

CONFIDENTIAL



AGENDA for the INAUGURAL MEETING

**of the newly elected
MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

**CITY HALL
BLOEMFONTEIN**

**WEDNESDAY
NOVEMBER 17, 2021
AT 10:00**

**MANGAUNG
METROPOLITAN
MUNICIPALITY**

MANGAUNG METROPOLITAN MUNICIPALITY

**Bram Fischer Building
BLOEMFONTEIN**

NOVEMBER 8, 2021

**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 3 and 27(2)
of the Disaster Management Act, 2002 (Act No. 57 of 2002) under Government Gazette
Number 45156 of 12 September 2021, that

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

will be held

**AT THE CITY HALL, BLOEMFONTEIN on
WEDNESDAY, NOVEMBER 17, 2021 at 10:00**

To consider the items as set out in this agenda.

.....
**ACTING CITY MANAGER
MR S MORE**



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 or via email).
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).

Copies of the following documents are forwarded separately.

Members are requested to please safe keep and retain these documents and be brought to the Council meetings, namely:

- The Standing Rules and Orders
- Code of Conduct for Councillors

Councillors, please take note of the following:

In order to forward the relevant Council documentation, the Councillors are kindly requested to fill in the form provided for personal information.

Please take note of the following email addresses for Secretariat Unit:

The General Manager: Mr M Mothekhe

motete.mothekhe@mangaung.co.za

Senior Administration Officer

rina.mouers@mangaung.co.za

Committee Services Secretary

maditaba.magekoane@mangaung.co.za

Your cooperation is highly appreciated.

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AGENDA

(OPEN COUNCIL)

<u>PART ONE OF THE AGENDA (PRESIDED BY THE CITY MANAGER)</u>

**1.
OPENING AND WORD OF WELCOME**

**2.
READING OF NOTICE OF THE FIRST MEETING**

**3.
APPLICATIONS FOR LEAVE OF ABSENCE**

**4.
THE PRESCRIBED OATH OR AFFIRMATION FOR COUNCILLORS TAKING OFFICE**

Annexure: Report dated November 9, 2021 received from the Acting City Manager. (Pages 1 – 2)

RECOMMENDATION

- a) That the oath and affirmation attached hereto as Annexures A and B be approved as the Council's prescribed and oath and affirmation and
- b) That all Councillors be requested to take either the prescribed oath or solemn affirmation.

5. ELECTION OF THE SPEAKER

Annexure: Report dated November 10, 2021 received from the Acting City Manager.
(Pages 1 – 3)

In terms of the provisions of Section 36 of the Local Government: Municipal Structures Act, 1998 (No 117 of 1998) each Municipal Council must have a Chairperson who will be called the Speaker:

- 5.1 At its first meeting after the election, a Council must elect its Speaker from amongst its members;
- 5.2 The City Manager of the Municipality presides over the election of a Speaker which is conducted in accordance with the procedures set out in Schedule 3 of the Act as follows, namely:
 - (a) The Municipal Manager that is presiding at the meeting must call for the nomination of candidates;
 - (b) A nomination must be made on the form that will be distributed during meetings;
 - (c) Two (2) Councillors must sign each nomination form;
 - (d) A person who is nominated must indicate his/her acceptance of the nomination by signing the nomination form;
 - (e) The Municipal Manager must announce the names of the person who have been nominated as a candidate and no debate is allowed on the nomination;
 - (f) If only one (1) candidate is nominated, the Municipal Manager must declare the candidate to be elected Speaker;
 - (g) If more than one (1) candidate is nominated
 - i. A vote must be taken at the meeting
 - ii. Each Councillor present at the meeting may cast one (1) vote and
 - iii. The Municipal Manager must declare elected, the candidate who received a majority of the vote.
 - (h) If no candidate receive the majority of votes, the candidate who receives the lowest number of votes must be eliminated and a further vote be taken on the remaining candidates in accordance with paragraph (g) as set out above. This procedure must be repeated until a candidate receives majority of the votes. If two (2) or more candidates each have the lowest number of votes, a separate vote must be taken on those candidates and repeated as often as may be necessary to determine which candidate is to be eliminated;
 - (i) If only two (2) are nominated or if only two (2) candidates remain after an elimination procedure has been applied and those two (2) candidates receive same number of votes, a further meeting must be held within seven (7) days at a time determined by the Municipal Manager and
 - (j) If a further meeting is held in terms of paragraph (i), the procedure prescribed above must be applied at that meeting as if it was the first meeting for the election in question.

5.3 The functions of the Speaker are set out in Section 37 of the Local Government: Municipal Structures Act, No 117 of 1998.

RECOMMENDATION that the Metropolitan Council elect one councillor to serve as the Speaker on a full-time basis.

6.

A. **CONGRATULATIONS BY THE ACTING CITY MANAGER**

B. **CONGRATULATIONS FROM COUNCILLORS**

7.

ACCEPTANCE SPEECH BY THE SPEAKER

PART TWO OF THE AGENDA (PRESIDED BY THE SPEAKER)

8.

ELECTION OF THE EXECUTIVE MAYOR

Annexure: Report dated November 10, 2021 received from the Acting City Manager.
(Pages 1 – 2)

8.1 If the Council chooses to elect an Executive Mayor, he/she must be elected from amongst the members of Council;

8.2 The procedure for the election is *mutatis mutandis* the same as the procedure set out above under item 5, paragraph 5.2 and

8.3 The functions and powers of the Executive Mayor are set out in the Delegation of Powers of the Municipality.

RECOMMENDATION

a) That Council take note of the report and

b) That the Mangaung Metro elect one councillor to serve as the Executive Mayor on a full-time basis.

9.

CONGRATULATIONS FROM COUNCILLORS

10.

ACCEPTANCE SPEECH BY THE EXECUTIVE MAYOR

**11.
ELECTION OF THE DEPUTY EXECUTIVE MAYOR**

Annexure: Report dated November 9, 2021 received from the Acting City Manager. (Pages 1 – 2)

- 11.1 In terms of the provisions of Section 55(1) of the Municipal Structure Act, the MEC for Local Government in the Free State may give approval so that the Council may elect a Deputy Executive Mayor and may furthermore in terms of the provisions of Section 18(4) determine this position to be full-time and
- 11.2 The procedure for the election is *mutatis mutandis* the same as the procedure for the Executive Mayor and functions and powers of the Deputy Executive Mayor will, after determination by the Executive Mayor, be included in the Delegation of Powers Policy of the Municipality.

RECOMMENDATION

- c) That Council take note of the report and
- d) That the Mangaung Metro elect one councillor to serve as the Deputy Executive Mayor on a full-time basis.

**12.
ELECTION OF THE COUNCIL WHIP**

Annexure: Report dated November 10, 2021 received the Acting City Manager. (Pages 1 – 2)

RECOMMENDATION that the Metropolitan Council elect one councillor, to serve as the Council Whip on a full-time basis.

**13.
THE MAYORAL COMMITTEE AND WARD PARTICIPATORY SYSTEM**

Annexure: Report dated November 9, 2021 received from the Acting City Manager. (Pages 1 – 3)

RECOMMENDATION That the Metropolitan Council re-affirm the Mayoral Committee System combined with the Ward participatory system.

**14.
DESIGNATION OF MANGAUNG METRO OFFICE BEARERS AS FULL-TIME COUNCILLORS**

Annexure: Report dated November 10, 2021 received from the Acting City Manager.
(Pages 1 – 3)

RECOMMENDATION

- a) That the Council designate the Speaker, Executive Mayor, Deputy Executive Mayor, Members of the Mayoral Committee, the Chairperson of Section 79 Committees as well as the Council Whip as full-time Councillors;
- b) That in order to maintain continuity and co-ordination, it is hereby proposed that the official working hours of full-time Councillors be the same as those of the administrative employees of the Council and
- c) That full-time Councillors not be allowed to conduct any form of employment other than that of the Council.

**15.
ELECTION OF THE CHAIRPERSONS OF THE SECTION 79 COMMITTEES**

Annexure: Report dated November 11, 2021 received from the Acting City Manager.
(Pages 1 – 13)

RECOMMENDATION

- (a) That the composition and terms of reference of the mentioned Section 79 Committees be noted.
- (b) That the Municipal Council elect Chairpersons of the mentioned Section 79 Committees amongst members of Council
- (c) That the Chairpersons of each Section 79 Committee be designated as a full time Councillor.

**16.
REPORT ON THE COUNCIL REPRESENTATIVES TO SERVE ON THE LOCAL LABOUR FORUM**

Annexure: Report dated November 11, 2021 received from Acting City Manager. (Pages 1– 2)

RECOMMENDATION

- (a) That Municipal Council nominate six (6) Councillors who will serve as members of the LLF representing the employer and
- (b) That the quarterly reports on performance and functioning of the LLF be submitted to the Municipal Council.

**17.
ADOPTION OF THE LANGUAGE POLICY AND PROMOTION OF MULTILINGUALISM
WITHIN THE CITY**

Annexure: Report dated November 10, 2021 received from the Acting City Manager.
(Pages 1 – 3)

RECOMMENDATION

- a) That the Council endorse three official languages, Sesotho, Afrikaans and English;
- b) That Council endorse the two Administrative Language namely Setswana and isiXhosa;
- c) That the choosing and self-worth of each members language preference should be respected and
- d) That where practically possible, the Speaker should ensure that provision of simultaneous interpretation services is rendered during all Municipal Council proceedings.

**18.
MANGAUNG METROPOLITAN MUNICIPAL COUNCIL STANDING RULES AND ORDERS**

Annexure: Report dated November 10, 2021, Acting City Manager. (Pages 1 – 3)

RECOMMENDATION

- a) That the Metropolitan Council re-affirm the current Standing Rules and Orders as proclaimed by gazette number 44 of 15 July 2016 and
- b) That as and when required; revision, amendments or removals would be considered by the Municipal Council during the term of office.

**19.
COUNCIL MINUTES: MIGRATION FROM VERBATIM MINUTES TAKING TO
ACTION/RESOLUTION BASED MINUTES**

Annexure: Report dated November 10, 2021, received from the Acting City Manager.
(Pages 1 – 2)

RECOMMENDATION

- (a) That Council take note of the report and
- (b) That Council approve the migration from verbatim minutes taking to action/resolution based minutes.

**21.
OFFICIAL ANNOUNCEMENTS BY THE SPEAKER**

CLOSING OF THE INAUGURAL COUNCIL MEETING

SECRETARIAT UNIT
COMMITTEE SERVICES