

CONFIDENTIAL

**MINUTES
OF AN
ORDINARY MEETING**

**MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

**CITY HALL
BLOEMFONTEIN**

**MONDAY
JANUARY 31, 2022
AT 09:00**

**MANGAUNG
METROPOLITAN
MUNICIPALITY**



**MINUTES OF AN
ORDINARY MEETING
of the
MANGAUNG METROPOLITAN MUNICIPAL COUNCIL
held IN THE CITY HALL
BLOEMFONTEIN
on
MONDAY, 31 JANUARY 2022
at 09:00**

ATTENDANCE REGISTER

POLITICAL LEADERSHIP			
#	NAME	PARTY	LEAVE
1	<u>Speaker</u> Cllr Lockman (Stefani Bernadette)	ANC	
2	<u>Executive Mayor</u> Cllr Siyonzana (Mxolisi Ashford)	ANC	
3	<u>Deputy executive Mayor</u> Cllr Mothibi-Nkoane (Maria Mapaseka)	ANC	
4	<u>Council Whip</u> Cllr Nikelo (Vumile Edwin)	ANC	
SECTION 79 CHAIRPERSONS			
5	Cllr Mokoakoa (Mpho Isaac)	ANC 29	
6	Cllr Nhlapo (Ntombi Anna)	ANC	
7	Cllr Qai (Alfred)	AIC	Absent with apology
8	Cllr Seleke (Puseletso Leticia)	ANC	
MEMBERS OF THE MAYORAL COMMITTEE(SECTION 80 CHAIRPERSONS)			
9	Cllr Titi-Odili (Lulama Magdeline)	ANC	
10	Cllr Morake (Molefi Andries)	ANC	
11	Cllr Matsoetlane (Meditaba Joyce)	ANC	
12	Cllr Mogotloane (Thabo Joel)	ANC 39	
13	Cllr Tladi (Motshewa Martha)	ANC	
14	Cllr Mosala (Motlhokung Theodorah)	ANC 11	
15	Cllr van der Ross (Kevin Etienne)	PA	
16	Cllr Twala (Pani Sidney)	ATM	
17	Cllr Jonas-Malephane (Vuyelwa Eunice)	ANC	

PR COUNCILLORS			
#	NAME	PARTY	LEAVE
18	Cllr Campher (Zaandre MC)	DA	
19	Cllr Davies (Maryke)	DA	
20	Cllr De-Huis (Dikeledi Jane)	EFF	
21	Cllr De Kock (Valerie Belinda)	FFPlus	
22	Cllr Denner (John Henry)	FFPlus	
23	Cllr Dennis (Magdalene Elizabeth)	DA	
24	Cllr Ferreira (Thomas Ignatius)	DA	
25	Cllr Klaasen Raynie Sarah	DA	Absent with apology
26	Cllr Letsoko (Mantwa Sanah)	EFF	
27	Cllr Lipale (Gopolang Jeremiah)	EFF	
28	Cllr Makau (Pitso Elias)	EFF	
29	Cllr Malebo (Deliwe Lettia)	EFF	
30	Cllr Maliela (Motiki Edwin)	DA	
31	Cllr Masoeu (Thapelo David)	DA	
32	Cllr Mogotsi (Mamahlape Elias)	EFF	
33	Cllr Mohlamme (Lebohlang Lerato)	DA	
34	Cllr Mokoena (John Itumeleng)	AASD	
35	Cllr Mongale (Mojalefa William)	AASD	
36	Cllr Monyakoane (Ntwa Patrick)	ANC	
37	Cllr Moreeng (Kabelo Christopher)	DA	
38	Cllr Njiva-Lebajoa (Mamotse)	DA	
39	Cllr Ntshakazane (Eunice Xoliswa)	EFF	
40	Cllr Phohleli (Tsholwane Eddy)	EFF	
41	Cllr Ramatlama (Mpho Joseph)	EFF	

42	Cllr Rampai (Pule Joseph)	ACDP	
43	Cllr Rasoeu (Lempe Ernest)	DA	
44	Cllr Sebolao (Jankie Elisha)	EFF	
45	Cllr Shale (Nkahiseng Reginah)	EFF	
46	Cllr Snyman van Deventer (Elizabeth)	FFPlus	
47	Cllr Terblanche (Arthur Phillip)	DA	
48	Cllr Terblanche (Lesley-Ann Eurenica)	PA	
49	Cllr Thomas (Johannes Beleme)	EFF	
50	Cllr Thwala (Zwelinjane Jonathan)	DA	
51	Cllr van der Merwe (Rulhof)	DA	
52	Cllr Viviers (Benhardus Jacobus)	DA	
53	Cllr Vorster (Braam)	FFPlus	Absent with apology
54	Cllr Wewege (Mare-Lize)	FFPlus	
WARD COUNCILLORS			
55	Cllr Sefaki (Samuel)	ANC 1	
56	Cllr Mokgothu (Tona Kenosi Wilfred)	ANC 2	
57	Cllr Machachamise (Tshepiso Oudious)	ANC 3	
58	Cllr Supi (Mahoko Harold)	ANC 4	
59	Cllr Lecoko (Lehlohonolo Nathaniel)	ANC 5	
60	Cllr Moilola (Tshidiso Petrus)	ANC 6	
61	Cllr Rampai (Chabeli Frank)	ANC 7	
62	Cllr Nyaphudi (Likeleli Julia)	ANC 8	
63	Cllr Tlhakung (Betty Masetlhabi)	ANC 9	
64	Cllr Setlai (Teboho Lesley)	ANC 10	
65	Cllr Hashatsi (Rafedile)	ANC 12	

66	Cllr Siteo (Nombulelo Dorcas)	ANC 13	
67	Cllr Lekgetho (Lebogang Winston)	ANC 14	
68	Cllr Mohibidu (Pulane Martha)	ANC 15	
69	Cllr Kruger (Caprice Logan)	ANC 16	
70	Cllr Mohatle (Mampone Sally)	ANC 17	
71	Cllr McKay (David Mark Campbell)	DA 18	
72	Cllr Peter (Seth Qondile)	ANC 19	
73	Cllr Pretorius (Werner)	DA 20	
74	Cllr Lotriet (Pieter Adam)	DA 21	
75	Cllr Leech (Dulandi)	DA 22	
76	Cllr van der Walt (Tjaart Botha)	DA 23	
77	Cllr Kotze (Gerhardus Dirk Petrus)	DA 24	
78	Cllr Botes (Francois Rossouw)	DA 25	
79	Cllr van Niekerk (Hendrik Johannes Christiaan)	DA 26	
80	Cllr Banyane (Zachous Nechodemus)	ANC 27	
81	Cllr Tukula (Teboho Daniel)	ANC 30	
82	Cllr Mabena (Mere Joel)	ANC 31	
83	Cllr Menyatso (Thabang Victory)	ANC 32	
84	Cllr Mohono (Tshidiso Augustine)	ANC 33	
85	Cllr Tshwane (Kabi Daniel)	ANC 34	
86	Cllr Fantisi (Teboho Samuel)	ANC 35	
87	Cllr Makoloane (Itumeleng Justice)	ANC 36	
88	Cllr Ramolele (Mmota Simon)	ANC 37	
89	Cllr Matsoso (Molahloane Florenciah)	ANC 38	

90	Cllr Pholoholo (Ntebaleng Petunia)	ANC 40	
91	Cllr Dintlhwane (Mantja Agnes)	ANC 41	
92	Cllr Mothupi (Maqoma Lazarus)	ANC 42	
93	Cllr Nkiane (Mpho Elizabeth)	ANC 43	
94	Cllr Pretorius (Selmé)	DA 44	
95	Cllr Mathe (Lisiwe Jeanette)	ANC 45	
96	Cllr Majoro (Mpho Samuel)	ANC 46	
97	Cllr Kganakga (Mokgadi)	DA 47	
98	Cllr Pretorius (Johannes Christiaan)	DA 48	
99	Cllr Moqolo (Lehlohonolo Joseph)	ANC 49	
100	Cllr Lelala (Makoa Cristophel)	ANC 50	
101	Cllr Mohulatsi (Mamoorosi Margaret)	ANC 51	

OFFICIALS PRESENT

- | | |
|---|---------------------|
| 1. Acting City Manager | Mr T Maine |
| 2. Chief Financial Officer | Mr SE Mofokeng |
| 3. HOD: Social Services | Mr M Nkungwana |
| 4. HOD: Corporate Services | Mr D Nkaiseng |
| 5. Chief Metro Police | Mr KI Kgamanyane |
| 6. Chief Executive Officer: Centlec | Mr M Sekoboto |
| 7. Regional General Manager: Bloemfontein | Mr M Fongoqa |
| 8. General Manager: IDP | Mr Monyake Mothekhe |
| 9. General Manager: Committee Services | Mr Motete Mothekhe |
| 10. Secretariat officer | Ms R Mamatela |
| 11. Secretariat Officer | Ms M Morakabi |

Auditor General's Office

- | | |
|--------------|---------------|
| 1. BUL: AGSA | Mr O Duda |
| 2. GM: AGSA | Ms S Steenbok |
| 3. M: AGSA | Ms I Goosen |

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)**

**10.
OPENING**

The meeting commenced at 09h10 to allow all to be seated.

The Speaker, Councillor SB Lockman-Naidoo officially declared the meeting opened and extended a word of welcome to the Councillors, officials and members of the community. She then confirmed that there were 64 Councillors in attendance.

NOTED.

**11.
NOTICE OF THE MEETING**

The Speaker read the notice as on page 2 of the agenda.

NOTED.

**12.
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 pages of the minutes.

NOTED.

**13.
ACCEPTANCE OF THE AGENDA**

Councillor DMC McKay requested that items item 17.2 to 17.4 be combined as it covered the same subject.

Councillor ZMC Campher, Councillor E Snyman van Deventer and Councillor M Kganakga indicated that they had submitted the Rule 38 questions however they were not responded. Councillor M Kganakga further mentioned that Centlec sited POPI Act for not responding to questions raised and thus hampering with Councillors functions to perform oversight.

The Speaker responded that she noted the concerns raised and will engage the Acting City Manager to come up with a process plan on how they should deal with the Rule 38 questions taking into account the response or turnaround time and that a culture should be instilled that when information is needed, it should be provided.

Councillor E Snyman van Deventer supported the combination of item 17.2 – 17.4 to be discussed simultaneously.

The Executive Mayor requested two (2) items to be added on the agenda for consideration and approval.

1. Selection of panel for the post of the City Manager

2. Request for approval to acquire land for informal settlement to be relocated –

He further stated that the reason for inclusion of the land acquisition item was that at the meeting held on the 8th of December the Council Whip referred the item to go through Section 80 processes however the item was not discussed. That there were people already residing on the land and therefore the Municipality was now forced to buy the land however there was already another buyer and should the buyer succeed then the Municipality would buy from a third person with markup, but if the Municipality buys directly it would be cheaper and less than market value.

Councillor KE van der Ross supported the inclusion of the item on land acquisition in the agenda while Councillor GJ Lipale stated that they were not in support for the inclusion of items in the agenda.

Councillor JC Pretorius stated that in terms of the Standing Rules and orders, a majority of 75% of Councillors have to vote in favour to include the items in the agenda.

Councillor MT Mosala supported the addition of the two (2) items as proposed by the Executive Mayor.

The Speaker allowed Councillors to vote as follows: Councillors voted unanimously for combining items 17.2 to 17.4

The Speaker requested marshals at the door to respect the proceedings of Council; that during voting the doors should be kept closed and no one should be allowed in or to go out until the item was concluded.

The voting results were as follows for the inclusion of the two (2) items: 35 voted in favour, 30 against and 2 abstained from voting.

Councillor JE Sebolao supported by Councillor MJ Ramatlama stated that those who had just come in late in the meeting should not be counted in voting.

Councillor JC Pretorius stated that 75% of the total number of Councillors should be 48 Councillors voted in favour.

The Council Whip stated that Councillor JE Sebolao should accept if they could not get the numbers whereupon on a point of order, the Executive Mayor stated that

Councillor JE Sebolao was correct that during voting, doors supposed to be closed and his request was seconded that there should be a recount.

After the deliberations on the counting during voting as well as for Councillors to refrain from addressing each other, the Speaker stated that all the issues regarding voting were caused by Councillors not being on time for the meeting. She then urged Councillors to attend Council meetings and be at least 15 minutes early (Page 3 of agenda on meetings rules no: 6i)

The Deputy Executive Mayor requested a 10 minutes ANC caucus.

Councillor M Kganakga requested the Speaker to close the doors, reconfirm the number of Councillors present and thereon continue with voting whereon the Speaker confirmed that there were 95 Councillors present in the meeting and thereafter allowed the 10 minutes ANC caucus.

After the ANC caucus, the Speaker referred to the Standing Rules and Orders, Rule 8.3 which was amended to replace the 75% threshold to read as follows: for all urgent matters a threshold of majority members present at the meeting should vote in favour of the urgent matter in order to be deliberated.

In providing feedback of the requested caucus, the Deputy Executive Mayor withdrew the inclusion of the two (2) items as proposed by the Executive Mayor.

In responding to questions regarding whether the Executive Mayor did tender his apology, and whether can the Council continue discussing without him being present to table his items, It was explained by the Speaker that the Executive Mayor indeed tender his apology to be excused from the meeting to attend the SALGA conference as Mangaung was hosting and the Deputy Executive Mayor would be tabling the items.

The Chief Whip moved for the adoption of the agenda and was seconded by Councillor MS Mohatle

NOTED.

14

ANNOUNCEMENTS

The Speaker announced as follows: On Saturday at 8pm papers from High Court were received from the former Acting City Manager, Mr S More challenging the decision of the Council which would be forwarded to the Acting City Manager, Mr T Maine who would then advice on the way forward. That there might be a Council meeting convened to deal with way forward, only if necessary as Council was first respondent, the Speaker second and the current Acting City Manager third respondent.

NOTED.

15.

MOTION OF SYMPATHY AND CONGRATULATIONS

Councillor R van der Merwe remarked: “Honourable Speaker, the DA today wishes to congratulate all the Councillors who were present at our previous Special Council Meeting on the 26th January 2022, and who all stand together in their aim not to pursue the appeal against the Head of Metro Police, as well as the one hundred and forty four respondents.

As a Councillor who has served in the City since the takeover of the ANC in 1994, it is the first time that the whole Council was unanimous in taking such an important political decision. Congratulations also to the 24 ANC members who were present at the meeting despite the fact that action could have been taken against them they stood firm together with us.

I think back to those first stormy years, when arguments and fighting characterised any decision taken in the Council, decisions which could affect the residents of Mangaung. Further congratulations and a thank you for the unanimous agreement to establish a Multi-Party Committee, which will investigate the matter of the Metro Police, and report back to the Council on its findings.

Honourable Speaker, the Council has been led, in this meeting by a sympathetic, impartial Speaker who gave everyone the opportunity to state their case. She was discreet in her conduct and sometimes asked Councillors for advice. When compared to previous speakers, she performed her role in an outstanding manner and always in a professional way and that is the truth.

The events of the previous meeting fit the ideal of the DA, and I believe some members of other parties as well. It is the DA's wish that this spirit of goodwill will find its way to national level too. But for the moment, let us continue to stand together in this Council, irrespective of our language, race, culture and religious beliefs. Let us always focus on the needs of our residents and not the interest of ourselves or our party.

The good wish of the DA is that the Council together with our Speaker, and maybe the Executive Mayor, if we can convince him, will stand together in the five years that lie ahead, and stand together to place the interest of Mangaung and its residents first. Thank you, Honourable Speaker.”

Councillor DMC McKay passed a motion of sympathy as follows: “Thank you, Madam Speaker. I knew Ntate Butana Kompela as an acquaintance. I never accounted him in the political arena or in a political fashion. I knew him as a caring committed community member. He was involved in every aspect of the community he lived in. He never shied away from responsibility and was always ready to lend a hand. Despite his disability he was always eager to do patrols and was generous in nature. He stood for what he believed in and was always willing to assist, whether in kind or in advice. I shall dearly miss our conversations and debate. I know the void caused by his sudden departure will be felt and he will be sorely missed by the Fauna community. I would like to pass on my sincere condolences and on behalf of the community he loved so much, to all of his friends, family and loved ones. May his soul rest in peace! Thank you, Madam Speaker.”

Councillor MJ Ramatlama conveyed his motion of sympathy and congratulations as follows: “Thank you, Honourable Speaker. Let us take this opportunity as the EFF caucus to pass our sincere condolences to family of Phethoka residing in Wepener, Ward 50, for the loss of their two sons who drowned while crossing the Caledon River. Re Maswabi ke tahlehelo ena. May the soul of Diteboho and Thutswe rest in perfect peace. To the pupils of Tlotliso Primary School particularly the grade 5 classmates.

Honourable Speaker, we also wish to congratulate one of our own who used to be part of the previous administration/ Council, the former Councillor Paulnita Marais in her new responsibility as a member of National Parliament of South Africa. We thank her for serving our people with dignity and we promise not to stop where she left off. Her role for stopping illegal Mangaung eviction will be assumed by one of our own, a very capable one from amongst us here because nature doesn't allow vacuum. We thank her for defeating the HOD of Human Settlement in protection of the people of Monnahalatwe, Brandwag Flats, Omega Old Age Centre and many other places.

We should also not forget to congratulate the biggest hypocrites in this Municipality for fixing the problem the residents of Mangaung have been living with for the past years. They went out of their way for a visit of one man. The sewer spillage was resolved or attended to because of a visit of a Commander in Chief, President Julius Malema.

Honourable Speaker, a lesson we have learned is that we are swimming in a pool of 'mankaka', not because the Municipality doesn't have capacity; it is evident that we do have capacity to attend to issues as Municipality but we are unable to because of some who are looting from these processes. This means the disabled granny in Ward 16 is stuck in her yard due sewer so that the large chunk taxpayers money meant for maintenance continue to enable bo-Ntate More and CFO to solicit bribes from service providers...”

The Speaker interjected to call Councillor MJ Ramatlama to order as the item was on a motion of sympathy and/or congratulations therefore he must stick to the item.

Councillor VE Jonas-Malephane delivered her motion of sympathy and congratulations as follows: “Thank you, Honourable Speaker. Executive Mayor in absentia, Deputy Executive Mayor, Councillors, Officials in Mangaung and the community of Mangaung.

Allow me Madam Speaker to take this opportunity to congratulate the ANC on its celebration of the 110 years of existence. As the oldest liberation movement in the entire mother continent of Africa. The ANC has overcome many challenges during the most trying times of colonialism and apartheid. From inception, here in Mangaung 1912, the people's organisation, leaders of society has demonstrated resilience and continue to be the only hope of Africans when it was not popular to speak reconciliation and non-racialism, this movement maintained a vision of South Africa in which black and white will live and work together as equals in conditions of peace and prosperity.

Today this movement is leading the society to respect the rule of law especially our supreme law which lays the basics for the construction of a democratic, non-racial, non-sexist, united and prosperous society based on justice, equality, the rule of law and inalienable human rights for all. The fight of justice for better lives must go on until its won, and this will never be realised without the African National Congress. Impilo ANC Impilo, Amandla!

Yes, ANC ke bophelo ba rona as the people of South Africa that is why I said Impilo ANC Impilo!

Madam Speaker, I also wish to take this opportunity to salute the Judicial Commission Of Enquiry into state capture, corruption and fraud in the public sector including organs of states for realising part 1 of its report on South African Airways and its associated companies. This commission is a classical example of the fact that our democracy works and remains peculiar amongst many other democracies in Africa and abroad. As a Judicial Commission of Inquiry it shows our commitment in the application of the tri politico doctrine of separation of powers amongst the judicial executive and legislative state organ.

Madam Speaker now that part of the report confirm multiple incidents of state capture that took place within South African government department and state owned enterprises. The honours rest upon all implicated to clear their names. We hope the findings of the commission will inspire the local spheres of government especially municipalities such as Mangaung which is currently under administration to adhere to the principle of good governance. But for now, we congratulate the Zondo Commission for the good work in progress. Thank you, Madam Speaker.”

Councillor PL Seleke on behalf of the African National Congress conveyed a motion of sympathy to the family of the late Comrade Bigo Mathe. That as the organisation of the people, for the people by the people that they received the message of a sudden passing of the young, revolutionary activist and comrade of the democratic revolution. That the ANC and its POA (program of action) structures were robbed of people’s person, a lover of the people and one who defended the ANC at all costs and sacrificed his youthful life for the emancipation of youth and the fight against unemployment, encouragement of young people to go to school and get involved in student politics at tertiary level.

The late Comrade Bigo Mathe served the longest in PEC of SASCO Free State, Secretary General of SASCO, fulltime national organiser of ANC Youth League in Luthuli House after he abandoned a position of General Manager in Mangaung Municipality. This is how he loved the organisation and had passion for young and organisation’s work. The late Comrade Bigo Mathe was outstanding in many ways; he enjoyed provoking debates and being on the ground. He always insisted that we must be general activists thinkers.

Our greatest gift from the late Comrade Bigo Mathe was his humility and love for life. He was truly embedded with revolutionary and unwavering principled. He made the practical teachings of Ernesto "Che" Guevara when he said: *“people straighten up the hair, why not the heart. A true revolutionary is guided by great feeling of love. It is impossible to think of a genuine revolutionary lacking this quality”*.

The family of the late Comrade Bigo Mathe, we know pain, the heartbreak, the love and care you have for him. To his parent, you gave us a true freedom fighter, motivator, humble servant of the people, young activist who spoke for those who couldn’t speak for themselves. May God give his parents, children, siblings, family, loved ones and members of his organisation all strength they need.

As organisation we might have lost a true comrade, brother, friend and compatriot but heaven has gained a hard worker, lover of people and a friendly soul; motho ya neng a etsa jokes ka matsatsi ohle.

Madam Speaker, as I finish with the scripture, as quoted in the Bible, 2 Timothy 4: 7: *I have fought the good fight, I have finished the race, I have kept the faith*” Reading in Sesotho: *Ke Iwanetse tsa Modimo senna, ke qetile thota ya peiso, ke bolokile tumelo*”. A moya wa Comrade Bigo Mathe o robale ka khotso. Hamba kahle young lion of the ANC Youth League, COSAS and SASCO, a volunteer of mass mobilisation movement the African National Congress. Death has robbed us. We remain thankful for the privilege of being able to interacted with Comrade Bigo Mathe. May his soul rest in peace. Thank you, Madam Speaker.”

Councillor MJ Matsoetlana passed a message of condolences to the family of the late Butana Khompela as follows: “Re le lekgotla la Mangaung Metro Municipality ka letsatsi le bohloko leo re tshwanetse ho hoopla balwanedi ba tokoloho, re tshidisa lelapa la Ntate Butana Khompela. Tse ding tse balwanedi ba tokoloho jwalo ka Ntate Butana Khompela e ne ele ho ba le lekgotla le jwalo ka lena, le hore setshaba se be le ditshebeletso tsa manhla mme tsa bohlokwa e be metsi, motlakase le mobu. Mme re le mmuso wa Free State re lahlehetswe haholo le mmuso wa Afrika Borwa. Ha moya wa hae o robale ka khotso le bahalaledi ba bang. Kealeboha.”

NOTED.

16.

CONFIRMATION OF MINUTES

Inaugural meeting: Monday, 22 November 2021

Councillor GDP Kotze stated that they noted that they had not yet received the minutes of the 8th December 2021 and there were a lot of issues that had not yet finalised.

The Council Whip moved for the adoption of the minutes as stated above and was seconded by Councillor VE Jonas-Malephane

RESOLVED that the minutes as set out above, copies of which had been furnished electronically to members, be taken as duly adopted and confirmed.

The Deputy Executive Mayor presented the items to the Council as follows:

“Thank you, Honourable Speaker. Honourable Executive Mayor in absentia, Members of the Mayoral Committee, Honourable Councillors, officials from Mangaung and Centlec, media and public. Firstly, let me affirm what previous speakers said about the late Butana Khompela who was the former MEC of the Free State and Comrade Bigo Mathe. We are saying as Council, may their souls rest in peace, they have done a lot for this Province and this region. We all remember that Comrade Bigo Mathe was one of our employees at one time.

Our meeting today Honourable Speaker is important because it is a legislated process that deals with compliance reports and thanks to Auditor General's office which here today. As new Council for this term, we have a common task in our hands to turn around the status of this institution. In relation to the observation, the annual report of Centlec and Mangaung showed that as the City we really need to put more effort on our service delivery and we all agree with that, as well as the financial position of the City. During the last financial year, the City performed at 40% regarding its service delivery mandate; we need to improve on that. To change the picture, we should meet the expectations of our communities and improve governance in our City, both the administration and management and political leadership of the City should put more affords.

In terms of the mid-term report, there is still an indication that performance should be improved to meet all the targets as set-out in the SDBIP. I am confident that the picture will change to the betterment of our communities and this Council. My wish is that all of us will contribute positively to this Council term to make sure that the City live to its vision: *a City that is globally safe, attractive to live and invest on*. I therefore Honourable Speaker, Councillors and the communities present the items of Executive Mayor as they are. Thank you, Honourable Speaker.”

NOTED.

1.

SUBMISSION OF THE ANNUAL REPORTS FOR MANGAUNG METROPOLITAN MUNICIPALITY AND CENTLEC FOR 2020/2021 FINANCIAL YEAR

BUL:AGSA, Mr O Duda highlighted the following prior presentation of the audit outcomes:

- That it was expected that information presented will be used by the Municipality to identify irregularities highlighted in order to enforce accountability, perform oversight and insist that the recommendations be implemented by officials.
- That this Council will hold officials accountable as well as accounting offices for failures in the internal control environment.
- That investigations be conducted and Council would follow-up on the action taken against officials responsible for transgressions.
- That investigations be taken up by MPAC and follow-up on annual and previous commitments made by the accounting officer.
- That the AG's office would sometimes on a quarterly basis meet with accounting officers and Executive Mayors to discuss what they highlighted as control deficiencies and risks and the Council should follow-up on commitments made to ensure that they were implemented.

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- Council to ensure that corrective steps were taken to address the shortcomings in the internal control environment.
- That what other steps the leadership had taken to ensure staff is trained in the environment they are operating under which is constantly changing.

Three areas on how the audit report structured:

- i. Fair presentation of the financial statements to check material misstatements on the financial statements.
- ii. Reliability and credibility of the performance information for predetermined objectives.
- iii. Compliance with laws and regulations.

The new fourth area that they started looking at the material irregularities based on additional powers that the office had implemented with effect from 1st of April 2019.

That they make use of different colours when presenting audit opinions

- i. Green :- unqualified audit opinion with no findings *termed clean audit*. That the financial statements were credible and reliable and had no material misstatements. Municipality had reported in a useful and reliable manner on performance as measured against predetermined objectives in the annual performance report. That the Municipality complied with key legislations.
- ii. Yellow :- financially unqualified opinion with findings. Financial statements do not have material misstatements, but struggling to align performance report to predetermined objectives or unable to set clear performance indicator targets to measure their performance against and unable to comply to laws and regulations *termed financially unqualified with findings*.
- iii. Purple :- Qualified opinion, the Municipality has the same challenges with the financially unqualified in addition, they could not produce credible and reliable financial statements – material misstatements on the financial statements.
- iv. Pink :- Adverse opinion, the Municipality had the same challenges as those with qualified opinions but, in addition, they had so many material misstatements in their financial statements that we disagreed with almost all the amounts and disclosures in the financial statements.
- v. Red :- *called disclaimer*. Institutions are said to be in the ICU. They had the same challenges as those with qualified opinions but, in addition, they could not provide us with evidence for most of the amounts and disclosures reported in the financial statements, and we were unable to conclude or express an opinion on the credibility of their financial statements.

In presentation, use arrows in terms of movement over the previous year i.e. the arrow facing up (↑) improvement-green (↓) regressed-red (→) unchanged-yellow. The consolidated audit opinion for Mangaung Metropolitan Municipality *financially unqualified opinion – financial statements audited have fair presentation but still struggling with predetermined objectives and complying with laws and regulations*.

Thereafter he handed over to Ms S Steenbok to present the 2020/21 consolidated audit outcomes of Mangaung Metropolitan Municipality to the Council.

The GM: AGSA, Ms S Steenbok in-depth presented the 2020/21 consolidated audit outcomes of Mangaung Metropolitan Municipality to the Council as per the attachment to this minutes (35 slides presentation). Thereafter the Auditor General's office left the meeting.

After much deliberation, the Council took note of the presentation by the office of the Auditor General and further stated that the report would follow the public participation process in terms of Section 129(1) of the MFMA: (1) The council of a municipality must consider the annual report of the municipality and of any municipal entity under the municipality's sole or shared control, and by no later than two months from the date on which the annual report was tabled in the council in terms of section 127, adopt an oversight report containing the council's comments on the annual report.

That the Council would deal with the MPAC Oversight Report on the Annual Report 2020/21 financial year within 60 days.

The Council whip moved for the acceptance of the recommendation and was seconded by Councillor LM Titi-Odili.

It was thereupon

RESOLVED that Mangaung Metropolitan Municipality Council notes:

- a) The Mangaung and Centlec' s standalone – 2020/2021 annual reports and annual financial statements.
- b) The Mangaung and Centlec' s standalone – 2020/2021 audit reports as presented by Auditor General;
- c) The consolidated Mangaung 2020/2021 annual report and annual financial statements,
- d) The Mangaung consolidated audit report as presented by the Auditor General;
- e) That the presented audit reports by Auditor General will be incorporated in the annual reports; and
- f) 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.

SERVICE DELIVERY BUDGET AND IMPLEMENTATION PLAN (SDBIP) FIRST QUARTER REPORT – MFMA SECTION 52(D) REPORT FOR 1 JULY 2021 – 30 SEPTEMBER 2021

Councillor DMC McKay addressed the Council as follows: “Thank you, Madam Speaker. Through to you the Executive Mayor, Sir, there seems to be no improvement in either service delivery or in administrations ability to heed the plea of the Mangaung residents. To date you will have to agree with me that your promises and what has actually been delivered are worlds apart. Mangaung is a disaster zone. These quarterly and mid reports are a disaster!

Can't you see that cadre deployment, nepotism and corruption has crippled this municipality and destroyed our once proud city? Once again project or service that would have been life changing to the community, have made no progress to speak of or been simply rolled over again.

In addition I see that my prediction during the 4th term report of last year was 100% correct! There has been no action taken against the Departments that did not submit on time nor were they held accountable? It was simply swept under the proverbial rug?

So Mister Executive Mayor, instead of me standing here pointing out how bad the situation is and how much money has been wasted. I want to challenge you! I come here today and beg of you to adapt your strategy, as the implementation can directly be attributed to the actual casting of the budget. Here is my challenge, get the basics right. Prioritize spending on maintenance and repair of existing infrastructure and new essential infrastructure such as Naval Hill water distribution centre and the Pellissier Reservoir. Without water Mister Executive Mayor we cannot live. The Metro will implode! I cannot stress that enough!

Stop with beautification projects and new planning of capital projects. This is a complete waste of current scarce resources! If you put lipstick on a pig, it still remains a pig! A perfect example of this is the millions of Rands spent on the Waaihoek paving project. Above the ground it seemed beautiful but underground a sewerage disaster was brewing due to dilapidated infrastructure. This finally erupted and spewed out, creating a nightmare for residents and officials alike.

Please Mister Executive Mayor, redirect all funds of upcoming new beautification and capital draining, non-essential projects to the desperately needed infrastructure. Concentrate on storm water drainage, roads (both surface and gravel), sewerage lines, water distribution networks, parks (formal and open space), refuse collection, landfill sites and a stable electricity supply. If you get this right in the next quarter you will see how much easier residents will be willing to part with their hard cash, to pay their amenity bills.

Ensure that you have a function fleet and each Department has the necessary tools of trade and resources to do their jobs. So in closing, Mister Executive Mayor and Acting City Manager, the ball is in your court. You have the power to turn this Metro Municipality around. Fix and unblock the storm drains, service our parks, cemeteries and roads, revive regular refuse collection and renovate our landfill sites. I implore you!

I have laid down the gauntlet and really hope you pick it up and carry it, for the sake of us all. Cast aside political differences and ideologies. Accept advice and constructive criticism. We all, every political party want a functioning Metro Municipality with quality basic services and a Metro that we can be proud of.

Lastly, Madam Deputy Executive Mayor, in the absence of the Executive Mayor, we are facing a water crisis in Mangaung once again, Bloemwater is threatening to cancel water supply due to lack of payment, please answer us, what are you going to do about it and when will it be done. Thank you, Madam Speaker.”

Councillor LM Titi-Odili explained in-depth the importance of the submission of the report and further mentioned that the Auditor General had already highlighted points of concerns and therefore moved for the approval of the item as is.

Councillor JH Denner addressed the Council: “Honourable Speaker, I drew points two and three and will address both the first and second quarterly reports as one term.

Ek is verheug om te sien dat daar uiting gegee word aan nie net Taalwetgewing nie, maar ook aan ons grondwetlike taalregte met die teenwoordigheid van tolkdienste hier vandag. Ek hoop dit is voortaan die reel eerder as die uitsondering sal wees.

Let me start with the very reason why these quarterly reports are tabled by the Honourable Executive Mayor in the first place. Sections 52(d) of the MFMA states that: *the mayor of a municipality must within 30 days of the end of each quarter submit a report to council of the implementation of the budget and the financial state of affairs of the municipality.*

Though this has technically been done as dictated by the applicable legislations, anyone who can read these reports can see that the submission of these reports reduces this process and the oversight function of this Council is to mere rubber stamp. For nowhere in a properly functioning organisation can oversight be done through such vague and frankly, disappointing, reporting. What we basically have in front of us in compliance for the sake of compliance because the act says so, but the quality of reporting, attention to detail and the timing of these reports, renders rather suspiciously, our oversight role as Council nearly futile. It is a trademark of the ruling party to use legislation merely as a guideline that can be deviated from as and when the ANC deems fit – and we see it with these quarterly reports once again. This trend of vague and non-existing reporting, it seems is a continuation illustration of the service delivery that is received by the residents of Mangaung or should I say the lack thereof.

Madam Speaker, allow me to substantiate. With regards to the refurbishment of the sewer systems, on my way here this morning, I saw overflowing manholes. Sewerage is literally running in the streets while both the first and second quarterly reports indicate that there was a 100% spending on the approved budget, yet no information is indicated on the actual performance and no information is indicated under corrective action. The status of this item is unsatisfactory, no surprise here. Another example of unsatisfactory performance with regards to sewerage is the Hamilton Park pump station refurbishment. The target was to upgrade 25% of the pumpstation and yet a contractors has not yet even appointed. Equally the refurbishment of sewer at Soutpan is non-existent despite budget being allocated.

The Metro also failed to appoint service providers to conduct dam safety reports for which targets were set out on both the first and second quarters of the year. Water infrastructure is important to provide legally mandated service delivery to the residents of the Municipality, yet the metro's water infrastructure remains in a pitiful state. There is much to be done towards the upkeep, upgrading and construction of new water infrastructure, yet the Metro could not manage during these past two quarters to get a feasibility study done on the Pellissier reservoir. To quote the report, 0% of stage one and 0% of stage two was reached. It is a sad day that we have had more rainfall and more water these past weeks than more that of a decade ago and due to poor water infrastructure cannot use this abundant blessing.

But fear not Madam Speaker, the ANC government is at least consistent with one thing and that is the construction of fence and gates. Kyk! Die ANC kan heinings en hekke bou! Just as the gate and guard house at the Vrede Dairy farm and the MAP SEZ fence was constructed for millions of rands. Mangaung did at least manage to start construction of a new Naval Hill gate upgrade, but sadly this too has not yet been finished during these quarters.

To sum up Madam Speaker, the quality of these reports reflect the quality of the service delivery in the municipality, it is vague and in many places no-existent and before proper oversight is done and true accountability of the outcomes of the SDBIP is not insisted upon we will sit here quarter after quarter talking about the same unsatisfactory performance to the detriment of the Metro and its residents. Thank you, Madam Speaker.”

Councillor T Van der Walt highlighted the following:

- Thanked the Speaker on how she was conducting Council meetings and also availing the interpretations services after a long time (probably 4 years).
- That SDBIP report was about service delivery and it was disconcerting that the HODs were not attending Council meetings and thus raising issues on how would they implement Council decision or answer questions raised by Councillors.
- That as raised by Councillor DMC McKay on issues of Parks, it has been budgeted R3 million however it was indicated by former City Manager that it needed R40 million for servicing parks and therefore that need to be amended in the budget of which the same applied to roads budget where it was indicated that R350 million was required or at least R150 million to look after the worst roads in Mangaung and only budgeted R30 million for that.
- That the annual report indicate that 2021 is when the landfill sites needs to be rehabilitated and maybe changed into a transferred station and new landfill site be built and thus need to be budgeted for.
- That there was a need to implement shift system for Engineering Services and Waste Management in order to make best use of the vehicle the Municipality had as there were not enough funding for procurement of new vehicles for fleet.
- That the SDBIP reported that the land use management scheme had been completed in June 2021 and seven months later, it has not yet served before Council and thus questioned whether the Planning Department was not frank in the report or the office of the Speaker had been sitting with the report?
- That it was impossible to give the noise pollution a satisfactory outcome as the residents were exposed to unacceptable high volume of noise in the early hours of the morning and that residents had nowhere to report or address such noise after working hours as the user Department did not have any overtime funding for health officers to respond to urgent complaints and furthermore law Enforcement officers were not answering their phones nor had the means to attend to noise complaints.
- That it was unacceptable that there were zero law enforcement activities for six months, what were the officials doing as they were paid millions every year? That note be taken that 125 of the expected 500 notices were issued for vehicles thus showing the Municipality’s absent symptoms of Law Enforcement and Traffic Officers. Similarly 126 notices out of 500 expected for not wearing seatbelts. Where were the Traffic Officers?

- That the procurement of CCTV and Law Enforcement cameras had been in process. When will this process be finished?
- That it be noted that the 500 permissions to occupy had not been met.

Councillor GJ Lipale addressed the Council: “Thank you, Madam Speaker, Honourable Councillors, media houses, residents of Mangaung. Ladies and Gentlemen.

It so sad to talk about service delivery after having had the daunting report by the Auditor General; R757 million irregular expenditure. It is really sad; that is why our people are not even getting anything. The use of the phrase “*service delivery*” in reference to what is happening here in our City is a spit in the face of the citizens and as the EFF, we refuse to glorify what the ANC led Municipality has been doing by referring to it as service delivery.

Photographic evidence has shown that since the dawn of democracy and the taking over of this municipality by the ruling party, every single aspect of that is aimed at service delivery has been on sharp decline. Every election, the ANC comes and utters big words that are way beyond the comprehension of their Councillors and leadership. Words and phrases like accountability, clean governance, corrupt free administration and service delivery are concepts too complex for the ruling party and its alliance partners to comprehend.

It is under the ANC led administration that this Municipality has been on a sharp decline. When it first started they sold it to us an isolated case that would soon receive attention that the roads in the City were as appalling as they were. Fast forward to today, our people still have a burden of having to constantly replace tyres and their rims because of the roads this administration forces them drive in.

To rub salt into injury, there is no alternative to the sky rocketing price of electricity in the Municipality. Something is definitely amiss in this Municipality and for this cancer to be cured, the Municipality should get rid the ANC of the power to govern. The ANC remains being an albatross on the neck of the citizenry.

Twenty – eight years into democracy, Mangaung together with Nelson Mandela Bay remain the only two metros to still be subjecting its citizens to the degrading use of bucket toilet system. It should be noted that both these municipalities are under the rule of the corrupt ridden ANC. If the ANC cannot see the need to prioritise the dignity of the residents of these areas and eradicate this degrading system, it is therefore crystal clear that we never expect to have decent roads, clean water and a thriving economy under the rule of the ruling party.

At every turn, it is the egos of the ruling party and its leadership that are prioritized than the needs of the voters. Every faction in this deadweight that the ruling party is fights to be victorious so they can better have a longer period holding the purse of the Municipality. Disguised as champions of the plight of the people, hurling slogans and rhetoric, they remain revolutionaries until they get into Bram Fisher Building and have access to the municipal purse. Once they do, the road next to Centlec and the long distance taxi rank during rainy season is a perfect witness to what they subject us to.

The EFF implores the ruling party to get out of itself and for once, heed our advice in restoring the glory of this Strategic City. It is the call of the EFF caucus that this ANC led administration should put their money where their mouths are, scrap the corrupt ridden tendering system and have the citizens of this City together with the employees who get handsomely paid to return the glory of this City. Should the ruling party be brave enough to heed our advice, they will see among others:

1. Security Guards that are being exploited by companies being directly hired by the Municipality, saving in the process thousands of rands, if not hundreds of thousands.
2. Roads that are maintained by the City employees who don't chase profits margins.
3. Refuse that is collected on time every day which will result in the citizens of the City not being as frequently ill.

These are but some of the things that the Municipality stands to gain with the eradication of the tender system. As the EFF, we have full trust in our people that they have the necessary expertise and skills the City needs to help it flourish. All that they are waiting for is the call to duty and leadership that is beyond reproach.

We call upon the ruling party to give us a clean governing City so that investor confidence may return in the City and our people live in a City that is pregnant with possibilities. Close to thirty years of governing by the will of our people, it can never be justified how our people are still living. The EFF refuses to let things be as they are and the ruling party should take a leaf out of our page, clean their act and strive for the ideals that make our such a beautiful City to live in.

There is a case in pointing as I read my statement is that Mme Moipone Letele and her family at house no 151 Koedoe Street Fauna are trapped in a house which is flooded with water. Shame the poor has been this and officials there to inspect but nothing has been done about it. Thank you, Honourable Speaker.”

Councillor E Snyman van Deventer addressed the Council: “Dankie, Agbare Speaker. Dankie ook vir die tolkdienste en ek gaan dus gebruik maak van hierdie geleentheid om baie gemaklike hierdie item voor te hou. Agbare Raadslid LM Titi-Odili het gesê Council must know, en ek stem heeltmal met haar saam. Die Raad moet weet wat hier aangaan, en as ons byvoorbeeld kyk na die verslag by item 4 vir die tydpek 1 Julie tot 31 Desember 2021.

Dan is skokkend wat die Raad moet weet. 290 Projekte in dienste waarvan 61% nie op teiken is nie, of nie die doel bereik het nie. En dan is daar veral drie (3) departemente wat uitstaan wat regtig nie gedoen het wat hulle moet doen nie. In die afwesigheid van die uitvoerende burgemeester, ek wou aan hom gevra het. Will he take the relevant HOD's to task about this poor performance.

Will he check every non-performing and underperforming project especially in Engineering Services and Solid Waste and Fleet Management. Dit is waar die grootste probleme is. Om te staan en te se my 100 dae in office. I'm going to do this and this. Deur u Agbare Speaker, ons het aan die burgemeester versoek. Kyk na hierdie projekte, kyk voldoen u aan die vereistes, word nie bestuur soos hulle moet nie. En neem die betrokke hoof van die departement dit met hulle op en sorg dat daarna gekyk word. Kom ons kyk na bepaalde probleme wat ons in hierdie verslag kan uitlug weereens soos Raadslid LM Titi-Odili gesê het, “Council must know.” Botshabelo Fire station ek dink nie almal sal met my saamstem dat brandweerstasie baie belangrik is...”

Councillor E Snyman van Deventer thereafter addressed Council in English as there were challenges with interpretation services. She then highlighted the following challenges, namely:

- Botshabelo fire station that needed urgent attention
- Environmental by-laws and MOSS policy – page 16, what was the issue there?
- Page 17- whether Mangaung had no lodges and resorts to take Councillors for training?
- That the ruling party was good with fencing i.e. fencing of Klein Magasa and Naval Hill – yes such areas needed attention for tourism however the Municipality needed to prioritise.
- Economic and rural development – from page 22, the performance from that Department was very poor, that the officials should be ashamed.
- Basic services which are important for safety of residents which the Municipality did not get it right:
 - o Page 29: replacement of traffic signs
 - o Page 30: upgrading of traffic intersections
 - o Rehabilitation of Nelson Mandela
 - o Page 32: Stormwater refurbishment – what was happening on streets, not correctly reflected in the report.
 - o Pages 37 – 45: all on sewer and numerous Councillors referred to that as a major problem.
 - o Page 45 – 57: everything on water under performed
 - o Page 58 – 66: refuse and fleet management

That Councillor LM Titi-Odili indicated that Council needed to know about such issues but it was proof that the Municipality was not performing as it should nor doing what was promised to the communities who voted. That Council was not there to fill the pockets of the ANC but to deliver services to the people.

The Speaker thereon indicated that moving forward, it should be noted that she would not accept the unsigned reports to be included in the Council agenda as the signature symbolised acceptance of the report and accountability whereupon Councillor JE Sebolao supported and further stated that it was not a new issues as the Council had been subjected to unsigned reports for past 5 years and thus unacceptable as it questioned who would take accountability for those reports.

Thereafter voting, it was thereupon with 52 votes in favour, 42 against and 0 abstained,

RESOLVED that Council approve the 1st quarter report (01 July - 30 September 2021).

3.

SERVICE DELIVERY BUDGET AND IMPLEMENTATION PLAN (SDBIP) SECOND QUARTER REPORT – MFMA SECTION 52(D) REPORT FOR 1 OCTOBER 2021 – 31 DECEMBER 2021

This item was deliberated and voted for under item 17.2

RESOLVED that Council approve the second (2nd) quarter report (01 October – 31 December 2021).

4.

SERVICE DELIVERY BUDGET AND IMPLEMENTATION PLAN (SDBIP) MID-YEAR REPORT – MFMA SECTION 72 (1)(A)(II) REPORT FOR PERIOD 01 JULY – 31 DECEMBER 2021

This item was deliberated and voted for under item 17.2

RESOLVED that Council approve the SDBIP mid-year report (01 July – 31 December 2021).

5.

MUNICIPAL FINANCE MANAGEMENT ACT (MFMA): BUDGET AND PERFORMANCE ASSESSMENT REPORT IN TERMS OF THE MFMA, SECTION 72 (1) (a), FOR THE SIX (6) MONTHS ENDED 31 DECEMBER 2021

Councillor D Leech addressed the Council: “Thank you, Madam Speaker. I would like to first of all refer this house to the report ended 30 June 2021 to provide a platform from which to move forward. We need to do this to know where we went wrong in order to establish some sort of improvement.

In the previous financial year, the Metro’s total assets declined with almost R240 million that while employee related costs increased with over R70 million. Cash and cash equivalents decreased by R200 million, it is half the total that it was in 2020.

The Metro paid over R330 million more for the purchase of property, plant and equipment and yet our total assets decreased and we still do not have a proper fleet to tend to service delivery. In terms of Rule 38 of the Standing Rules and Orders, the DA insists on a detailed report of where this money was spent and what exactly the Metro bought. Adding to this the Metro received over a R100 million more in state grants than in 2020, where did this money go as it certainly didn’t go into service delivery.

Our income in terms of fines declined with almost R7 million and one would think that it would certainly increase seeing that we had a Metro Police Unit with an HOD earning a massive income.

In terms of keeping to the budget, the officials spent over R850 million more than what was budgeted for, but R50 million less on the Capital Budget. In other words, it was money that was not spent on service delivery nor improving infrastructure and when one read the report that no disciplinary action was taken against any official. The DA guarantees this house that we will not leave it at this, we will insist on further investigations and action to be taken.

On the financial year we are on, currently, the one on review: we would like to suggest, it is not a recommendation in order to improve everybody’s success in the next financial year:

- Proper management and spending of state grants, specifically the Neighbourhood Development Grant and the EPWP grant.
- Sufficient management of Supply Chain and a 100% spent on the capital budget to ensure stormwater refurbishment, resurfacing and painting of roads, the refurbishment of sewerage lines. Those are things capital budget must focus on and not the nice to haves, buying of expensive vehicles.

8A

- An urgent cut in unnecessary costs such as luxurious vehicles-please look at the report on what the Municipality spent on vehicle to transport Executive Mayors etc. All Councillors get car allowances and therefore not use public's money for own luxuries and comfort. Telephone costs as well as caterings must be cut out.
- An increase in revenue enhancement specifically with regards to outstanding government accounts. If the Municipality get government to pay their bills, the Municipality can afford to pay water account.
- Updating the Metro's fleet so that it has consistent solid waste removal, service delivery, cutting of grass etc.
- Taking disciplinary action with regards to officials responsible for wasteful and irregular expenditure and the massive overspent. Council must embark on extensive investigation with regards to that.
- Pay service providers on time and cut out on unnecessary money Council has to pay because they were paid late.
- Red flag contractors whom are unable to stick to set dates, it cost the Municipality money. Council should not make use of such contractors and appoint those who can do the job effectively.
- Embark on an extensive investigation into the salary bill where all employees must sign the attendance register before receiving payment, this way Council, I believe, might cut out a lot of ghost positions existing in the Metro.
- Finally the Municipality must pay the R760 million owed to the water board before the Council is in a situation where it cannot provide the basic service.

Madam Speaker, lastly, the ANC and its cadre employees are in way over their heads, it is time that you realise this and source the necessary assistance before you destroy this Metro to such an extent that it cannot recover! Thank you, Madam Speaker.”

Councillor VB De Kock addressed the Council: “Thank you, Honourable Speaker, fellow Councillors, officials and guests. This budget and performance assessment does not reflect positive to a Council that has its residents needs in mind. We as the Freedom Front Plus and I believe my fellow Councillors need answers as Councillor D Leech commented:

Relating to the debtors by Customer Group Chat on page 15.

- 16,34% of the outstanding debt is owed by business,
- 24,8% of the outstanding debt is owed by Government,
- This totals to 41,22% of the debt owed by these creditors.

If the quarterly report is compared to this report, this is an increase of debt owed by the government for the period of October – December 2021 in the amount of over R47 million.

The Freedom Front Plus again ask the following:

- What is being done to collect this outstanding debts, with special reference to business and government?
- Is there any dialogue with government with regards to repayment of their debt?
- What is being done to ensure that the government's current accounts are being paid to ensure that the outstanding debt does not increase?
- Has the company which was appointed to collect the debts on behalf of the Municipality showed any positive results in collecting outstanding debt?

8B

Relating to the major operation expense variances against the original budget with special reference to overtime on page 6:

- The overtime paid in the 6 months period amounts to over R89 million,
- The overspending on overtime for the same period amounts to over R48 million,
- Yet again the overspending in overtime will result in unauthorised expenses.

The Freedom front Plus again ask the following:

- What is the reasons for payment of overtime?
- Why is this unauthorised expenses on overtime allowed?
- Has SAMWU as the Trade Union of most of the employees any influence on the payment of overtime?

The Freedom Front Plus again suggest and demand that a full and paper audit be done with regards to personnel and salaries. The payment of overtime should be investigated and the Chief Financial Officer and Acting Municipal Manager(s) should report to Council why this unauthorised expenditures are continuing.

Relating to outsourced services, pages7 and 8 of the report:

- There is overspending of almost R5.5 million.
- Over R34 million was already spent on outsourced services.
- On the Metro Police alone R13 million already over budget.

The Freedom Front Plus ask the following:

- What services are outsourced with regards to the Metro Police?
- Why are there already a R13 million overspending on the budget for outsourced services to the Metro Police?
- Why are the Chief Financial Officer and Acting Municipal Manager(s) allowing this overspending?

It seems unfair to slap this Council on the wrist for decisions made by the previous majority. It is the wish of the Freedom Front Plus that the current Council will work together in assuring performance that is effective, with a realistic budget spent appropriately in the best interest of our rate paying residents. Thank you, Madam Speaker.”

Councillor SQ Peter addressed the Councillor: “Thank you, Madam Speaker and fellow Councillors. We acknowledge that the performance of the Municipality for the financial year that ended on the 31st of December 2021 it was indeed not quite well, but it has been indicated in the report that there will be some improvement measures to be taken, taking into account what Councillor T van der Walt has also indicated such as shift system etc. whereby the City is working on that also curbing the issue of overtime and unauthorised expenditure.

It is important to note that it was all Councillors’ responsibility to play oversight as they cannot just question issues of performance yet all Councillors should be able to take part. Yes it is true Honourable Speaker, performance has not been good in terms of performance and expenditure. Council need to look at recommendation on how it would improve this in the next coming financial year. Thank you, Honourable Speaker.”

Councillor BJ Viviers addressed the Council: “Madam Speaker, through you the Accounting Officer and Executive Mayor. Gentlemen are you aware that the report tabled is late in terms of Section 72(1) of the MFMA?”

Madam Speaker, you announced that the Executive Mayor will answer all the questions regarding the Section 52(d) report, that was also late, posed by my colleague Councillor ME Dennis on the 8th of December 2021 in writing. Still no written answers are forth coming.

Let’s scrutinize the report in front of us today. At page 14 of the report outstanding debtors now amounts to R7 818 billion, that is R243 642 million more than the Section 52(d) report for the end of September 2021, if either that report, or this report can be trusted, and I will elaborate on that later.

Debtors older than a year grew with R23 696 million over the three months period and the older debt owed to MMM becomes, the more difficult to collect it, so debt older than a year is now standing at R518 million. To add insult to injury the by now notorious National and Provincial debt owed to MMM has grown with a further R47 577 million over the three months period now standing at a staggering R1 944 billion. It would now seem even more apparent that MMM has lost the ability to successfully collect debt.

If one scrutinizes the creditors alarming facts comes forward. Through you, Madam Speaker, the Accounting Officer claims that creditors came down from November to December with R77 276 million. Personally, I think that it would have been much more glorious to note that creditors came down with R205 521 million from September at R835 426 million to December when it was on R629 905 million, but for one or other reason the Accounting Officer omits the figures of creditors of September 2021. Why would that be, why ignore the opportunity?

The answer becomes clear if one scrutinizes the Section 52(d) MFMA report that was tabled before this Council on 8 December 2021. In that report the total creditors was only standing on R681 million for September 2021 and in today’s report it suddenly grew to R835 426 million in other words suddenly R154 336 million more in creditors at the end of September 2021. The biggest growth were amongst others was bulk water with about R94 million, trade creditors with about R57 million and salaries with about R29 million. It needs to be noted that on both reports of the 8th of December 2021 as well as the one tabled today, end June 2021 figures remained at R885 609 million.

Through you, Madam Speaker, Executive Mayor remember that in terms of Section 52 of the MFMA this responsibility also falls due on you and not just the Accounting Officer. The only conclusion to be made is that the budget and performance assessments reports tabled before this Council be it in terms of Section 52 or 72 of the MFMA are not reliable.

The reasons for above are as follows:

- The ANC clearly illustrates that they are prepared to put good governance at risk because of factionalism that is at play.
- ANC factionalism and the impact on decision making in the MMM Council by the ANC and their lose majority partners is threatening to render Mangaung even more dysfunctional and even cost tax payers more money.

For the reasons stated above, the DA Mangaung Caucus cannot support this Agenda Point.”

Councillor JE Sebolao indicated that they would not participate on this item.

Councillor LM Titi-Odili explained as follows:

- That Section 72 report review the financial performance of the Municipality for six months period to enable review any circumstance that may have changed since the approval of the annual budget.
- That in 2020/2021 the Council did enter into payment arrangement with Bloemwater. That currently, a settlement was reviewed to ensure that the account was serviced.
- That the Municipality was implementing cost containment measures in line with MFMA, Circular 82 to curb unnecessary expenditure.
- That they had note of the suggestions that Councillor D Leech stipulated and would be discussed at length at the Section 80 Committee: Finance meeting.
- That in terms of government debt, that Council did issue the final letter of demand to government. That engagements would take place in February 2022 to influence them that in March 2022 when they budget, they should include Mangaung.
- That Council overspent on payment of bulk purchase to Eskom for winter season and furthermore, non-cash items such as depreciations and debt impairment also contributed and would be considered during the adjustment budget.
- That one of the item included in expenditure by Metro Police was the security costs on outsourcing services.
- That reconciliation of creditors was done in the Section 52 report of September and December 2021 and the figures were adjusted in Section 72 report.
- That they take note of all issues raised as well as suggestions and they will be deliberated in depth at Section 80 Committee meetings and would then report as such to Council.

Thereafter voting, it was thereupon with 51 votes in favour, 28 against and 12 abstained

RESOLVED

That, in compliance with Section 72(1) (a) of the MFMA

1. The Accounting Officer submits to the Executive Mayor this statement reflecting the implementation of the budget and the financial state of affairs of the municipality for the six months ending 31 December 2021 and,
2. The Executive Mayor and Council should note and evaluate the reported assessed municipal mid –year financial performance against the budget for the 2021/22 financial year.
3. In order to comply with Section 71(4) of the MFMA, the Accounting Officer ensure that this statement be submitted to National Treasury and the Provincial Treasury, in both a signed document format and in electronic format .
4. Based on the assessment of performance as indicated above it is recommended that an adjustment budget for the financial year 2021/22 be compiled and tabled before Council for consideration, after approval of the mid-term report.

6.

REPORT ON THE IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY FOR THE QUARTER ENDING DECEMBER 2021

The Speaker requested that it also be noted that the report was signed by the CFO and the then Acting City Manager and not by the Executive Mayor.

Councillor PA Lotriet addressed the Council: “Thank you, Madam Speaker. This item is for noting. In the same breath it must serve as the platform for Council to do oversight. Madam Speaker, I therefore trust that you will encourage questions and will allow for robust deliberation if necessary. By the end this meeting we must be able to go back to residents and report that Mangaung Metro is strictly following its own Supply Chain Management Policy and by doing so fully comply with the MFMA No.56 of 2003.

Question 1: Why is it that only 55% of the vacancies are filled? If your approved staff establishment is based on national or international best practices, you most definitely do not have the right quantity staff. Why would this be? Can't you find the right quality people? If your approved quantities were based on subjective criteria these vacancies should be declared dormant and taken off the structure. You don't impress anyone by having 45% vacancies. The DA would want to evaluate the structure to determine the validity of your approved strengths as well as on what levels these vacancies are. We would also like to know how many employees are appointed permanently and how many are part time employees. We further want to know what the personnel turnover on a rolling year to year basis is.

Question 2: The question relates to the 30 internal trainees who were enrolled to gain the minimum competency levels. What happened to the bulk of the trainees who were enrolled? How many of them were found to be competent? How many were declared not yet competent by 30 April 2016? How many were appointed permanently and how many have since resigned? Were exit interviews conducted with these employees? If so, the DA would like to have access to these exit interviews for the purpose of oversight.

Question 3: The report states that the SCM Unit is fully functional, however, Speaker, how is this possible with only 55% of vacancies filled? I again ask this question as we have no idea on which level the vacancies are.

Madam Speaker, these are critical questions as SCM corruption and non-compliance stands at the core of poor service delivery. When SCM policies are effectively implemented, control and oversight measures will reduce waste, eradicates wrongdoing and corruption and promotes integrity, transparency and accountability. This is what we as DA Councillors will do without fear or favour. This is the only way to root out corruption, improve service delivery and turn the Metro around. It will be impossible for us to support the item, but we would like to engage through you Madam Speaker, the officials of this Department. We think we can help, just speak to us. Thank you, Madam Speaker.”

Councillor M Wewege addressed the Council: “Madam Speaker, since the item is only for noting, we as the Freedom Front Plus would like to bring certain questions to the table regarding the report on Supply Chain Management.

- Page 4, no 2 – 7: hiring of vehicle on as and when required:- why can't Mangaung Municipality make use of own equipment and vehicles? Is it because it is not in working conditions, if so, why are the funds used to hire and outsource vehicles and equipment and not use to maintain its own?
- Page 5, no 8: supply and delivery of refuse plastic bags:- itemised with the available budget of R596 000, for what reason?
- Page 11, no 5: welding works: Memorium, Heidedal and South Park Cemeteries:- for the value of R279 000.
 - no 6: welding works: Fresh Produce Market:- for R 182 000.

I can keep you busy the whole day questioning these ridiculous bids awarded to the tenders, but let me spare us all by saying that this report is a clear reflection of what is going on in the ANC.

The Freedom Front Plus often complaint about reports submitted to Council and the leaked internal audit reports to the media on tenders awarded regarding the clothing etc of the Metro Police serves us as proof that the report serves sin Council is not worth the paper it is written on. Once again, as stated numerous times by the Freedom Front Plus, how are we as Council supposed to fulfil oversight role if the reports on tenders do not contain not nearly enough information. Thank you, Madam Speaker.”

Councillor JB Thomas addressed the Council: “Thank you, Honourable Speaker, honourable Councillors, Baahi bohle ba Mangaung, Ladies and Gentlemen.

Honourable Speaker, as the EFF caucus we would like to make some comments before we take note of this report.

- Section 111 of MFMA which stipulate that each municipality and each municipality entity must have and implement a Supply Chain Management Policy which gives effort to the provisions of this part.
- On this report of Supply Chain Management, we have seen and have concerns about few companies which have been awarded contracts of very exuberant amount of money, companies like:
 1. Ekene Investments CC awarded contract for Hiring of vehicles and equipment on as and when required. Contract was for 2 years with the amount of R11 799 820.00. The question is: *what kind of equipment can cost that much?*
 2. Khanya Lesedi Trading awarded contract for Construction of Water and Sanitation in Thabo Mbeki. Contract was for 6 months amounting to R5 054 427 84, despite the available budget of R3 510 000.00 we still believe the amount was ridiculous, you go to Thabo Mbeki now, not much have been done.
 3. There were few contracts which took place in December and some were about R4 000 000.00 and R1 800 000.00 for refuse removal but we see our townships are filthy, the communities live like pigs, we wonder what did the money do actually.
- Also we hope that the Auditor General have been notified and has scrutinized the reports very well, this is aligned with Section 114 of MFMA.
- The residents of Mangaung are still subjected to non-service delivery despite that we are witnessing these many procurements of tenders for many companies to help the Municipality, but less is being delivered. Nnete ke hore ditender ha di tswela sechaba sa rona molemo hobane di sebediswa ho utswa se lokelang ho sebeletsa sechaba.

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- Accounting Officers/ Authorities are fully responsible and should be held accountable for any SCM expenditures within their line of business, according to Section 38 and 51 of the PFMA – Any expenditure should be subjected to audit or appropriate regulation procedures and directives. However in order to maintain consistency within the SCM system, SCM - issued National Policy Guidelines. The parameters will be provided by the office.
- The Municipality keeps spending the monies on useless companies who don't provide services. A very hard and strict monitoring should be applied, but due to the fact that these companies happened to be friends of some in the Council and being given favours.
- Section 112(1) the Supply Chain Management Policy of the municipality or municipal entity must be fair, equitable, transparent, competitive, cost effective and comply with a prescribed regulatory framework for municipal Supply Chain Management. Therefore we hope this section was followed to the latter end.
- We hope that Section 217 of the South African Constitution is followed and the Auditor General's recommendations will be implemented.

Thank you, Madam Speaker.”

Councillor LM Titi-Odili explained that the CFO and the Acting City Manager will respond to Rule 38 questions but will refuse to discuss processes of the Supply Chain as the MFMA was clear on the role of Councillors in SCM processes. That what had happened in Supply Chain Management had been reported and thus noting the item as is.

Thereafter voting, it was thereupon with 50 votes in favour, 38 against and 0 abstained

RESOLVED that Council take note of the Supply Chain Management report for the second quarter ending December 2021

7.

COMPILATION OF THE NEW MUNICIPAL VALUATION ROLL FOR THE PERIOD 1 JULY 2022 UNTIL 30 JUNE 2026

Councillor ZMC Campher addressed the Council: “Good morning, Madam Speaker. This item serving in front of us at this late stage is testament to the capability of this Council to pull this off effectively and fairly. The report itself has shown to be little to no value and unfortunately raises many questions. Its nice to say that the five months from the end of January given will be enough time, but if this late serving item is anything to go on then this administration will leave it to the bitter end, and most likely miss the target. As it is the MEC has already postponed the due date, and may I remind Council that he may not extend it again. I am sure this will leave no space to debate this item as we had debated items in last week’s Council meeting.

In terms of the recommendation (a), it is acceptable that the date of valuation be 1 December 2021. It is however a wonder if there will be enough time for proper public participation as stated in Section 4,17 in the Municipal Structures Act, we need however to endeavour to do more as a Council to get the information out to the community. We need to understand that should the valuations be out of line as it has been with so many properties in the past, we stand the chance of losing residence. There is already a spate of qualified young people leaving the City, we do not need the remnant to leave us as well.

In terms of recommendation (b), unless the work has already been done before Council had deliberated on the item, once again, then this due date will not suffice. Either Council is being used as a rubber stamp or we are setting this Council up to fail on the due date.

In terms of recommendation(c), we find no fault in having Mr Reinier van Niekerk as the valuator as he does a good job and is well qualified for the job at hand.

Madam Speaker, the reason why we have history at school, is so that we can learn from our past and not repeat the mistakes again. If the past is anything to go on, there will come many disputes on the matter at hand and we need to start improving on this. We still have objections from the previous valuation roll not tended to. What will this administration do differently to the last to ensure that every resident is furnished with the outcomes of this valuation and what will be done to ensure a smooth handling of the process? We are left no choice but to vote for this item. Thank you. Madam Speaker.”

Councillor E Snyman van Deventer requested the Speaker to inform the Council Whip that he supposed to stand in Council when he speaks as it is to show respect to Council. She then continued as follows:

- that the valuation process must be done within six months and should the Council adjust valuation with 5%, it would be easy within six months period however there was a specific formula to be applied, therefore it would be worrying that it had to be done in six months period.
- That there were challenges with the system in the Municipality as they were supposed to able to get deeds from the Deeds office on a monthly basis and that was not done.
- That on the valuation roll, there were a lot of problems such as wrong property owners due to the Municipality not being able to get the information from the Deeds office.

The Council Whip thereupon apologised for not standing while addressing the Council. He further remarked: “For any institution to get its housing in order and continue as the government of the African National Congress to provide much more needed services to our people, we need to get issues of the valuation roll correct. For what had been said, we noted the concerns raised by honourable Councillors in the house and for they indicated that the six months is short meaning, for once, we all agree that the issue of valuation roll is important for the institution to improve on the property rates because if they are not done properly, then the Municipality would end up with many disputes and litigations. At the same we know that some operate businesses in the backyard and in terms of valuation and property rates and taxes, they were not paying what they supposed to pay.

In a nutshell, I fully agree and support the recommendations so that Mangaung can improve what we supposed to do. I assure then people of Mangaung that Council would do due diligence so that even if there are disputes, they would be attended to and dealt with. I support the item. Thank you, Madam Speaker.”

Councillor LM Titi-Odili deliberated on the matter and highlighted that the Municipality have to comply with the provisions of the Municipal Property Rates Act as well as sticking to the timeframes as legislated and all issues raised had been noted and issues such as disputes as raised by the Council Whip would be dealt with.

Thereafter voting, it was thereupon with 86 votes in favour, 1 against and 4 abstained

RESOLVED

- (a) That in terms of Section 31(1) of the Municipal Property Rates Act No 6 of 2004, determine 1 December 2021 as the date of valuation and 1 July 2022 as the date of implementation of the new valuation roll.
- (b) That the new certified valuation roll be submitted to the Acting Municipal Manager on or before 31 January 2022.
- (c) That Mr Reiner van Niekerk be designated as the empowered Municipal Valuer.

1.

ELECTION OF ACTING SPEAKER FOR THE 31ST JANUARY COUNCIL MEETING

This item was cancelled as it was no longer applicable as the Speaker was present and presiding over the meeting.

NOTED.

2.

REPRESENTATION AND COMPOSITION OF THE SECTION 80 COMMITTEE: IDP & ORGANIZATIONAL PERFORMANCE

The item was not drawn for discussion.

**It was thereupon, unanimously
RESOLVED** that:

- (a) the Municipal Council take note of this report;
- (b) the Municipal Council approves, the enlargement of the Section 80 Committee: IDP and Organizational Performance composition from ten to fifteen members;
- (c) a comprehensive induction on the expectations and envisaged performance outcomes of the Committee be undertaken.

3. SCHEDULE OF MEETINGS OF THE MUNICIPAL COUNCIL

Councillor JE Sebolao stated that the time for distribution of documents should also be extended at least it be 72 hours before the meeting instead of 48 hours.

Councillor E Snyman van Deventer supported what Councillor JE Sebolao was saying that they be provided with documents earlier especially if Departments were to submit 10 days prior the scheduled meeting as it used to be 96 hours. However the Council Whip explained that the Standing Rules and Orders stipulated 48 hours to send out the notice of the Council meeting including distribution of documentation unless they were to be amended.

Councillor LL Mohlamme addressed the Council: “Thank you, Madam Speaker. As the Democratic Alliance, we acknowledge the efforts of your office to table the draft Council calendar however we take a serious notice in delay to table this report before Council’s approval. We would like to highlight that the approval of this year’s calendar should have happen in the first Council meeting of this term so that the service delivery can be accelerated but as always the administration under the ANC government spent more time in their internal politics. We would like to remind the residents of Mangaung deserves better service delivery that would change their lives for the better.

Madam Speaker it should also be noted that this administration has not approved the Section 79 oversight committee meetings dates and venues. According to local municipal act 117 of 1998 stipulates that the executive is entitled to receive reports from oversight committees and refer this with recommendations to Municipal Council for approval or adoption. As Democratic Alliance we would like to see the speedy adoption of the Section 79 oversight committee so that we can see accountability and separation of power because the legislature must do oversight on executive. As Democratic Alliance, we are committed to getting things done. It should be noted that Mangaung is a dying stinking City, its dirty and the approval of Section 79 oversight committees might assist in the enforcement of accountability. Section 79 will hold the executive to account and ask why is the City sewerage spilling all over the streets of Mangaung? Why is the CBD so dirty like dumping area. The heads will roll because consequence management will be the order of the day or else 2026 ANC will be sitting on opposition benches as opposition party leaking wounds...”

The Speaker interjected to indicate that the item was schedule of meetings and therefore the Councillor’s address must be in line with the items.

Councillor LL Mohlamme continued: “The public administration must be accountable because this is one of the basic morals, principles and in Section 195 of the 1996 Constitution of the Republic of South Africa. As Democratic Alliance we are here to protect the legislation and constitution hence we would like to see the speedy adoption of Council calendar and the Section 79 portfolio oversight committee as demonstrated during last November local government election that the ANC is losing power, Madam Speaker let it die alone and not with the Municipality because there is life after the ANC administration in Mangaung.

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As I close, those who are politically intelligent will know that in the next election, this Municipality will be a hanging Municipality and so it is upon us as opposition to protect the little that is left in Municipality by conducting a proper oversight on the executive. The residents of Bloemfontein, Thaba Nchu and Botshabelo, the residents of Mangaung deserves better. I thank you, Madam Speaker.”

The Speaker thereon requested that the 10 day submission of reports will assist the administration to process the document and circulate on time to Councillors and therefore the Rules Committee should look at the timeframe for the distribution of agendas and annexures for meetings.

It was thereupon, unanimously

RESOLVED that it be resolved, namely that:

- a) the Municipal Council endorse and approve the draft schedule of meeting for the 2022 calendar year;
- b) submission of compliance reports is ten working days prior to the sitting of the Council meeting, in order to ensure that circulation and distribution of documents is done timeously;
- c) Council members are therefore requested to diarize the dates, times and venues of the Council meetings and pre-plan accordingly;
- d) once a comprehensive time-table of all committee meetings is concluded and incorporated, the City Manager is requested to flight the entire schedule on the municipal website, to enable public members are notified.

4.

ELECTION OF THE CHAIRPERSONS OF THE SECTION 79 COMMITTEE: RULES

The Council Whip withdrew the item to be discussed in the next Council meeting and was seconded by Councillor PL Seleke.

It was thereupon, unanimously

WITHDRAWN.

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19	QUESTIONS
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None.

NOTED.

20	MOTIONS
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None.

NOTED.

21	IN COMMITTEE REPORTS
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None.

NOTED.

22	CLOSING OF THE ORDINARY COUNCIL MEETING
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The Speaker officially closed the meeting at 13H30.

**SECRETARIAT UNIT
COMMITTEE SERVICES**