

CONFIDENTIAL

**MINUTES
OF AN
ORDINARY MEETING**

**MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

VIRTUALLY ON MS TEAMS

**FRIDAY
JULY 29, 2022
AT 10:00**

**MANGAUNG
METROPOLITAN
MUNICIPALITY**



**MINUTES OF AN
ORDINARY MEETING
of the
MANGAUNG METROPOLITAN MUNICIPAL COUNCIL
held VIRTUALLY ON MS TEAMS
on
FRIDAY, 29 JULY 2022 at 10:00**

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	
8	Cllr Seleke (Puseletso Leticia)	ANC	
9	Cllr Mokgothu (Tona Kenosi Wilfred)	ANC 2	
MEMBERS OF THE MAYORAL COMMITTEE(SECTION 80 CHAIRPERSONS)			
10	Cllr Titi-Odili (Lulama Magdeline)	ANC	
11	Cllr Morake (Molefi Andries)	ANC	
12	Cllr Matsoetlane (Maditaba Joyce)	ANC	
13	Cllr Mogotloane (Thabo Joel)	ANC 39	
14	Cllr Tladi (Motshewa Martha)	ANC	
15	Cllr Mosala (Motlhokung Theodorah)	ANC 11	
16	Cllr van der Ross (Kevin Etienne)	PA	
17	Cllr Twala (Pani Sidney)	ATM	
18	Cllr Jonas-Malephane (Vuyelwa Eunice)	ANC	

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

43	Cllr Ramatlama (Mpho Joseph)	EFF	Absent with apology
44	Cllr Rampai (Pule Joseph)	ACDP	
45	Cllr Rasoeu (Lempe Ernest)	DA	Absent with apology
46	Cllr Sebolao (Jankie Elisha)	EFF	Absent with apology
47	Cllr Shale (Nkahiseng Reginah)	EFF	Absent with apology
48	Cllr Snyman van Deventer (Elizabeth)	FFPlus	
49	Cllr Terblanche (Arthur Phillip)	DA	
50	Cllr Thomas (Johannes Beleme)	EFF	Absent with apology
55	Cllr Thompson (Mare-Lize)	FFPlus	
51	Cllr Thwala (Zwelinjane Jonathan)	DA	
52	Cllr van der Merwe (Rulhof)	DA	
53	Cllr Viviers (Benhardus Jacobus)	DA	
54	Cllr Vorster (Braam)	FFPlus	
WARD COUNCILLORS			
56	Cllr Sefaki (Samuel)	ANC 1	
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	Absent with apology
99	Cllr Moqolo (Lehlohonolo Joseph)	ANC 49	
100	Cllr Lelala (Makoa Cristophel)	ANC 50	
101	Cllr Mohulatsi (Mamoorosi Margaret)	ANC 51	

OFFICIALS PRESENT

1. NCR
2. Acting City Manager
3. Interim Chief Financial Officer
4. Acting HOD: Corporate Services
5. Acting HOD: Waste Management
6. Acting HoD: Social Services
7. Acting HoD: Planning
8. Chief Metro Police
9. Chief Executive Officer: Centlec
10. General Manager: Committee Services
11. Secretariat officer

Mr P Maseko
Mr T Motlashuping
Mr T Sediti
Adv N Mpangane
Mr F Nel
Mr KI Kgamanyane
Ms N Mabunda
Mr KI Kgamanyane
Mr M Sekoboto
Mr Motete Mothekhe
Ms R Mamatela

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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6
MINUTES
(OPEN COUNCIL)

143.

OPENING

(MOMENT OF SILENT CONTEMPLATION FOR MEDITATION AND PRAYERS)

The Speaker officially opened the meeting and welcomed all Councillors, officials of Mangaung Municipality and Centlec; National Cabinet Team and also those from CoGTA and National Treasury, and those viewing the Council proceedings via Facebook livestreaming. She requested all to observe a moment of silent contemplation for meditation and prayers.

NOTED.

144.

NOTICE OF THE MEETING

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

NOTED.

145.

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.

146.

ACCEPTANCE OF THE AGENDA

Cllr SQ Peter moved for the adoption of the agenda and was seconded by Cllr LW Lekgetho.

NOTED.

147.

ANNOUNCEMENTS

The Speaker requested that Councillors sharing devices must indicate as such in order to allow confirmation of quorum.

Cllr GJ Lipale confirmed that he was with Cllr MS Letsoko. He requested that the caucus of the EFF be excused from the proceedings of the Council meeting as they would be in preparation for the 9th year anniversary celebration of the EFF that would be taking place in Mangaung Metro Municipality Bloemfontein and further appreciated the well wishes from Councillors.

Councillor GDP Kotze indicated that as Rule 38 questions has not been answered yet again for this meeting and the DA will be writing to the Rules Committee for the amendment of Rules 38 Standing Rules and Orders of Council to consider including consequences should the questions raised by Councillors not been answered and that management be given 14 days to respond to all the submitted Rule 38 questions and if not, it would be referred to the Legislature. Furthermore that, the 12th of August 2022 would be 90 days for the establishment of the ombudsman as approved by Council on the 12th of May 2022.

The Speaker confirmed that the Rules Committee would be embarking on a process to review the amendments of the Standing Rules and Orders and Councillors were permitted to make submission on the matter.

NOTED.

148.

MOTION OF SYMPATHY AND CONGRATULATIONS

Cllr LL Mohlamme conveyed her motion as follows: "Thank you, Madam Speaker. Allow me to quote one of the best sportsmen, the greatest of all legendary Michael Jordan. *I quote: talent wins games, but teamwork and intelligence wins championship*".

Madam Speaker, the DA is immensely proud that Banyana-Banyana was crowned the 2022 Women's Africa Cup of Nations (WAFCON) champions. As a DA Mangaung caucus would like to congratulate Banyana-Banyana on their historic victory. Madam Speaker this is what we call talent that win championships.

This team have proved that their previous failed attempts were not final but lessons, hence we are today celebrating as a Country. Under these difficult economic times that we are facing as a nation, their victory gives us hope, courage and determination as diverse nation. We are proud of the girls and their milestone achievement. Their victory means a lot to us as a nation and to them as women.

6B

Madam Speaker, it should be noted that this is Banyana-Banyana first triumph in an Afcon final in six attempts, and first major silverware since Bafana-Bafana won their continental showpiece 26 year ago in 1996. This victory should be celebrated, because it's a history that we should be proud of.

Madam Speaker, Banyana-Banyana didn't only win the WAFCON but our players received recognition from CAF. The Continental body CAF named four South Africans in its best 11, namely: goalkeeper of the tournament, and Co-captain Andile Dlamini, defender Bambanani Mbane, co-captain Refiloe Jane and striker Jermaine Seoposenwe. Their victory should be a constant reminder that we have a winning mentality as a nation.

As the Democratic Alliance would like to congratulate them, and their coach Desiree Ellis, who won the African coach of the year. They made us proud, and we wish them all the best in their future tournaments especially the upcoming world cup. Well done ladies, mantombazana, you have indeed carried the dreams of this Country with dignity, pride and we can confidently call you the real patriots. Madam Speaker, I thank you."

Cllr ME Nkiane conveyed her motion as follows: "Thank you, Honourable Speaker. Let me take this opportunity to greet Honourable Executive Mayor, Deputy Executive Mayor, the Speaker, Council Whip, MMCs, Chairpersons of Section 79 Committee, Honourable Councillors, the Intervention Team, media and community of Mangaung.

Madam Speaker, as we approach the end of July, the month that we commemorate the icon and the hero, the father of the nation around the world. We celebrated the life and the legacy and the liberation of struggle towards the Country, but also for the love and support he has shown to the Country. Now that everybody has an opportunity to heed the call to action to promote the right and well-being of every citizen. Together as the nation, we translate commitment into practical actions, focusing on reaching the most vulnerable and exploited citizens to make an imprint and change the world. I thank you."

Cllr RS Klassen conveyed her motion as follows: "Thank you, Honourable Speaker. As we are nearing the end of July, which is known to be the Mandela month, it is with great sadness we remember the killings/death that has occurred across the Country this past weeks. We especially remember the 21 youth who were killed in a tavern as well as the brutal killings which happened in Kestell amongst others in this Country. Indeed, this event shocked the Country and we just hope justice will be served. We say, may their souls rest in peace.

We also remember Jessie Duarte, we want to send our condolence to the bereaved family, may they find comfort in the dark hours.

The DA wants further to congratulate all the DA run municipalities which are making sure that the lights are on with all the inventions they are currently working on. We especially like to thank the Mayor of Ekurhuleni who have recently contracted over 46 independent power producers to shield residents from load shedding and we still maintain, we as the DA makes things happen. Thank you, Madam Speaker."

Cllr MM Mohulatsi conveyed her motion as follows: “Thank you, Honourable Speaker. Allow me to pass a motion of sympathy to the family of former Councillor, Ntate Pongolo. Condolences to the friends, comrades and family at large. A moya wa Mme Pongolo o robale ka kgotso le badumedi botlhe ba falletseng.

Last but not least, let me congratulate Comrade Lulama Titi-Odili on her appointment as convener of the ANC Women's League, PTT (Provincial Task Team) and Cllr MM Tladi as an additional member ANC Women's League PTT. Honourable Speaker. I know that basadi bana ba babedi ha ba le moo, ba tla etsa bonnete ba hore ANC Women's League ya kopana. Thank you, Honourable Speaker.”

Cllr TJ Mogotloane conveyed his motion as follows: “Thank you Honourable Speaker. Madam Speaker and the august visual house at large, as we bring the Mandela month to a close, allow me to borrow the words of Bertolt Brecht when he says: *“the worst illiterate is the political illiterate. He doesn't hear, doesn't speak nor participate in political events. He doesn't know the cost of life, the price of the beans, price of fish, flour, of the rent, of the shoes, of medicine, all depends on political decisions. The political literate is so stupid that he is proud and the political illiterate is so stupid that he is proud and swells his chest saying that he hates politics. The imbecile doesn't know that, from his political ignorance is born the prostitute, the abandoned child, and the worst thieves of all, the bad politician, corrupted and flunky of the national and multinational companies.”* Madam Speaker, in the interest of time allow me not to unpack Brecht, but to attend to the business of the day.

We have just lost Mayor Moses “Big Boss” Maluleke (from Collins Chabane Local Municipality in Limpopo), Comrade Premier Mathabatha said: *I was shocked by the sad news when the Provincial Secretary called me on Thursday evening that she is on her way to Malamulele, there is a shooting incident involving the Mayor and she will update me. It was unbelievable and I said what could be the reason behind this? He was a very fine Mayor, down to earth and an easy person. I met him on many occasions on official functions as well on organizational related activities. I found him to be a very good human being. I have never for a moment that anybody would want to bring him down. Let the soul of Mayor Maluleke rest in peace.* He was killed in front of his 18 year old son which brings the question of security and safety to prominence more especially when we want to serve our people.

I also want to bring the case that happened in my Ward 39 to the attention of the House. We've just lost a 33 year old man, at Pelonomi Hospital who fell from the 7th floor. He had minor and major injuries that was supposed to be attended to by the hospital. The question that we are asking is that, he moved from Moroka Hospital to Pelonomi Tertiary Hospital and he didn't get the type of attention, the type of care that he was supposed to have got. This raises a number of questions, more especially the statement that was given out by the Department of Health. We need to make sure that service delivery reaches our people on a daily basis. May his soul also rest in peace. I thank you, Madam Speaker.”

NOTED.

149.

CONFIRMATION OF MINUTES

1. Special Meeting Thursday March 31, 2022

Cllr Mabena moved for the adoption of the minutes and was seconded by the Council Whip.

Councillor DMC McKay stated that his name did not appear on the minutes though he was present at the meeting.

Note by Secretariat: The name of Cllr DMC McKay appeared on the minutes under the attendance register, number 71 on the list.

2. Special Meeting Tuesday April 5, 2022

Cllr Supi moved for the adoption of the minutes and was seconded by Cllr Phupha.

3. Urgent Meeting Wednesday April 20, 2022

Cllr SQ Peter moved for the adoption of the minutes and was seconded by Cllr S Sefaki.

It was thereupon

RESOLVED that the minutes as listed above, copies of which had been furnished to members be taken as duly adopted and confirmed by Council.

The Executive Mayor presented his items on the agenda as follows: “Thank you, Madam Speaker, Deputy Executive Mayor, Council Whip, members of the Mayoral Committee, officials led by NCR, the Acting City Manager and CEO Centlec, citizens of Mangaung, and the media, good morning.

I think it's proper for us to congratulate Banyana-Banyana for their victory. In South Africa, we are a nation that like sports. A nation that is participating in a number of sporting codes and we need to take the value of sports seriously. We must also congratulate, the Rugby Union in Free State in bringing Wales and Springbok to our City. Madam Speaker, during that weekend all hotels were full. I went to different night clubs to check what was happening? I'm talking about the nightlife in Mangaung and I noticed that all of them were full. During that time, the filling stations, retail shops people who came from different countries to watch sports, spent their monies. The circulation of money for just that weekend only, in our City was so huge and it is important for us to take advantage of such. As we are dealing with the strategic planning for our City, we must take that into consideration, that sports is also part of a job creation vehicle.

It won't be right for me not to congratulate the EFF and as the City we need to thank them. During the build up of their celebration, I had noticed faces which are not from Mangaung and I had concluded these faces which are not from Mangaung, must be sleeping and buying somewhere in our City. The money that they are bringing in Mangaung, will also boost our economy. That is why we are thanking the EFF by choosing our City. Is not every day where a national activity comes to our City and we are saying to the EFF, we had noticed your contribution towards our City.

uMama Pongolo u ndi khulisile, ntombi dini ya se Zwile, ntombi dini eye ya zala, ya phula uloti. Ndithetha nge ntombi ye zala amadodana. Ndithetha nge ntombi ezale intombi, namhlanje sine bafazi.

I can imagine Comrade Pongolo who spent most of his life with his wife. I visited him and he said that he was not used to sleeping alone. He must now begin to live differently because in him, a huge gap has been created.

We said to Madam Speaker, that we are preparing an investment summit and it will be one step forward in building this City. It is going to be an activity that will bring Ministers, Deputy Ministers, the business community and academia to our City. That investment summit will be a one step forward in building this City. As much as we are building this City through investment, I am reminded of a day where we signed a contract with Bloemwater. In the olden days, bulk water was actually provided by the City but today the Water Board sells water to us. The Municipality was paying money Water Board so that they exist as well as to the Department of Water Affairs.

But on the decision that was taken few days ago, I'm asking myself about the future of Centlec, about the future of different municipalities if national can come with the policy that talks to individuals selling electricity to other individuals.

Power producers selling electricity to our customers. What will be the future of Centlec? If I as the customer will sell electricity to another customer, competing toe to toe. If we check now, how much money was Centlec making, we are going down. There are two (2) votes that makes this City survive, it is water and electricity. At one point, we need to have a summit that talks to energy so that as a City we understand where we are going to. I raised these issues so that as a City we must plan properly. I'm talking about the future of Centlec as we move forward.

Madam Speaker, allow me to submit the items except item 150.7 which is withdrawn and will be dealt at a later stage of which we are not yet clear when. But if one checks these items, we want to ensure that we are complying with legislation in terms of the reports that are supposed to submit. But we're also going to change the format. We understand that when we submit for noting, we are not taking a responsibility because these were not done by us. Once you consider, it means you are part of it, but when you note to consider at a later stage, I am talking about your annual report, quarterly report in terms of the new legislation because they are not going to go to MPAC, after the fourth reports. Some report will be noted and some considered and I wish that those that need clarity seeking questions, we will note and those we should consider, we must safely do so. Allow me, Madam Speaker, to submit these items. Thank you, Madam Speaker."

On a point of order, Cllr GDP Kotze indicated that on the item withdrawn, there was already an article published where the ANC Provincial leaders informed the public on the interest of the Metro on the dissolution of the Board. That several allegations had been made by Centlec Executive and the Chairman of the Board within the reports and residents of Mangaung had been struggling with Centlec. That every time when there was a crisis within Mangaung, urgent matters will be withdrawn by the Executive Mayor and that the DA would like to add recommendations to the report and they will be submitted to the Speaker's Office.

NOTED.

1.

MUNICIPAL FINANCE MANAGEMENT ACT (MFMA): PRELIMINARY BUDGET AND PERFORMANCE ASSESSMENT REPORT IN TERMS OF THE MFMA, SECTION 52(D), FOR THE QUARTER ENDED 30 JUNE 2022

Cllr LM Titi-Odili remarked:

- That this was a Section 52 fourth quarter report on the performance of the City in terms of spending in terms of budgets allocated to different Departments including the grants received, from national and provincial.
- That as the ANC they supported the report with recommendations submitted.
- That the report indicated that the Municipality did not perform well as they did not reach the targets.
- That the Municipality must now apply for a roll-over from National Treasury because the allocations were not utilised.

7B

- That as Section 80 Finance they agreed that officials must account where the user Department did not utilise their allocated funds.
- That two Departments with large budget i.e. Engineering Services and Human Settlements.
- That she applauded the Departments utilising the Neighbourhood Grant which was at 92%, IPTN at 50%, USDG at 51% and informal settlement grant only 29% was utilised.
- That there was R50 million taken back by Department of Human Settlement due to low spending of the grant.
- That she emphasised the importance of accounting by those Departments that did not perform in terms of spending.
- That she support the item with recommendations as is.

Cllr D Leech addressed the Council as follows: “Thank you, Madam Speaker. The Democratic Alliance sit here today with utter disappointment but not at all surprised, and before I continue my speech, please do not fall back on your old habits of giving us a history lesson and telling us that you inherited an already flawed budget and the Metro. You are the ANC and you inherited it from the ANC. You’ve had nine (9) months to make crucial changes in order to improve the Metro’s state of chaos.

The Executive Mayor in the previous Council meeting, in a moment of anger towards fellow comrades, indicated that he is already in discussion with the Provincial Government to write off their debt. The reason being that they made a mistake during the budget process and did not provide for it. They roughly owe us R700 million. Please note it is not to indicate it as irrecoverable debt in the books simply for the ANC to look good at Treasury and in the eyes of the public, no, it is the writing off thereof, the covering for fellow comrades in a tight spot. Executive Mayor can we assume that the said comrades are also in the same political camp as yourself?

The Department of Education owes us about R500 million and let’s be clear, Department of Education falls under the National and Provincial Governments. Therefore, to simply use the excuse that the money was paid over to SGB’s and now argue that Councillors must become debt collectors is absurd. Provincial Government should have systems in place to monitor the spending of taxpayer’s money within schools and should account therefore if their financial obligations are not met.

Residents of Mangaung cannot receive services because neither one of the ANC’s governmental spheres has the ability to properly manage and account for financial processes. Residents of Mangaung often sit without water, a basic service, because Mangaung does not have the finances to pay Bloemwater.

In addition to this the Metro managed to lose R109 million. Nowhere in the financial statements can it be accounted for. We do suspect that it was probably used to pay salaries which by the way calculated to about R2.2 billion for the said financial year. Even our bulk purchases for electricity was less and calculated to R 2 billion. Bulk purchases for water is not indicated and if you argue that it was paid form the line item ”other”, it only amounted to R330 million.

The adjustment budget which was approved on the very last day of the said financial year indicated a surplus of roughly R530 million...”

At this stage, Cllr D Leech was disconnected from the meeting whereon the Speaker requested Cllr M Davies to check on her as well as connectivity issues and in the meantime requested Cllr BJ Viviers to address the Council.

Cllr BJ Viviers addressed the Council as follows: “Thank you, Honourable Speaker. Through you, Executive Mayor congratulations that at least this report is on time.

- Page 3 of the report: Operating Budget - R586 502 000.00 in the red after in the first quarter it was R113 978 000.00 in the red. This should not have been the case if we take into account the adjustment budget that was approved on the 30th of June 2022.
- Page 11: If the reply would be that the adjustment budget cannot be reflected in this report not having the effect that the operating budget deficit as mentioned is erased, I find it interesting that on the other side you alter in this report the USDG Grant from R480 million in the previous report to R784 503 004.00 in this report, even though the adjustment budget approved on the USDG Grant was R795 269 000.00.

I am thankful that fiscal dumping of the remaining grants have not taken place, but it is still heart-breaking that only 47,54% of these grants has been spent and, as alluded to by the gentlemen from the Office of the Minister of Finance in our previous Council Meeting, Mangaung Municipality will now have to pay back 52,46% of the grants allocated to Metro calculating to R620 million, more than enough to finalize Moshoeshoe road.

- Page 5: Fines minus 67% collected now standing at almost R8.6 million, while minus 69% was collected in the previous quarter, then standing on about R6 million, yet in the budget approved for 2022/23, still again budgeted for over R30 million in fines. Rendering the approved budget to be to a large extent unfunded.
- Page 14: Outstanding Debtors grew with R116 million while for the previous quarter it grew R405 million. Thus, R521 million growth in six months. Again more than R5 billion of this debt is older than a year, not that easy to collect.
- Page 15 and 16: Creditors grew from R543 million in the previous quarter to R763 million in this quarter. Remember though, that this is a preliminary report and I find it difficult that the Metro is only owing R189 499 000.00 to Bloemwater. If the outstanding debt owed to the Metro from users amount to R3.11 billion, but most probably in the AG’s report we will note again that this amount was deflated.
- Page 59: The overspending of overtime monthly to employees of Metro for the last three months of the financial year was over double the amount budgeted each and every month. For the year there was only one month that overtime payments did not go over the amount budgeted. Thus, one of the reasons why employee costs stays the largest single expenditure of Metro even surpassing bulk purchases.

Through you Madam Speaker, Executive Mayor and National Intervention Team, in terms of Section 142 of the MFMA take the following advice so as to implement the recovery plan, have a strategy for addressing the Municipality's financial problems, including a strategy for reducing unnecessary expenditure and increasing the collection of revenue:

1. Cut the services of National and Provincial Properties so that they are forced to pay their debt.
2. Actively drive a debt collection strategy to collect debt.
3. Reduce unnecessary expenditure like overtime.
4. Sort out your employees so that you get value for their salaries and overtime paid.

If not, history will hold you accountable and will prove that Section 139 Intervention was just a final attempt from the ANC to cling on to political power majority. Thank You, Madam Speaker.

Note by Secretariat: Cllr SQ Peter addressed the Council under this item however his address was based on items 150.4, 150.5 and 150.6 and therefore minuted as such under item 150.4.

Cllr Lotriet addressed the Council: Thank you. Honourable Speaker. Asset management is crucial in any organization. The Arthur Nathan swimming pool in Arboretum is one of many good examples of an asset of Mangaung. We own it, it is ours, we paid money for it. The pool was built at the beginning of the previous century. The pool played an important part in self recreation and organized swimming activities. All went well until the ANC took over, where after the upkeep of the pool took a nose dive. The pool's facilities deteriorated fast and soon after closed down. The reason for this was that, the asset which was the pool was not managed properly. Honourable Speaker, I'm on record that I want to see that pool open primarily for the purpose of serving the club, the cluster community of the City centre, Navalsig and Hilton.

Honourable Speaker I know the value of swimming as a character building and educational tool. Swimming gave my four sons access to excellent tertiary education, by way of bursaries. My concern Honourable Speaker is that the Metro has approved over R60 million for the restoration of the pool. Honourable Speaker, unless this asset is managed properly with a business plan, it will take a belly flop. Now, belly flop is where you fall flat onto the water. I have spent the last six (6) years towards achieving this goal, but I'm not convinced that the asset is going to be managed properly. It will follow the same destructive pattern as before. It would then perhaps be better to wait until the Mangaung Metro is under DA management and that will hopefully be soon.

Madam Speaker, and that brings me to my point, human resources are commonly referred to as our most valuable asset, you hear that in every speech where somebody says, but human resources are most valuable asset. Human Asset Management works exactly the same on the same principle as managing a swimming pool. If you don't have a sustainable plan and the correct person or persons to manage that asset, it will simply sink like a stone and that is where the human resources currently find itself, at the bottom of the pool.

We all know that the fundamentals to ensure productive and profitable combustion of human capital is not in place. Now Madam Speaker, we as the DA had offered to assist with a fairly quick interim solution.

You know, in my capacity as spokesperson of Corporate Services, I offered the acting HoD Corporate Services, Adv Mpangane a solid interim solution based on proven methodology that would have given Mangaung Metro a structure that would support a strategy. Mangaung Metro could have had job descriptions as well as job specifications. These jobs would have been evaluated, through a well proven job evaluation system and integrated on proven remuneration models.

I offered this on the 4th of July 2022 and suggested that we involve the GM: Human Resources in the 30 minute meeting to discuss strategy. The HoD then suggested we also involve the MMC but unfortunately, that was the end of it. It is clear that the idea that the DA could offer sound advice and to be seen helping the ANC, did not find favour with the ANC politicians.

Madam Speaker, I want you to know that even though we acknowledge that there is a critical shortage of skilled personnel in different Departments, your plan to spend R113 million is baseless and that is again going to lead to a very poor manage remuneration book, while not providing the necessary impetus to ignite the combustion chamber of service delivery. You have squandered a great opportunity and I feel sad about it. Thank you, Madam Speaker.”

Cllr IJ Makoloane addressed the Council: “Thank you, Honourable Speaker. Let me first accept the report of the Executive Mayor as presented. Section A of the White Paper looks at where we are today, the problems and challenges we face. Many of these problems comes from our history. Honourable Speaker, the veracity is that, apartheid separated everyone into racial areas, most of the wealth remained in white areas while majority of people lived in areas with few opportunities, few services or facilities and no way of raising money to improve the quality of life.

Honourable Members in 1980s people resisted this unjust system and their struggle helped to bring about the end of apartheid. Our present transitional system of local government is based on agreements reached during the negotiations. That transitional system has removed the old racial barrier, we now have single municipalities, not divided along racial lines. However, some problems remained Honourable Speaker, for example: no 1 - the old problem of inequality remains, some areas are wealthy while many still do not have basic services.

Honourable Speaker there are fixed majorities required for voting on budgets and planning decisions. The other issue is that, some councils are working well, but many are struggling and are not able to deliver services to their communities. We are left also with the problem of apartheid settlements, which were designed not for development but for separation and control. There is a big divide between rural and urban settlement. Our cities and towns are badly designed, the poorest people live far from work and from services and facilities.

In our rural areas, millions of people living in former homelands have little or no access to economic opportunities or to basic services. Small rural towns do not serve the needs of the majority of people living on the land around them. Honourable Speaker, the new system of local government will have to address these apartheid settlement problems. It will have to ensure that all areas are brought into the mainstream of development, especially those areas which were historically disadvantaged.

Honourable Speaker, I think it is very important to understand the cooperation between municipalities, the cooperation between municipalities is very imperative. Municipalities can gain a lot by building relationships with each other, for example: they can exchange learning experiences, share staff and technology, undertake joint investment projects, collectively purchase things such as equipment, bulk services and advisory services.

In conclusion, Honourable Speaker, I think it is very important again to note that there are two essential tools for developmental government, those are: integrated development and planning performance management. Municipalities need to measure their performance to ensure that they are achieving their goals. In order to do this, they need to set key performance indicators. These are targets which they can use to check that programs are on track and that resources are being used efficiently.

Honourable Speaker that is my submission and I will also want to welcome the report and as the ANC we are in support of the report, and we must note, the veracity is that, yes, indeed, we understand that we do have challenges in Mangaung, but I think what will assist Mangaung is if we can work together as the Councillors, advise each other for the sake of improving Mangaung going forward. Thank you, Honourable Speak.”

Cllr MW Mongale addressed the Council: “Thank you, Honourable Speaker. Firstly I need to indicate that this report, I find it very difficult to accept that this is the Executive Mayor’s report, based on the fact that I don’t see anything that shows that the report was presented to the Executive Mayor and Executive Mayor accepted the report as such because I have not seen any signature to the report of the Executive Mayor. Safe to say I’ve seen only the signature of Acting City Manager, and the CFO.

Madam Speaker, we need also to raise the issues that are sensitive and my questions should be responded to, which is the one of the legitimacy of the document as it does not contain the signature of the Executive Mayor.

Madam Speaker, I want to refer you to page 15 under protest, that I might also be accused that I’m obsessed with the Provincial Government and their debts they owe to Mangaung Metro, but we need to close this chapter during this financial year of 2022/23, where is either we cannot switch off the Provincial Government because of pressure from the Provincial Government itself, or from the leadership of the ruling party and each of its coalition partners.

We need to check whether we can come up with an arrangement where there can be a 12 months payment plan where all the Departments including National that are owing Mangaung can have a payment agreement with Mangaung Metro for a period not exceeding the 30th June 2023 which is the end of the financial year of the municipalities so that we can be able to do away with this debt of this Provincial Government. I am aware that most of these departments of the Provincial Government will not be able to pay as once off because they will also be put on under administration. As I indicated that they are also under financial constraint and they have been bailout by Mangaung Metro for tearing their debts and carrying their burden of mismanagement.

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Madam Speaker, I am of the opinion that we need to deal with these issues as a matter of urgency and we need to consider reducing the overtime in those said Departments that have been identified. We need to also do away with underspending on conditional grants, because it seems like it is regarded as normal because there is no consequence management to those affected Department as to why they did not spend what was allocated to them? Any failure to spend the money allocated to Departments talks to our inability to address the service delivery and our inability to try to revive our ailing infrastructure. I am raising these issues with a full understanding that the Municipality is aware that a failure to address such problems...

Madam Speaker, we are very disappointed with this report and we hoped that this report would have reflected issues raised and finding a way of ensuring that the provincial government paid their debt that they owed to Mangaung Metro...(inaudible – poor audio connection). If we cannot switch off because we are afraid of them, let us approach the court so that it can grant us the power to attach their account up until they pay what they owe us. It is embarrassing that we as Councillors are being blamed by communities that we can't deliver services whilst the Provincial Government And National Government are also the ones who are blaming us for not managing the Municipality well, but they are not citing that they are also contributing factors to this and part of that it is them not being able to honour their debt with the Municipality. If they felt that their debt was unreasonable, they had ample chance to engage with the Municipality with regards to that, but at this time, there was no time for meetings except the meeting dealing with their payment or payment arrangement.

Madam Speaker, I am humbly submitting because I am aware that if we do not do that, we would be sitting with a dilemma of sounding like a scratch CDs where we keep on repeating the same message over and over again without any progress with regard to this matter. Let this matter be laid to rest and Provisional and National Government come to the party and try to fix this problem once and for all, so that our finances can be in order. Thank you, Madam Speaker.”

Cllr B Vorster addressed the Council: “Honourable Speaker, all protocols observed.

Page 15 of the report regarding the outstanding debtors. I just want to ask the following questions.

- i. Why are governments still owing this Municipality over R1.9 billion?
- ii. What measures were and will be taken to collect these outstanding amount earned by these government departments?
- iii. Has any down payment agreements be concluded with the government departments?
- iv. If so, what are the terms and conditions of those agreements?
- v. If not, why not?
- vi. Are all the government departments paying their current accounts?

Page 14:

1. Why is there an increase in the debtors balance for this period, in the amount of R166 million?
2. Why is the amount of over R5.2 billion outstanding which are debts that are one year and older?
3. Is this not a clear indication that the past outsourcing of deep collection did not work?

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4. Is it not time for this Municipality to collect its own debts?
5. Is it not time to restructure the debt collection department and equip that departments with adequate staff, systems and resources so that the Municipality has an effective debt collection structure in place?

Page 6: Overtime.

- a) Why was the overspending on overtime in the amount of over R101 million allowed?
- b) Why was this unauthorized expenditure in most of the votes allowed?
- c) is there a system in place whereby overtime is managed and calculated?
- d) Who authorized these unauthorized expenditure on overtime?
- e) Will the unauthorized expenditure be investigated and will the necessary steps be taken against the relevant employees?
- f) In essence, why was overspending in the first time on overtime allowed?

Honourable Speaker, the big question is: what will the administration as well as the Intervention Team do to prevent this unauthorized expenditure to continue in the new financial year, seeing this overspending is unacceptable to the Freedom Front Plus.

Honourable Speaker, it is simple, the expenses should be reduced and the income should increase and lastly I just want to ask where did the R100 million disappeared to as indicated by the Acting CFO the other day. I thank you, Honourable Speaker.”

Cllr D Leech continued as follows: “Thank you, Madam Speaker, I managed to re-join the meeting and unmuted. I suspect that it was roundabout where I said that R109 million went missing. So if you will allow me, I will just continue with my speech.

Even though our bulk purchases for electricity was less and calculated to R2 billion as to the R2.2 billion for salaries, bulk purchases for water is not indicated and if you argue that it was paid from the line item “other”, it only amounted to R330 million. The adjustment budget which was approved on the very last day of the said financial year indicated a surplus ...”

At this point, Cllr D Leech connection to the meeting was lost and the Speaker explained what could be the reason and further mentioned that the item be kept in abeyance to allow Council to proceed to other item and finalise this item 150.1 once Cllr D Leech finished her address to Council.

Cllr M Davies responded that Cllr D Leech mentioned that the Council can finalise the item.

The Executive Mayor remarked that he wanted to correct one Councillor who said that he wanted to write off the debt of the Provincial Government and he would never do that hence he took that specific item out of the agenda. That the Provincial Government owed the Municipality and therefore they must pay.

Note by secretariat: The Deputy Executive Mayor’s Council addressed the Council on items 150.4, 150.5 and 150.6 under this item as she indicated that she had challenges with her garget. Her address for these items mentioned is minuted under item 150.4.

Cllr CF Rampai requested clarity from the Executive Mayor and the MMC: Finance, Cllr LM Titi-Odili on the R100 million which was lost as mentioned by Cllr D Leech and Cllr B Vorster and if it is true, the Acting CFO should compile a report to the Council indicating where the mentioned R100 million 'went' to?

After voting, the Speaker prior to announcing the results, stated that 83 Councillors were present in the meeting thereafter announced that the item was duly approved with 43 voted in favour, 28 against and 1 abstained.

It was thereupon

RESOLVED

that, in compliance with section 52(d) 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 quarter ending 30 June 2022 and,
2. the Executive Mayor of the municipality must, within 30 days of the end of each quarter, submit a report to the Council on the implementation of the budget and the financial state of affairs of the municipality and
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. that Council takes note that this is preliminary financial information, final Section 52 report will be submitted after finalization of the 2021/2022 Annual Financial Statements.

2.

ANNUAL REPORT ON THE IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY FOR 2021/2022 FINANCIAL YEAR

Cllr LM Titi-Odili remarked:

- That the report covered all the quarters and the three were already reported and the last (4th) quarter also formed part of the SCM Annual report.
- That the second item (150.3) covered the quarter ending 30th June and both items were submitted for noting.
- That the report (item 150.3) also referred to the damaged stock, the batteries costing R222 and Council was requested to allow the removal of the old and damaged stock from the shelves.
- That both items were supported for noting.

Cllr IJ Makoloane supported the noting and approval of both items.

Cllr M Kganakga addressed the Council: “Honourable Speaker, I just have a few clarity seeking questions. The MMC now, indicated the stock levels for the warehouse that needs to be noted and then some of the items be discarded. If that is the case, the item cannot be noted because the recommendation has financial implications. So, how are we going to deal with that matter then?

In the last quarterly report that served in Council, we noted and asked clarity seeking questions to the administration, and none of those clarity seeking questions have been answered. When the Executive Mayor was presenting his items, he also did not talk to supply chain and the mess that is actually in supply chain. We have all this money that is coming through and it is actually being funnelled through supply chain and it is an absolute mess. None of the supply chain processes are being followed, year in and year out the Auditor General talks about the mess in supply chain and we just get these reports with half information. Now with the annual report, some of the values of the tenders and the quotations have disappears. I feel like Supply Chain Management Unit is saying to us that we are asking too many questions and now they are not going to give us anymore information.

To my clarity seeking questions:

1. Requisition 0052601, 0052602, 0052603 and 0052604, the total amount for those requisitions are R2.4 million. What is the threshold specifically for requisitions because they just went through the system.
2. If we are going to have training for Ward Committee members, is requisitions, the correct way to do it?
 - Could we not have used any of our million venues to have these functions because the training costs is over R1.4 million?
 - How many people actually slept at the hotel because there is a hotel cost too?
 - Where is the rest of the information because if you compare the report with the previous report/s, some of the figures have disappeared.
3. Bid 574: R11.7 million for hiring of equipment. What are these vehicles that were being hired?
 - What purposes are they being hired for?
 - Could we have not used that R11.7 million to purchase our own vehicles?
 - If we could not purchase our own vehicles, why not?
 - If we can, why don't we purchase our own vehicles?
4. Bid 577: R394 000 for copy paper: why are we using middle men companies to buy photocopy papers?
 - At what cost are we getting a rim for copy paper?
5. Iceberg Trading supplying toilet paper for R1.2 million. How much are we buying that toilet paper for? Are we buying a set of 48 or a set of 500 and how much we buying that for?

6. R7.9 million for resealing surfaces: we have staff/employees in Mangaung Metro Municipality and they do not have equipment, vehicles, etc, they don't have the basic things to do their work nor even tar at some of the warehouses so they can patch potholes and the Municipality spent R7.9 million and another R26 million to reseal these surfaces.
- Why are we doing that?
 - Why can't we just not equip our people that we are paying for, to let them reseal these surfaces and potholes. On these two specific tenders, can we please get the minutes of the Bid Adjudication Committee and the Bid Evaluation Committee, because I know, and I have a feeling that all of this has something to do with the fact that people are going on conference or congress at the end of the year. Thank you, Madam Speaker.”

Cllr MW Mongale commended the Executive Mayor for having listened to their cry that all the reports must be signed off by him and indeed he has honoured the Council's request and thus needed to be applauded.

- That Councillors need to be aware that they were in the Municipality of Mangaung and therefore, he would keep on raising that the Council need to put the people of Mangaung first as they had voted for them and therefore the Council must start considering dedicating the entire supply chain to the people of Mangaung. That South Africa had been democratic for 28 years and thus not believe that people of Mangaung did not have capacity to deliver all those services awarded to companies outside Mangaung for example: filling of portholes, could be done by the communities as demonstrated by the residents of Vista Park.
- That those companies that were contracted to fill the potholes, which were outside Mangaung, were doing a shoddy job in Dr Belcher Road and Moshoeshoe and the reason was that they lacked commitment and love for the people of Mangaung hence they did not give top class service, especially at the level deserved by Mangaung, at the level of a metro and at the level of the City regarded as the judicial capital of South Africa.
- That he was aware of the Supply Chain Management Policy requirements around the preferential procurement and that 30% must be for local economic development, however the 30% minimum was too minimal and therefore that did not stop the Municipality from giving its own local people the entire budget except under circumstances where there was no one with the skill/capacity to deliver the particular service.
- That there cannot be underspending whilst there are water leakages and the Municipality's debt with regards to water was scary ranging close to R3 billion and therefore something needs to be done in that regard and for the Municipality to fix that, the Supply Chain Management Policy have to be dedicated to the people of Mangaung who understand their areas, their streets, and also love their place and understand the consequences of not having their residential areas in order.
- That the issue on Ward Committee training that took place and they had written a Rule 38 question on this matter to the Speaker and they were still awaiting to get answers with regard to the election of Ward Committees.

- That the updated indigent register was a matter of paramount importance and cannot be left unattended.
- That the issue of sourcing fuel of which the tender has been awarded to Cedarwood Trading and that he was of the opinion that there were companies in the jurisdiction of Mangaung that were capacitated to source fuel on behalf of Mangaung.
- That the Municipality was giving people outside Mangaung with opportunities that should have been given to the people of Mangaung and asked that every cent the Municipality had, through your process supply chain management should be used to compliment the current unemployment, poverty levels and inequality existing within Mangaung.

Cllr M Thompson addressed the Council: “ Thank you, Madam Speaker. Looking at the annual report on the implementation of Supply Chain Management Policy for 2021/22 financial year, the Freedom Front Plus would like to raise a few concerns:

- ❖ Hiring of vehicles and equipment while the government garage is stocked with broken and unlicensed vehicles, why can't we repair and relicense our own vehicles as it will save a lot of money?
- ❖ The number of consultants and contractors appointed is another matter of concern as the vacant positions and the unemployment rate in Mangaung is astonishing. Why are we appointing contractors to refurbish roads and stormwaters, to reseal streets and for the pruning of trees while there are Departments with vacancies for all these positions.
- ❖ Why are we appointing a panel of town planners and land surveying services while the Metro can appoint these people to work full time?
- ❖ In the month of November 2021, a bid was approved for the renovation and repair works at Number 24 Lentehof, which was done, but the place is still standing empty, generating no income as it should, while the other houses are falling apart.
- ❖ In the month of December 2021, there was an open order for refuse collection for businesses in Bloemfontein, Botshabelo and Thaba Nchu adding up to the value of R7.6 million and yet refuse was still not removed on a regular basis.
- ❖ In the month of June until October 2021, there is procurement for fuel for use in Mangaung Metro Municipality for Waste and Fleet Management, adding up to an amount that not even our previous President, Mr Jacob Zuma will be able to pronounce. The question here is, how much was paid per litre because in a City that was once the City of roses, it is now called the City of rubbish because waste collection gets done very seldom, to almost never, withstanding excuse that the department is struggling because of shortage of vehicles.
- ❖ In June 2022, there was a training for Ward Committee members and Councillors to the value of R1.14 million, venue, refreshments, sound and lunch for delegates for training Ward Committee members and Councillors to the value of R683 000 and accommodation for these vote committee members and councillors through the value of R498 000;

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in a cash strapped Municipality, this is a fruitless and wasteful expenditure. If there is no money for service delivery, the Ward Committee members and Councillors can be best trained people in the world, but it will be of no use.

- ❖ In June 2022, a bid for the restoration of Arthur Nathan swimming pool was awarded to Rantoa Service Providers CC as contractors:
 - Are the consultants overseeing the project registered with the Heritage Council?
 - Are there systems in place to ensure that the heritage regulations, will be adhered to during construction?
 - Was the Heritage Council approached, and do they have the knowledge to refurbish heritage building?
 - Was the local swimming community approached for inputs?

If this report doesn't give you sleepless nights, you have no idea how cash strapped this Metro is and how close we are to collapse should things continue in the current order of doing. Thank you, Madam Speaker.”

Cllr KC Moreeng addressed the council as follows: “Thank you, Madam Speaker. It is with deepest concern to come to a realistic realization of how the ANC led Municipality still nowhere close to recognizing how deep the Municipality financial strain is, sometimes one wonders if at a certain point does the leadership even know how to handle the Municipal affairs more especially the finance part.

Going through the Supply Chain Management annexures, figures will leave you amused. I will quote on a few that clearly shows how incapable this leadership has been, just after clear warnings was sent to Municipality not to go ahead with the implementation of the famous Metro Police, money was spent on corporate gifts, money was spent on catering and launching of the Metro Police money was spent decoration items. This is million worth of rand that went down the drain, which resulted into fruitfulness expenditure. Not even to mention the money already wasted in branding and purchasing of vehicles of the same non functional division that was not in the first place supposed to be implemented due to the financial recovery plan that we had to embark on, even to this date, nobody has been held to account for the wasteful expenditure that was okayed by the Municipality. Accountability, accountability and accountability!

The continuation of fruitless expenditure can also be seen in the report, where the office of the Speaker has spent over R2.4 million in June 2022, for Ward committee training over 3 days. Over R1 million was paid to a Hotel and R1.1 million to the facilitators and a cool R112 000 was paid for transport. The deviation was clearly never planned or budgeted for should the notice to Ward Committee members be circulated well on time, the use of City Hall could have saved Mangaung Metro lots of rands that could have been used for service delivery. Almost if you check the report, R216 per person was paid for catering after Council meetings, how fancy was the food that the cost is so much this is still another money wasting exercise that the Mangaung Metro is embarking on. Executive Mayor, Ntate Majoro please, step up, we need to get this house in order and stop playing the political games and focus on rendering services to our people as they are striving for service delivery on a daily basis. I thank you, Madam Speaker.”

Cllr CF Rampai stated that what he was about to say was not related to the item discussed but what he heard from a Councillor saying that “*boRampai ba sele*” and therefore request that the Councillor withdraw or apologize for that statements? And should the Councillor not apologize, the office of the Speaker must investigate and take proper steps? That he was not sure that the statement came because he mentioned that Cllr D Leech and Cllr B Vorster indicated that R100 million went missing from the Municipality’s coffers and if the statement was because of the money of the Municipality being stolen, the Councillor must withdraw or apologize.

Cllr PM Mohibidu stated that she said those words and thereupon withdrawn and the Council Whip requested that she also apologise for making such utterances and indeed she apologised and Cllr CF Rampai accepted her apology.

Thereafter the Speaker asked the Executive Mayor how would he be dealing with questions and clarity raised by Councillors on these item and he responded that the administration should respond to the questions and the matters were handled by the administration.

The Speaker then asked Secretariat to remind the Acting City Manager to jot down and respond to the questions raised by Councillor.

Cllr E Snyman van Deventer was of the opinion that the Executive Mayor was shifting his functions and responsibilities to the administration as the questions raised were based on his report and therefore take responsibility on it.

The Speaker thereon allowed voting on both items 150.2 and 150.3. The Speaker then announced the results, that the item was duly approved with 46 voted in favour, 28 against and 2 abstained.

It was thereupon

RESOLVED

- (a) That Council take note of the Annual Supply Chain Management report for 2021/2022 financial year.
- (b) That the information on paragraph 10 be disclosed in the financial statements.

**3.
REPORT ON THE IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY
QUARTER ENDING JUNE 2022**

As discussed and voted upon under item 150.2 above.

After voting, the Speaker announced that the item was duly approved with **46 voted in favour, 28 against and 2 abstained.**

It was thereupon

RESOLVED

- (a) That Council take note of the Supply Chain Management report for the fourth quarter ending June 2022.
- (b) That the Council take note of the stock report and the damaged items.
- (c) That the Council approves the removal of the damaged stock from shelves to redundant store.

4.

TABLING OF THE 2023/24 IDP AND BUDGET PROCESS PLAN FOR APPROVAL

Note by Secretariat: The audio recording of the Deputy Executive Mayor addressing items 150.4, 150.5 and 150.6 is found on item 150.1.

The Deputy Executive Mayor addressed the Council as follows: “Thank you, Honourable Speaker. I will cover all the items drawn for discussion. To the Interim Team Representative, Mr Maseko, the CEO of Centlec, MMC's, officials of Mangaung, the community of Mangaung Metro Municipality.

Honourable Speaker, I will be failing as a woman if I will not say congratulations to Banyana-Banyana. They are a great team. I will also be failing if I won't say farewell thee, to Mama Pongolo. The wife to the former MMC of Mangaung Metro Municipality.

Honourable Speaker, today, as it is Friday and all of us are looking forward that after this meeting, everything that we've discussed here, will be fruitful and assisting the Municipality and I'm one of those people.

The following reports that I am bringing to the Council today are very much important and are the tools for the successful governing of the Municipality. As Councillors, we are governed by various pieces of legislations, such as the Municipal Finance Management Act and the Municipal System Act, to mention but a few, which are significant to establish accountable and people driven democratic governance.

Honourable Speaker, on the item IDP budget process plan for 2023 to 2024, the Municipal System Act No 32 of 2000, as amended and the Municipal Finance Management Act No 56 of 2003 deliberate on the responsibility of the executive mayor to provide political guidance over the budget process and the corresponding priorities that must guide the preparation of the annual budget moreover, Section 21.1 of the MFMA places the following injunction onto the executive mayor that at least ten months before the start of the budget year, table in the municipal council a time schedule outlining key deadlines for the preparation, tabling and approval of the annual budget, the annual review of the Integrated Development Plan in terms of Section 34 of the Municipal Systems Act and the budget related policy amongst others. The purpose of the IDP and budget process plan is to set out and recommend a process to produce these strategies and plans for the consideration of Council in compliance with the legislative requirement set out above.

The below challenges that I will be speaking about that troubles the planning and budgeting process in municipalities are the weak stakeholder participation and consultation, the weak coordination of sectoral strategies and policies, the weak alignment with plans of National and Provincial Department and state owned enterprises. The spatial strategy to overcome deficiencies in spatial form is not funding and no long term City strategy linked to a long term financial sustainability strategy.

The National Treasury process the following relevant features to characterize the mentioned planning process and resolve the aforementioned challenges:

1. A multi stakeholder visioning process to merge with City's vision endorsed by communities and stakeholders.
2. Extensive intergovernmental engagement process to process and ascertain planned investment in the City, to name but a few.

It is very much important that the whole process is centrally coordinated and guided by single overall steering committee to be led by the elected leaders.

The IDP and budget process plan for 2023/24 recognize the critical role to be played by all stakeholders, including communities, throughout all the planning phases for IDP, budget and sectoral plans development process. Elected leaders will be at the epicentre of the envisaged process for providing the requisite political stewardship and building a social contract between the City and its citizens.

In conclusion, it is important to note that the IDP and budget process plan for 2023/24 is crucial in the development of the City strategy document and the financial plan to guide the development trajectory in the City. That was the first one (**item 150.4**) Honourable Speaker, which is the process plan where we are requesting the Council to approve it.

The second one (**item 150.5**), will be the Service Delivery and Budget Implementation Plan (SDBIP) for 2022/23 financial year which goes this way, the Municipal Finance Management Act No56 of 2003 and the National Treasury MFMA Circular Number 13 on the service delivery and budget implementation plan, requires that the municipality must prepare an SDBIP indicating how the budget and the strategic objectives of the Council will be implemented.

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Additionally, the Municipal Finance Management Act, Circular Number 88, provide guidance to metropolitan municipalities on a common set of performance indicators applied on planning and reporting cycle.

The SDBIP includes the service delivery targets and performance indicators for each quarter that should be linked to the performance agreement of senior management and these are integral to the implementation and entrenchment of our performance management system. The SDBIP enable the municipal managers to monitor the performance of senior managers; the mayor to monitor the performance of the municipal manager and for the community to monitor the performance of the municipality as each activity contains outputs, targets and time frames. The SDBIP is yet another step forward to realize the principle of democratic and accountable local government as stated in Section 152(a) of the Constitution of the Republic of South Africa.

The report, as approved by the Executive Mayor on the 12th of July and noted by this Council will enable the Municipality to provide service to the community of Mangaung in a sustainable manner and we are also requesting Honourable Speaker that it should be noted that the Executive Mayor signed it on the 12th of July as I have just mentioned. I am repeating it so that we should never forget it.

Honourable Speaker, the fourth quarter SDBIP of 2021/22. The report (**item 150.6**) says, on the fourth quarter represented the final report for the 2021/22 financial year which will form the basis of the Annual Performance Report and based on the 35% performance of the City as indicated, and this clearly demonstrate to us the new Council that we really have a serious challenge in front of us. Now with the new SDBIPS approved by the Executive Mayor and noted by this Council, we must correct this challenge depicted in the fourth quarter report. The 33% unsatisfactory performance really illustrate that as a City we have not been doing justice to the community of Mangaung.

Honourable Speaker the program and projects that are unsatisfactory must be followed up with appropriate corrective actions and, most importantly, the expediting on the implementation of the consequence management, as this cannot be acceptable.

Lastly, as this Council, we must hold the senior managers starting with HoDs and the others the speakers has spoken about it, we must hold them accountable. As this Council, we must make sure that the quarterly performance review are held and that the HoDs do their jobs and everyone from the general managers, manager to the supervisors, are really doing their job to assist this Municipality to be at the peak where it is supposed to be.

Honourable Speaker, with this words, I would like to say the SDBIP is for noting that the Executive Mayor has really went through it, but the two, which is: the process plan and the fourth quarter report are for approval by the Council and with those words, I would like to say, may every Councillor enjoy their weekend and may the Lord bless all of us. I thank you, Honourable Speaker.”

Note by Secretariat: the audio recording for Cllr SQ Peter's address on this item, is available under item 150.1.

Cllr SQ Peter addressed the Council: Thank you, Honourable Speaker. I'm not sure whether you will permit me to combine item 150.5 and 150.6 if possible, but let me start with item 150.4.

As indicated Honourable Speaker, the Municipality ought to approve the process plan precisely for one reason only, it is a requirement. if you look at Section of 21(1) of MFMA, it indicates that the municipality as well as the mayor, should approve the process plan primarily so that the Auditor General would be able to assess the performance of the City via that. So, we need to indicate that without the process plan it will be difficult for the City to operate.

I need to indicate the process plan is divided in different sections. That would be your *Preparation Phase, Strategic Phase, Project Phase, Integration Phase and Approval Phase*. We also want to indicate that in terms of the process plan, there are some few compliance issues, like *evaluations of the senior managers*, which is your Section 56 and 57 employees and while we are doing that, we request that when the Section 56 and 57 employees submit their reports they need to have their authenticity letters that clearly indicates that, they do agree with such reports.

Subsequent to that, we want to indicate that this process plan is not done in isolation with the MFMA calendar, it is precisely linked with it. So, we therefore implore that Council should consider this process plan Honourable Speaker.

On item 150.5, which is item on the Service Delivery and Budget Implementation Plan (SDBIP). This SDBIP came as a result of the budget that we have approved and in terms of Municipal Systems Act, Section 53 which indicates that the Executive Mayor should approve that plan within the next 28 days. So we want to indicate that the SDBIP needs to be approved or noted, in fact it should be noted by the Council because it was already approved during the budget process.

The last item is on Section 52(D) Service Delivery and Budget Implementation report for the period April 1, 2022 to the 30th of June 2022. Here we just want to highlight Honourable Speaker that our City scorecard does not look correct or proper at all. The report indicates areas whereby targets are not met at all or below par or in some cases, the report is almost the same. So we want to indicate to the Councillors that as the Section 80 Committee of IDP and Organizational Performance, we sat and agreed that in order to have a this role report having a true reflection of the performance of the City, we ought to improvise or to put columns in that report whereby the performance of user Departments does not only indicate the percentages, but also indicate the monetary value.

For example: In some cases, a particular Department will say, in this activity or event or program we have performed at 70%, but when you look at the monetary value, they have claimed more than that. So, we ought to look at this so that the performance speaks to the expenditure of that particular program or activity. We therefore say Honourable Speaker, we hope in our next quarter report that is coming, this would have been addressed.

What we also want to emphasize is that, we have a big challenge as the IDP and Organizational Performance Section 80 Committee, whereby most of our HoD's are not honouring the invitations to the Section 80 Committees and that is a real concern. So we want to implore on the Executive Mayor as well as the relevant MMC's to assist us in that regard because once we don't receive these reports on time, they affect the quality of the report. Hence you will see the report looks like copy and paste. Therefore we are not completely happy with that. I thank you, Honourable Speaker.”

Cllr SQ Peter was again allowed to address the Council on the item and the following matters are highlighted:

- That the Deputy Executive Mayor was correct in terms of outlining the process that leads to the IDP and Budget process plan and that it was indeed a legislative requirement in terms of Section 28 (1) of the Municipal Systems Act and subsequently, in terms of Section 21 (1) of MFMA explained exactly what the Executive Mayor must do that in line with the IDP and Budget process plan which guide the City on what is needed to happen under the financial year 2023/24.
- That an advert went out in June around the 15th and 30th so that different stakeholders were enabled to comment.
- That the plan was in line with the Municipal Finance Management Act calendar and it outlines the terms of managers evaluation dates, compliance and submission of reports by HoDs and therefore must be approved by Council.
- That the office of the IDP and Organizational Performance Management provided measures, for instance, the authenticity letter to be signed by all HoDs to confirm that the reports that they have submitting were legit.
- That Departments were required to submit the portfolio of evidence however in some cases, the portfolio of evidence did not speak to targets.
- That on the SDBIP implementation plan (**item 150.5**), Section 53 stipulated that within 28 days after Council has approved the budget, the Executive Mayor must sign the SDBIP.
- That they were aware that the SDBIP did not include all community aspirations in terms of finances or budget, however Council should approve as it was in line with the budget already approved.
- That under **item 150.6**, the Section 52 report, 4th quarter, departments were not complying with requirements in line with the plan as they did not submit reports as required and thus hampering with the quality of the report and the submission date to Council.
- That they were concerned that the performance of the City/scorecard, was at 35%, which is not a good performance. Therefore, as the Executive Mayor have yet to sign off the performance contract of the Section 56 and 57 employees, this matter should be taken into account and HoDs be held accountable and consequence management be effected.

- That in future, it would be imperative that the reports submitted to Council, the percentages or targets achieved must also speak to the financial implications.

Cllr MW Mongale remarked that they had requested that Councillors be afforded an opportunity to undertake a session for strategic planning so that they be able to combine all the issues of governance, investment, service delivery as well as legal aspects and finding a way of merging the SDBIP and the current plan on the financial recovery ensuring that all those elements work together without compromising each other because at the end of it, priority must be service delivery to the people of Mangaung but also taking into account the financial shortfalls. Furthermore applauded the Executive Mayor once again signing the documents which meant that he was part of the process.

Cllr TA Mohono remarked: “Thank you, Madam Speaker. The purpose of IDP is to have a plan on how to have developmental vision for local communities. This normally rely on spatial planning for the Municipality equality, which meant all stake holders. Ward Committee members are the best instrument to facilitate public participation from their respective Wards under the guidance of Ward Councillors. Opinion of local business people is helpful in this regard as they know their clientele. Process plan management means taking all stakeholders along, meaning each Ward must have a steering committee or study group to scrutinize the IDP. Stakeholders will involve government, business and civil organization. It must be made clear that IDP is not a baby of a Ward Councillor alone. It belongs to all partners.

The IDP means the connectivity between governance and the community and further helps to give people opportunities to have some roles in their lives. This is how the officials will monitor the effectiveness of the implementation of the plan or programs. The office of the Chief Whip and other appointed executive authority must also monitor progress. This is not happening outside all legal instruments that control municipalities in South Africa. IDP is a framework that informs budget normally monitored by MPAC. I thank you, Madam Speaker.”

Cllr W Pretorius addressed the Council: “Thank you, Madam Speaker. The IDP and budget process plan is the blue-print for the Metro on how to consult with and gain valuable inputs from communities and stakeholders, how to best comply with municipal and financial budgeting processes and timeliness as required by legislation, and also sets out how and when performance assessment on service delivery (or a lack thereof) should take place.

As Council, we can today approve this IDP and Budget Process Plan, and on paper it might tick all the right boxes. Getting the plan drawn up is an easy task. The actual realisation of the process plan, the execution thereof by the political executive and the administration is where the real hard work lies. The Latin phrase, *Acta Non Verba*, meaning ‘actions not words’ come to mind.

- For one, on paper the process plan stipulates that Annual Performance Agreements for this financial year will be concluded by the 31st of July 2022, being this Sunday. I pause to ask the Executive Mayor if these performance plans are in place as per this plan?

- Furthermore, the process plan includes “*Public participation in performance management*”, again on paper this is a wonderful inclusion, but when and how will the public be allowed to set targets for the Metro, and to review the performance of the Metro? The residents of Margaung are longing for this opportunity - they are fed up with low service delivery targets and equally low performance – this was clear from the election results of 1 November 2021, I can only imagine the exemplified levels of disillusion and distrust today.
- The process plan boasts about the Margaung Performance Management System (PMS) and the Performance Review Committee for Senior Managers, again, if these systems were functional in the past, the Metro would not be in the dire predicament it is in today. Again, great concepts on paper that will not result in consequence management if not implemented effectively.

As with all the above, the success of the IDP, the budget and performance management in the Metro relies on the actual implementation of the plan. *Acta Non Verba*. Actions, not words, Mr Executive Mayor.

Unfortunately, with the previous rounds of IDP meetings the attendance by community and other stakeholder were low. This is not surprising as communities have lost trust in the Municipality. Their complaints, and suggestions, have fallen on death ears for years.

It is therefore even more critical that the process plan not only serve as a tick box exercise when it comes to stakeholder participation. Margaung is filled with innovative businessmen and women, entrepreneurs, neighbourhood associations, CPFs, neighbourhood watches, NGOs and other civil society organisation that want to make a contribution to service delivery within Margaung. They must only be awarded a platform to do so. What will happen if we properly establish such a platform? We will prioritise the issues that matter to the people of Margaung.

The DA therefore welcomes the inclusion of the IDP Representative Forum in the process plan, but remains cautiously enthusiastic about the actual formation and utilisation of the forum. The DA has been championing the creation and establishment of the IDP Representative Forum in Council and in written submissions.

Importantly, the IDP Representative Forum should be established in all the towns that form part of Margaung, and include as wide a spectrum of stakeholders as possible. Stakeholders should not only be involved in the Analysis Stage (that is the identifying of service delivery problems), but must also form part of the Strategies Stage where best solutions are formulated to address problems. The engagements with stakeholders must move away from mere meetings, and must become workshops that facilitate and deliver solutions. The Executive Mayor, MMCs, Heads of Departments, and Senior Managers must be present at these workshops.

The DA supports the process plan, but reminds the Executive Mayor and his executive team that actions speak louder than words. *Acta Non Verba*. The residents of Margaung demand better stakeholder engagement, better budgeting compliance and financial management, and increased performance in the Metro. I thank you, Madam Speaker.”

After voting, the Speaker announced that the item was duly approved with 67 votes in favour, 0 against and 5 abstained.

It was thereupon

RESOLVED that Mangaung Metropolitan Municipality's Council:

- (a) Approves the **2023/2024** IDP and Budget Process Plan set out in the body of the report and as attached, in compliance with the provisions of the Municipal Systems Act and the Municipal Finance Management Act.
- (b) Notes that a copy of the approved **2023/2024** IDP and Budget Process Plan will be submitted to the Free State MEC of Cooperative Governance as well as the National and Provincial Treasuries and
- (c) Notes the attached IDP and Budget Process Plan that also outlines IDP Institutional and Management arrangements that will be used to facilitate the planning, monitoring and budget processes.

5.

SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) 2022/2023

Cllr DMC McKay addressed the Council as follows: “Thank you Madam Speaker, through you to the Executive Mayor, I would like to pose the following clarity seeking questions:

Mister Executive Mayor, as the DA we would like to know why you decided to table such an important document for noting? We are aware, that according to Section 53 it does not have to be approved by Council, but one would think that you would sort the backing and approval of Council on such an important document. Afterall, in essence it is the guideline to how well the Municipality will function; provide basic service delivery and measure the performance of both your political and administrative structures. Could it be because this document is fundamentally flawed, as it is compiled from a IDP that does not reflect the needs of the residents and established unsustainable, therefore unfunded budget, as point out by the DA and other stakeholders. Thus, needless-to-say, it would have been referred-back or are there more sinister objectives at play?

Mister Executive Mayor, if I was you, I would have used the multiparty Section 80 Committees on IDP and Finance to panel-beat this plan until the best outcome of what is available to work from the previous mentioned documents which was reflected. You however chose to force it through by tabling it for noting.

Mister Executive Mayor could you please explain to me why it takes an entire year to procure 4x brush-cutters, 4x portable fire fighting pumps and 4x floating fire pumps? The administrative part is spread over three(3) quarters (nine (9) months) and the delivery of one(1) quarter (1 month). Is the administrative part being done by smoke signals and delivery by ox wagon? As for the Department Parks and Cemeteries, it must have been a windy day and the smoke signals got lost as their procurement is carried over from last year and they still have to wait another six(6) months.

I also noticed that there are several speed law enforcement projects targeted, but the cameras (both hand-held and installed) are only going to be procured at a rate of one(1) each per quarter. Why, surely it would make sense to receive them all at the same time or is it because of the outlandish extravagant cost of R250 000 each? Incidentally, I googled the price, they vary between R60 000 and R100 000 on most brands.

Finally, Sir, I would like to know if this plan is worked out per person or for the Municipality as a whole? If it is worked out per person, I so apologise because the targets set are so ludicrously low, that it would take two people the entire time, you don't need an overloaded workforce of the Municipality; for example 400 pole dustbins to be installed over a period of six(6) months, which equates three per day and 90meters of road to be surfaced in three(3) months, seriously! or is it because the lower the targets set the easier it will be to accomplish and thus falsely reflecting an improvement in service delivery and performance outcome? I think that is the answer. Thank you, Madam Speaker.”

Cllr VE De Kock addressed the Council: “Thank you, Madam Speaker. I want to repeat my previous questions on the SDBIP...(inaudible – poor audio connection)...

Council approved the schedule that the Departments need to adhere to with submissions...six (6) of the eleven (11) Departments had submitted on the closing dates of the ...(inaudible - poor audio connection) ...we are looking forward the report on progress in these mechanisms.

On the Departments' performance:

- the Municipal Police reached 27% of its targets; we appeal to this Department to start enforcing by-laws and this will alleviate complaints such as illegal dumping, runover traffic signs and political parties posters stuck to still standing traffic signs. Enforcing by-laws could also bring in some needed funds for this Metro.
- Engineering Services reached 20% of its targets, maybe the MMC for Infrastructure could share some light in this under achievement. I know this Committee has not have any meetings as yet.
- Fleet and Solid Waste, met 28% of its targets. It will be interesting to know what the evaluation criteria is since this is not evident in the comments and complaints of our citizens.

The fact that the comments of the fourth quarter report reflects the Council's progress is unfair; if the oppositions recommendations, warnings, questions etc were at least considered in Council, it could be seen as Council's performance. This report is reflective of the ruling party's progress only. I can reiterate the statement that this is a worrying performance.

The Executive Management refusal to answer almost any of our questions, let it be Rule 38 question of any in Council, it is an attempt to deny us our right to fulfil our oversight function. We as the Freedom Front Plus, will thus not share an opinion that this report reflects the Council's performance nor can we support this SDBIP. Thank you, Madam Speaker."

The Speaker indicated that, for voting purposes, the party whips be requested to vote on behalf of their parties as the quality of the virtual platform system was poor (i.e. froze) and therefore will hinder the individual voting process.

Cllr W Pretorius addressed the Council as follows: "Thank you, Madam Speaker. Through you, I address the following questions to the Executive Mayor. It is extremely unfortunate that this Metro sets such low, vague and embarrassing service delivery targets for itself. Having such low targets will only result in service delivery further deteriorating in the Metro.

As the SDBIP is approved by the Executive Mayor, and not by the Council, we must ask the Executive Mayor, on behalf of the residents of Mangaung, why he sets such low service delivery targets for the Departments? To mention but a few:

- Stormwater refurbishment:– only 10km over the next five (5) years. In terms of targets set, what is meant by refurbishment? Is it only the clearing of storm water inlets, or actually using the jet vac machine to clear the storm water pipes? Specific numbers and targets must be set.
- Resealing of Streets and Speed Bumps:– a mere 56km of over the next five (5) years in a vast Metropolitan Municipality that requires vast investment in terms of the resealing of its streets.

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- Implementation of MMM by-laws:– Issuing of compliance notices for illegal dumping – over the next year the target is only set for less than two (2) compliance notices to be issued per month, that is the target for the entire Mangaung. I can show the Executive Mayor in Ward 20 alone, together with the community, I can identify between 1 and 5 contraventions per week but we set these low targets of two (2) compliance notices for illegal dumping and we can see there is illegal dumping taking place all over. Similarly, the target for noise pollution in the SDBIP refers to “*to attend to complaints of noise pollution*”. What does it mean to attend to noise pollution? Does it mean the issuing of a fine, or just showing up to the complainant doorstep? These targets are vague, low and embarrassing.
- On crime prevention projects under municipal police services, a target is set for 1 crime prevention activity to be conducted in hotspots per month.

These are just a few examples of the low and vague targets set. How does one facilitate accountability with such vague targets such as noise complaints? What does *attend to mean*? These targets are vague and very low. Must the residents of Mangaung be satisfied with these low targets Mr Executive Mayor? I strongly doubt this.

Furthermore, despite these low targets and indicators, will the Executive Mayor be signing performance agreements with the Mayoral Committee Members (MMCs) to ensure that they take their oversight role seriously? If not, why not? We do require that the Executive Mayor signs the MMCs performance agreements to do their oversight roles and attend to matters that are pressing in Mangaung.

The Democratic Alliance also notes with serious concern the lack of critical projects that have been left out of the SDBIP. As my colleague Cllr DMC McKay said, it is because the SDBIP is founded on an IDP that is not efficient. Some of the critical projects left out includes the investments and procurement of renewable energy resources to keep the lights on in our municipal buildings, clinics and depots, and to lessen Mangaung’s reliance on Eskom.

Similarly, for Centlec, other than the installation of high mast and street lighting there are no targets set for the maintenance to and upgrading of sub-stations, transformers and the network. Densification within Mangaung is placing more strain on the outdated power infrastructure of the Metro. Densification must be met with similar upgrading of bulk infrastructure. There is nothing in the SDBIP in terms of targets for Centlec. Why is there no targets for the upgrading of sub-station, transformers or network.

Similarly under Human Settlement, although big numbers are mentioned under the four targets, there is no mention of emergency accommodation for the dire situation of people being homeless in Mangaung, as well as the provision of social housing. There is also no targets for the Metro to assist Neighbourhood Watches (NHWs) and Community Policing Forums (CPFs) in their fight against crime and GBV in our communities. These are just a few of the targets that had been left out the SDBIP but does require attention. The question is why the Executive Mayor, is setting such low and vague targets for the Municipality’s HoDs and Municipal Manager? Thank you, Madam Speaker.”

The Speaker stated that the Councillors did not need to vote for the item as it was submitted for noting.

It was thereupon

RESOLVED

- (a) That Council notes the attached Service Delivery and Budget Implementation Plan for 2022/2023 financial year.
- (b) That Council notes that 2022/2023 SDBIP document is submitted to Provincial and National Treasury as well as Provincial CoGTA for record and
- (c) That Council notes that 2022/2023 SDBIP document is also publicized on the Municipal website.

6.

MFMA SECTION 52D SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) REPORT FOR 01 APRIL – 30 JUNE 2022

Cllr DMC McKay addressed the Council: “ Madam Speaker, through you to the Executive Mayor, as predicted during my criticism of your 3rd quarter SDBIP report, these figures are disastrous - 65% of Mangaung indicators are below expectation or worse and 59% respectively in the case of the Circular 88 indicators. Sir, this is indicative of an institution that has become rife with a culture of incompetence, cadre deployment, nepotism and procrastination. As long as there is a lack of accountability and action consequence, the situation in productivity in the Mangaung Metro will remain as status quo or worse.

Sir, our plead for a change of focus away from new and rather on maintenance seems to have fallen on deaf ears! Although there has been a shift in focus in some areas and credit must be given where it is due for example in fleet management and minor vehicle maintenance turnaround time. However, I fear even actions such as these might be too little, too late. You will remember my comment of “lipstick on a pig” well now I will add to it. Instead of facing the facts, you decide to add an evening gown to the attempted disguise.

Simply look at this report and you will see the much-needed water and sanitation reticulation as well as the roads and stormwater infrastructure are the areas that performed dismally. Factually, there are precious few areas that did achieve outstanding performance status. This can only be attributed to the initial lack of resources allocated to repairs, maintenance and basic service delivery, which was determined by the previous budget and IDP, which culminated into the SDBIP. Our warnings were not heard, and our inputs ignored. Don't make the same mistake again. Make use of Virements in adjustments to the approved SDBIP to remedy the 2022/2023 ensuing disaster. Bear in mind that it will have to be submitted with an adjustments budget to the Council with altered outputs and measurements for approval. This will be your only chance to vindicate yourself and resolve certain failure.

Mr Executive Mayor, as the leader of this Metro you have failed the residents dismally. It is clearly reflected in this report and the quarterly reports of the last year. My statement will be confirmed in the annual report. Time of jostling for position and tenure has passed. It is time to clean house. Your very position depends on which action you take. Will you dig in with favours and handouts, hoping that is enough to secure your seat or will you actually do the job you were elected for and set the Metro back on the straight and narrow, with a firm hand on the reigns? I truly hope it will be the latter for the sake of the residents of Mangaung. Thank you, Madam Speaker.”

Cllr TD Masoeu addressed the Council: “Thank you, Madam Speaker. The report being tabled today on Section 52D makes something of a horror movie considering how bad service delivery has deteriorated in Mangaung Metro Municipality. It was only last week during the Council meeting in the presence of National Finance Minister, Mr Godongwana when there was a debate as to whether the R800 million that was taken back by Treasury can be returned to Mangaung Metro in order to address back log on infrastructure and the Minister did not mince his words as the answer was emphatic No!

A closer look on the report on page 120 reflect the following:

- (a) The project for upgrading of informal settlements to Phase 3 that was meant to address infrastructure in Botshabelo Section C and E did not happen. When one looks at SDBIP target that the Municipality set itself, there was supposed to have been 138 households connected with water, alternative sanitation toilets for the last financial year. Now let me remind Council that the 2021/2022 financial year has just come to an end last month in June. The next column is shocking to read as the **actual performance says achieved zero(0); naught** Madam Speaker. Then what follows is the corrective measure and it reads as follows: Accelerate the appointment of Service Provider .
- (b) The project for upgrading of informal settlements to Phase 3 that was meant to address infrastructure in Botshabelo West installation of water reticulation also did not happen. The SDBIP target for this project was 1000 households connected with water and sewer toilets also for 2021/2022 financial year. **Again the actual performance is zero.** The corrective action for this Project is Accelerate construction to complete in August 2022: Now, if I remember well the date today is 29 July 2022 and I am looking forward to this ANC run Municipality finishing this project on record time because next week Monday is 1 August 2022 and I want to say to the residents of Botshabelo West that the ANC says by 31 August 2022, 1000 households shall have been connected with water and sewer. Residents let us wait and see this miracle happen.
- (c) And now I want to come to the one that has shocked me even further. In Section D and M two projects were supposed to have taken place. Both projects are for **installation of sewer** and both did not happen. The SDBIP target for both projects is 100 households connected with sewer for 2021/2022 financial year. Again the **actual performance is zero.** The corrective action for Project is **Bid to appoint Contractor to be re-advertised.** Madam Speaker, I have already asked a Rule 38 questions on both projects and I must say upfront that my Rule 38 questions on both projects are still to be answered.

- (d) In Section M, there are two areas that are supposed to be provided with sewer. One area has been there for more than 12 years and there is still no sewer for residents and the community in this area live in appalling conditions. Pit toilets are not being emptied on a regular basis, resulting in residents having to dig make-shift toilets in the ground as they have no where else to go. The stench that surrounds this area is unbearable. I normally don't criticise that easily but on this one I must say: "**Shame on you ANC**" for subjecting the community in such appalling living conditions. And the reason is just as appalling – Officials keep on re-advertising Bids. **Why?** Your cadre deployment policy has not only come back to bite you ANC but also is subjecting residents to appalling living conditions. Really, shame on you the ruling party!
- (e) And then there is also a new settlement area also in Ward 38 Section M. The sewer pipe was half build and the sewer in the new settlement area is only transported halfway and dumped in the streets among residential houses. And again I ask the question: why must money be returned to Treasury, when infrastructure is half build and sewer pipe projects are half completed. This is not how residents should live in fact if I remember well, the ANC once promised people better life for the communities, this is not better life. It is "**living with sewer life**"!
- (f) We received a call that pit toilets are also full and with rainy season about to start, and again, toilets will overflow and residents will have to find a way to deal with the situation.

Let me remind you, where the DA governs, Infrastructure is prioritised and resident sites are serviced before the sites are allocated to the residents. Why? Because DA makes things happen. Thank you, Madam Speaker."

Cllr B Vorster addressed the Council: "Honourable Speaker, 23% of the projects and services shows that the user Departments have performed below expectations. There is a worrying performance in relation to 33% of projects and services have registered unsatisfactory performance and further 9% of projects to be rolled over to the next financial year. Honourable Speaker, this is not acceptable for the Freedom Front Plus.

The Freedom Front Plus was bombarded the past week with service delivery problems by the citizens of Mangaung. They were most frustrated by the non-removal of waste. The Freedom Front Plus can understand the frustrations of the citizens, if one looks at the report, 13 out of 21 projects in Fleet and Solid Waste Management shows unsatisfactory performance. Mr Acting City Manager:

- i. what are you going to do to rectify this problem?
- ii. further what will be done to rectify the 1/3 projects and services that were registered unsatisfactory?
- iii. What should the Freedom Front Plus tell the citizens of the City asking the following question: Why do we pay for services that we do not receive?

Honourable Speaker, it now the time that a qualified and competent City Manager be appointed so that he/she can appoint qualified and competent HoDs and competent officials can then do the work that they should be doing.

Honourable Speaker, the report is the same report over again and lacks necessary information that this Council needs to meet its oversight obligations. What are the reasons why there is no progress made on these projects? What plans will be made to improve the progress on these projects and services? If Council is not provided with information, then there would not be able to do oversight. How can Council then serve the citizens which elected them if there is no oversight in the workings of administration? This report is clear indication that the ANC led government in Mangaung does not care about service delivery.

The Freedom Front Plus just want to remind everyone present of the purpose of a municipality which is to provide services, therefore the Freedom Front Plus cannot and will not approve this report. I thank you, Honourable Speaker.”

After voting, the Speaker announced that the item was duly approved with 46 votes in favour, 32 against and 0 abstained.

It was thereupon

RESOLVED that Council approves the fourth quarter report (01 April – 30 June 2022).

7.

**REPORT ON THE STATUS AND FUNCTIONING OF THE MANGAUNG MUNICIPAL ENTITY
– CENTLEC**

WITHDAWN.

The Speaker presented the item by reading the report as well as the recommendations as outlined in the agenda.

NOTED.

1.
SCHEDULE OF COUNCIL MEETINGS FOR THE 2022/2023 FINANCIAL YEAR

Cllr E Snyman van Deventer requested that a timeframe be included in recommendation (d) to allow Chairperson to provide dates so that they could start functioning doing their work.

Cllr FR Botes asked what should be done by Councillors and Speaker if there are no formal sitting of the Committees and the Speaker be requested to intervene in that regard.

Cllr CF Rampai requested that it be Executive Mayor who submit the dates for the Committee meetings including the Local Labour Forum (LLF) within 14 days.

Cllr TD Masoeu indicated that he as well as Cllr BJ Viviers were members of the Section 79 Committee of Petitions and Motion however they had never receive an invite to the meeting.

Cllr MW Mongale indicated that the report is signed however the signatories did not indicate whether they supported or not support the report (page 3) furthermore that they submitted Rule 38 question but not yet receive a response in that regard. He then supported the proposal of other Committees to submit their schedules of meeting within the proposed timeframe.

The Speaker then indicated that she did indeed notice that signatories did not indicate whether they supported or not and it was the duty of Corporate Services to undertake quality control for all processes of Council.

After voting, the Speaker announced that the item was duly approved with unanimous votes in favour.

It was thereupon

RESOLVED that the Municipal Council resolve:

- a) That the attached schedule of programs of Council for the financial year 2022/2023 be approved
- b) That submission of reports for inclusion in the Council agenda must reach the Secretariat at least ten (10) working days in advance;

10A

- c) That Councillors and officials must please diarize the dates, of the Council program accordingly;
- d) That the Chairpersons of Committees (*namely: Section 79, Mayco, Section 80, Local Labour Forum etc*) must submit the schedule of committee meetings *within 14 days* for inclusion in the main Council program and
- e) That the City Manager is requested to incorporate all the schedules of Council and Council Committees and afterwards be placed in the municipal website for access and notification to the public.

152	REPORTS FROM THE MPAC
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None.

NOTED.

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

Cllr FR Botes implore that the Speaker solve the issue of Rule 38 questions and further indicated that Cllr GDP Kotze's questions submitted on July 6, 2022 had been responded to and he submitted his on the 5th of July 2022 and it received a stamp from the Office of the City Manager however it was still outstanding.

Cllr E Snyman van Deventer agreed with what Cllr FR Botes stated and further mentioned that the Speaker received a letter from their lawyer and included sixteen (16) Rule 38 questions which had not been answered and that it was unacceptable that only certain questions were answered and will take further action and would ask for personal liability on all legal costs on this matter.

Cllr GDP Kotze indicated that the answers he received on his questions was a clear indication that public safety is not a priority for the Executive Mayor, his MMC for Public Safety or for the HoD of Law Enforcement. That since 2016, they had promised Metro Police and looking at the numbers given for Law Enforcement Officers to look after the infrastructure, the Municipality would lose the battle as they do not have necessary by-laws in terms of fines for illegal dumping, illegal businesses etc.

Speaker explained:

- That the aim of Rule 38 responses would assist the Councillors on what the priority should be and also give solutions to issues raised with regards to legislations.
- That with the CoGTA Team which writes those legislations, they would be able to deal with functionality issues of local government from implementation view.
- That she hoped that the administration did not just answer for satisfying Councillors but also use it to integrate into the plans to improve the systems and its functioning.

10B

Cllr CF Rampai suggested that the Speaker's Office also have a record/logbook of all Rule 38 questions received as well as those answered. Further request that Section 79 Committee Chairperson, Rules consider amending Rule 38 to also include timeframes in responding to the questions received.

The Speaker then requested clarity on whether the Acting City Manager be allowed to give clarity to Council on this matter, thereon the Council Whip explained that they had noted what Councillors had raised and whatever the Acting City Manager wanted to clarify would be done outside the meeting with Councillors who raised issues.

NOTED.

**1.
MOTION IN TERMS OF SECTION 29 OF THE MANGAUNG STANDING RULES AND ORDERS
PROPOSED AT THE NEXT MEETING OF COUNCIL – ESTABLISHMENT OF SECTION 79
PORTFOLIO OVERSIGHT COMMITTEES IN MANGAUNG**

PROPOSED BY CLLR T VAN DER WALT AND SECONDED BY CLLR DMC MCKAY

Cllr T van der Walt presented the motion and the following are highlighted:

- That on item 151.1, Council resolved that Section 80 Committees must give schedules of their meetings however from the motion, it was indicated that there were no options for Council if the MMC would not hold Section 80 meeting apart from the Executive Mayor removing the MMC or Council removing the Executive Mayor, Council do not have control over MMCs. If Committees do not sit, the Council cannot hold them accountable hence the motion is crucial.
- That the motion was aimed at strengthening and improving the oversight function of Council and give it control over the Terms of Reference (ToR) of oversight committees.
- That the recommendations were inline with that of National Government and transitions as implemented in other metros such as City of Tshwane, City of Joburg etc and research in improving the effectiveness of oversight functions of Council.
- That in the past six (6) years, Section 80 Committees led by MMC rarely met and depended on the Executive Mayor delegating a functions to MMC at his sole discretion and only the Executive Mayor can hold the MMC accountable to an assigned responsibility.
- That by transitioning from Section 80 to Section 79 Committee, Council will then have a direct control over the appointment and the accountability of Chairpersons for these Committees as well as the ToRs.
- That in addition, these committees could also have powers to appoint external investigators or prosecutors.

He then read as follows from the motion submitted: That this Council therefore resolves that the Secretariat with support from the Office of the Municipal Manager, compiles a report to serve in Council within three (3) months from this resolution.

1. For Mangaung to transition within three (3) months after the approval of this report, based on best practise and research in mentioned metro's, from a Section 80 committee system to a Section 79 Portfolio Oversight Committee system.
2. That the chairpersons of these committees will remain part time Councillors until:
 - (a) All committees are functional and have met successfully at least four (4) times in a 12 month period.
 - (b) Reported on their activities to Council annually.
 - (c) Terms of Reference for each committee has been approved by Council.
 - (d) Council designates the chairpersons as full time based on the workload, financial viability and budgetary provision for this, after consultation by the Speaker and Chief Whip with National Treasury and SALGA.

Cllr DMC McKay in seconding the motion, encouraged all Councillors to vote in favour of the motion as it would not only improve Council oversight over the Committees but also accountability from Chairpersons and would be beneficial to the community.

Cllr CF Rampai asked when is Council going to adopt the Delegation of Powers as well as the ToRs of Section 80 Committees as the law requires that at the beginning of the Council term, the above-mentioned issues should be adopted.

The Speaker indicated that she allowed this motion to serve before Council for discussion and further consulted with the NCR and the Acting City Manager thereon and requested that they provided a written response. That her main concern was that the motion proposed a change in the governance model, and therefore there were processes that should take place prior to approval.

That taking into account the provisions of Section 151. 2, 3 and 4 of the Constitution of South Africa. The motion would need consultation with Council and a Council Resolution thereon; proclamation by MEC CoGTA on the new governance model and all that should occur prior to Municipal elections. That the new model would then be effected after the Municipal elections on the first Council sitting.

After much discussion, the Council agreed to refer the motion back for administration to provide advise and legal opinion in this regard.

The Council did not vote on the item however agreed that it be referred back and allowed the administration to give advice and written response on the matter.

it was thereupon

RESOLVED that the Acting City Manager and the National Cabinet Representative must report back to Council on this matter within 30 days.

155	IN COMMITTEE REPORTS
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Prior to the confirmation of the minutes, the Speaker requested all officials, guests and the public be excused, and the Facebook livestreaming be stopped as the minutes will be considered In Committee.

1.
CONFIRMATION OF IN COMMITTEE MINUTES

Special Meeting Thursday March 31, 2022 (in committee)

Cllr CF Rampai reminded Council that a quarterly report on the implementation of Council resolutions be a standing item on the ordinary Council meeting.

11B

The Council Whip moved for the adoption of the minutes and was seconded by Cllr ZN Banyane.

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

156	CLOSING OF THE ORDINARY COUNCIL MEETING
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The meeting officially closed at 15h15.

SECRETARIAT UNIT
COMMITTEE SERVICES