 – 4)
2. Response dated January 20, 2021 received from the City Manager to questions raised by **Councillor D Leech** from a letter dated September 14, 2019 with regard to **possible illegal business at 23 NP Van Wyk Street LHP.** (Page 1 – 9)
3. Response dated January 20, 2021 received from the City Manager to questions raised by **Councillor D Leech** from a letter dated September 2, 2019 with regard to **No 6 Totius Avenue, Langenhoven Park.** (Page 1 – 9)
4. Response dated January 20, 2021 received from the City Manager to questions raised by **Councillor D Leech** from a letter dated September 2, 2019 with regard to **No 5 Du Plessis Avenue, Langenhoven Park.** (Page 1 – 9)
5. Response dated January 29, 2021 received from the City Manager to questions raised by **Councillor W Bolt** from a letter dated January 1, 2021 with regard to **Parks and environment.** (Page 1 – 4)
6. Response dated March 23, 2021 received from the City Manager to questions raised by **Councillor ZJ Thwala** from a letter dated September 11, 2020 with regard to **Thaba Nchu Rural Trust Gravel Roads.** (Page 1 – 3)
7. Response dated March 23, 2021 received from the City Manager to questions raised by **Councillor M Kganakga** from a letter dated March 5, 2021 with regard to **Gravel Roads in Vaalbank Zuid, Roodewal, Estoire and Bloemspruit.** (Page 1 – 5)

8. Response dated March 23, 2021 received from the City Manager to questions raised by **Councillor M Kganakga** from a letter dated October 8, 2019 with regard to **Overtime issues in Mangaung Metro Municipality.** (Page 1 – 2)
9. Response dated March 23, 2021 received from the City Manager to questions raised by **Councillor M Kganakga** from a letter dated October 15, 2020 with regard to **Road signs Vaalbank Zuid.** (Page 1)

44	CLOSING OF THE ORDINARY COUNCIL MEETING
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SECRETARIAT UNIT
COMMITTEE SERVICES