

CONFIDENTIAL

**AGENDA
for an
ORDINARY MEETING**

**MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

**COUNCIL CHAMBER
FIRST FLOOR
BRAM FISCHER BUILDING
BLOEMFONTEIN**

**MONDAY
FEBRUARY 27, 2023
AT 10:00**

**MANGAUNG
METROPOLITAN
MUNICIPALITY**



MANGAUNG METROPOLITAN MUNICIPALITY

**Bram Fischer Building
BLOEMFONTEIN**

**MEMBERS OF THE METROPOLITAN MUNICIPAL COUNCIL OF THE MANGAUNG
METROPOLITAN MUNICIPALITY**


Ladies and gentlemen

Notice is hereby given in terms of the provisions of
Section 29(1) of the Local Government:
Municipal Structures Act, 1998 (Act No 117 of 1998) and
Rule 6.1 of the Council's Standing Rules and Orders that

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

**will be held in the
COUNCIL CHAMBER, FIRST FLOOR
BRAM FISCHER BUILDING, BLOEMFONTEIN
ON
MONDAY, FEBRUARY 27, 2023
at 10:00**

To consider the items as set out in this agenda.



**SPEAKER
COUNCILLOR SB LOCKMAN-NAIDOO**

DATE: 24 / 02 / 2023

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) (Leave 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 (Leave Form).
5. **Code of Conduct:** Councillors are reminded of item 3, Schedule 1 of the Code of Conduct for Councillors which reads as follows, namely:

Attendance at Meetings: A councillor must attend each meeting of the Municipal Council and of a Committee of which that councillor is a member, except when:

- (a) leave of absence is granted in terms of an applicable law or as determined by the rules and orders of the council or
- (b) that councillor is required in terms of this Code to withdraw from the meeting.

6. Meeting rules:

- i. All Councillors must arrive at **least 15 minutes before the commencement** of the Council and all other Committee meetings;
- ii. Cellular phones **must be in silent mode** and **speaking on a cellular phone during the meeting is prohibited;** (Rule 50.2a)
- iii. A Councillor who speaks must **confine his or her speech strictly to the matter under discussion;** (Rule 31)
- iv. Unless expressly otherwise determined, a Councillor **may speak only once on a matter;** (Rule 32)
- v. No speech shall exceed **five (5) minutes** in length without the consent of the Speaker. (Rule 34.1)
- vi. Council members are reminded to uphold high level of good conduct during Council proceedings (No disruptions, no interruptions, no howling, no swearing to other Council members, less movement in the Chamber, no abuse of the PA system).

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**AGENDA
(OPEN COUNCIL)**

**11.
OPENING
(MOMENT OF SILENT CONTEMPLATION FOR MEDITATION AND PRAYERS)**

**12.
NOTICE OF THE MEETING**

**13.
APPLICATIONS FOR LEAVE OF ABSENCE**

**14.
ACCEPTANCE OF THE AGENDA**

**15.
ANNOUNCEMENTS**

**16.
MOTION OF SYMPATHY AND CONGRATULATIONS**

**17.
CONFIRMATION OF MINUTES**

- 1. Special Meeting: Friday, June 3, 2022 (initially scheduled for May 31, 2022)**
- 2. Special Meeting: Wednesday, June 15, 2022**
- 3. Special Meeting: Wednesday, June 22, 2022**
- 4. Ordinary Meeting: Thursday, June 30, 2022**
- 5. Special Meeting: Friday, July 22, 2022**
- 6. Ordinary Meeting: Friday, July 29, 2022 (Virtual)**
- 7. Special Meeting: Friday, August 19, 2022**
- 8. Ordinary Meeting: Wednesday, August 31, 2022**
- 9. Special Meeting: Monday, October 31, 2022**

1.

REPORT ON SELECTION PANEL: THE RECRUITMENT, SELECTION AND APPOINTMENT OF THE MUNICIPAL MANAGER (CITY MANAGER) FOR MANGAUNG METROPOLITAN MUNICIPALITY (MMM) IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS AMENDMENT ACT, ACT 3 F 2022 READ TOGETHER WITH LOCAL GOVERNMENT: REGULATIONS ON APPOINTMENT AND EMPLOYMENT CONDITIONS OF SENIOR MANAGERS

Annexure: Report dated February 23, 2023 received from the Acting HoD: Corporate Services, approved by the Acting City Manager, ratified by NCR and approved by Executive Mayor.

RECOMMENDATION that Council

- (a) Note the final report of the selection panel for the recruitment, selection and appointment of the City Manager at MMM, however the computation of time for the appointment has lapsed on the 23rd December 2022.
- (b) Approve the readvertisement of the position of the City Manager and that the appointment must be finalized within three (3) months.
- (c) Direct the Acting City Manager to handover to the new City Manager to be appointed for the period of 90 days and ensure smooth transition as envisaged by the Minister responsible for local government in her letter dated 31st October 2022.

2.

READVERTISEMENT OF VACANT POSITIONS OF HEADS OF DEPARTMENTS AT MANGAUNG METROPOLITAN MUNICIPALITY IN ACCORDANCE WITH LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT AS AMENDED AND REGULATIONS

Annexure: Report dated February 23, 2023 received from the Acting HoD: Corporate Services, approved by the Acting City Manager, ratified by NCR and approved by Executive Mayor.

RECOMMENDATION that Council:

- (a) Note that the computation of time for shortlisting of applications of the advertised positions of the Chief Financial Officer, Heads of Department Technical Services and Corporate Services has since lapsed on the 10th January 2023.
- (b) Approve readvertisement of positions of senior managers accountable to the municipal manager in accordance with the Municipal Systems Act and the Regulations.
- (c) Approve that all vacant positions of senior managers accountable to the City Manager be filled within three (3) months.

**3.
EXTENSION OF SECONDED INTERIM MANAGEMENT TEAM AT MANGAUNG
METROPOLITAN MUNICIPALITY**

Annexure: Report dated February 23, 2023 received from the Acting HoD: Corporate Services, approved by the Acting City Manager, ratified by NCR and approved by Executive Mayor.

RECOMMENDATION that the Municipal Council:

- (a) Approve extension period of the Acting City Manager and Heads of Department. regarding the Acting City Manager until the 30th April 2023 and Acting Heads of Department until June 2023.
- (b) Direct the Acting City Manager and Heads of Departments that upon their end of extension be available for handover and audit processes to the new City Manager and Heads of Departments respectively for the 90 days period as envisaged and directed by the Minister responsible for local government.

**4.
MANGAUNG METROPOLITAN MUNICIPALITY : ADJUSTMENT BUDGET FOR FEBRUARY
2022/2023**

Annexure : Report received from the Acting City Manager and NCR.

RECOMMENDATION

1. Based on the details as outlined above it is recommended that Council approves the Adjustment Budget as contained herein, together with the resolutions as contained here below.
2. That Council approves changes as contained in Table B1 to Table B10 as well as all other supporting schedules for the Adjustment Budget.

RESOLUTIONS

- 2.1 That the original budget as approved on 22 June 2022 be adjusted accordingly. Operating Income be decreased by R163,37 million to the revised amount of R8,65 billion. The Operating Expenditure be decreased by R76,14 million to the revised amount of R 8,08 billion. The Capital Expenditure Budget be increased by R28,80 million to the revised amount of R1,31 billion for the 2022/23 financial year as set out in the following tables:

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2.2 That the financial position, cash flow, backed reserve/accumulated surplus, asset management be adopted as set-out in the following tables:

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19.	REPORTS FROM THE SPEAKER
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1.

RESIGNATION AND REPLACEMENT OF COUNCILLORS

Annexure: Report dated February 20, 2023 received from the GM: Secretariat Services, supported by Acting HoD: Corporate Services, recommended by the Acting City Manager and approved by the Speaker.

RECOMMENDATION

- (a) That the Municipal Council notes the replacement of the DA PR Councillor with the resignation of Cllr Rulhof van der Merwe.
- (b) That it be noted that Cllr Corize van Rensburg becomes a Councillor representing the DA effective from the 20th January 2023.

20.	REPORTS FROM THE AUDIT COMMITTEE
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NONE

21.	REPORTS FROM THE MPAC
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NONE

22.	MOTIONS
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NONE

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

1.	Response dated July 13, 2022 received from the Acting City Manager to questions raised by Cllr E Snyman van Deventer regarding <u>Rose garden next to the Zoo.</u> (Pages 1 – 2)
2.	Response dated August 2, 2022 received from the Acting City Manager to questions raised by Cllr VB De Kock from an email dated February 28, 2022 regarding <u>MMM/BID 641(A): 2022/2021 invitation to supply bullet proof vests.</u> (Pages 1 – 2)
3.	Response dated July 13, 2022 received from the Acting City Manager to questions raised by Cllr E Snyman van Deventer regarding <u>workers at Mangaung Bloemfontein Zoo.</u> (Pages 1 – 2)
4.	Response dated July 25, 2022 received from the Acting City Manager to questions raised by Cllr GDP Kotze from an email dated June 20, 2022 regarding <u>Mangaung Committee System for competitive bids. Procurement and contract management – Bid Evaluation and Adjudication Committee Composition.</u> (Pages 1 – 8)
5.	Response dated November 24, 2022 received from the Acting City Manager to questions raised by Cllr HJC van Niekerk from a letter dated May 9, 2022 regarding <u>contractor/service provider in Ward 26.</u> (Pages 1 – 2)
6.	Response dated November 25, 2022 received from the Acting City Manager to questions raised by Cllr E Snyman van Deventer regarding <u>heavy rehabilitation of Nelson Mandela Drive.</u> (Pages 1 – 2)
7.	Response dated November 25, 2022 received from the Acting City Manager to questions raised by Cllr E Snyman van Deventer regarding <u>upgrading of intersections.</u> (Pages 1 – 3)
8.	Response dated November 25, 2022 received from the Acting City Manager to questions raised by Cllr R van der Merwe regarding <u>clear road markings and traffic lights.</u> (Pages 1 – 2)
9.	Response dated February 10, 2023 received from the Acting City Manager to questions raised by Cllr GDP Kotze regarding <u>fireworks incidents during festive season 2022.</u> (Pages 1 – 2)
10.	Response dated February 8, 2023 received from the Acting City Manager to questions raised by Cllr T van der Walt regarding <u>failure to provide details of officials during recess period 16 December 2022 – 16 January 2023.</u> (Pages 1 – 2)
11.	Response dated February 10, 2023 received from the Acting City Manager to questions raised by Cllr E Snyman van Deventer regarding <u>appointment of Lawrence Mathae as General Manager.</u> (Pages 1 – 12)

12.	Response dated February 20, 2023 received from the GM: Legal Services, recommended by the Acting HoD: Corporate Services and approved by the Acting City Manager to questions raised regarding <u>outsourcing of translation services and payment of millions of rands.</u> (Pages 1 – 12)
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24.	IN COMMITTEE REPORTS NONE
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25.	CLOSING OF THE ORDINARY COUNCIL MEETING
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SECRETARIAT UNIT
COMMITTEE SERVICES