

CONFIDENTIAL

**MINUTES
of a
SPECIAL MEETING**

**MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

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

**MONDAY
NOVEMBER 7, 2022
AT 10:00**

**MANGAUNG
METROPOLITAN
MUNICIPALITY**



**MINUTES OF A
SPECIAL MEETING
of the
MANGAUNG METROPOLITAN MUNICIPAL COUNCIL
held IN THE COUNCIL CHAMBER, FIRST FLOOR, BRAM FISCHER BUILDING
BLOEMFONTEIN
on
MONDAY, NOVEMBER 7, 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	
SECTION 79 CHAIRPERSONS			
4	Cllr Mokoakoa (Mpho Isaac)	ANC 29	
5	Cllr Nhlapo (Ntombi Anna)	ANC	
6	Cllr Qai (Alfred)	AIC	Absent with apology
7	Cllr Seleke (Puseletso Leticia)	ANC	
MEMBERS OF THE MAYORAL COMMITTEE (SECTION 80 CHAIRPERSONS)			
8	Cllr Titi-Odili (Lulama Magdeline)	ANC	Absent with apology
9	Cllr Morake (Molefi Andries)	ANC	
10	Cllr Matsoetlane (Maditaba Joyce)	ANC	
11	Cllr Mogotloane (Thabo Joel)	ANC 39	
12	Cllr Tladi (Motshewa Martha)	ANC	
13	Cllr Mosala (Motlhokung Theodorah)	ANC 11	Absent with apology
14	Cllr van der Ross (Kevin Etienne)	PA	
15	Cllr Twala (Pani Sidney)	ATM	
16	Cllr Jonas-Malephane (Vuyelwa Eunice)	ANC	

PR COUNCILLORS			
#	NAME	PARTY	LEAVE
17	Cllr Campher (Zaandre MC)	DA	
18	Cllr Davies (Maryke)	DA	
19	Cllr De-Huis (Dikeledi Jane)	EFF	
20	Cllr De Kock (Valerie Belinda)	FFPlus	
21	Cllr Denner (John Henry)	FFPlus	Absent with apology
22	Cllr Dennis (Magdalene Elizabeth)	DA	
23	Cllr Ferreira (Thomas Ignatius)	DA	
24	Cllr Klaasen Raynie Sarah	DA	
25	Cllr Letsoko (Mantwa Sanah)	EFF	
26	Cllr Lipale (Gopolang Jeremiah)	EFF	
27	Cllr Makau (Pitso Elias)	EFF	
28	Cllr Malebo (Deliwe Lettia)	EFF	Absent without apology
29	Cllr Maliela (Motiki Edwin)	DA	
30	Cllr Masoeu (Thapelo David)	DA	
31	Cllr Mogotsi (Mamahlope Elias)	EFF	
32	Cllr Mohlamme (Lebohang Lerato)	DA	
33	Cllr Mokoena (John Itumeleng)	AASD	
34	Cllr Mongale (Mojalefa William)	AASD	
35	Cllr Monyakoana (Ntwa Patrick)	ANC	
36	Cllr Moreeng (Kabelo Christopher)	DA	
37	Cllr Mtshakazane (Eunice Xoliswa)	EFF	
38	Cllr Njiva-Lebajoa (Mamotse)	DA	
39	Cllr Phupha (Ntsoaki Agnes)	PA	

40	Cllr Phohleli (Tsholwane Eddy)	EFF	
41	Cllr Ramatlama (Mpho Joseph)	EFF	Absent without apology
42	Cllr Rampai (Pule Joseph)	ACDP	
43	Cllr Rasoeu (Lempe Ernest)	DA	
44	Cllr Sebolao (Jankie Elisha)	EFF	
45	Cllr Shale (Nkahiseng Reginah)	EFF	
46	Cllr Snyman van Deventer (Elizabeth)	FFPlus	
47	Cllr Terblanche (Arthur Phillip)	DA	
48	Cllr Thomas (Johannes Beleme)	EFF	
49	Cllr Thwala (Zwelinjane Jonathan)	DA	
50	Cllr van der Merwe (Rulhof)	DA	Absent with apology
51	Cllr Viviers (Benhardus Jacobus)	DA	
52	Cllr Vorster (Braam)	FFPlus	
53	Cllr Wewege (Mare-Lize)	FFPlus	
WARD COUNCILLORS			
54	Cllr Sefaki (Samuel)	ANC 1	
55	Cllr Mokgothu (Tona Kenosi Wilfred)	ANC 2	
56	Cllr Machachamise (Tshepiso Oudious)	ANC 3	
57	Cllr Supi (Mahoko Harold)	ANC 4	
58	Cllr Lecoko (Lehlohonolo Nathaniel)	ANC 5	
59	Cllr Moiloa (Tshidiso Petrus)	ANC 6	
60	Cllr Rampai (Chabeli Frank)	ANC 7	
61	Cllr Nyaphudi (Likeleli Julia)	ANC 8	
62	Cllr Tlhakung (Betty Masetlhabi)	ANC 9	

63	Cllr Setlai (Teboho Lesley)	ANC 10	
64	Cllr Hashatsi (Rafedile)	ANC 12	
65	Cllr Siteo (Nombulelo Dorcas)	ANC 13	
66	Cllr Lekgetho (Lebogang Winston)	ANC 14	
67	Cllr Mohibidu (Pulane Martha)	ANC 15	
68	Cllr Kruger (Caprice Logan)	ANC 16	
69	Cllr Mohatle (Mampone Sally)	ANC 17	
70	Cllr McKay (David Mark Campbell)	DA 18	
71	Cllr Peter (Seth Qondile)	ANC 19	
72	Cllr Pretorius (Werner)	DA 20	
73	Cllr Lotriet (Pieter Adam)	DA 21	
74	Cllr Leech (Dulandi)	DA 22	Absent with apology
75	Cllr van der Walt (Tjaart Botha)	DA 23	
76	Cllr Kotze (Gerhardus Dirk Petrus)	DA 24	Absent with apology
77	Cllr Botes (Francois Rossouw)	DA 25	
78	Cllr van Niekerk (Hendrik Johannes Christiaan)	DA 26	
79	Cllr Banyane (Zachous Nechodemus)	ANC 27	
80	Cllr Nikelo (Vumile Edwin)	ANC 28	
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	Absent without apology
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	Absent with apology
98	Cllr Pretorius (Johannes Christiaan)	DA 48	
99	Cllr Moqolo (Lehlohonolo Joseph)	ANC 49	Absent with apology
100	Cllr Lelala (Makoa Cristophel)	ANC 50	
101	Cllr Mohulatsi (Mamoorosi Margaret)	ANC 51	

PRESENT

GUESTS

1. Minister of Finance
2. National Treasury
3. CoGTA
4. CoGTA

**Mr E Godongwana
Mr J Hattingh
Mr M Mogale
Mr Z Losabe**

NATIONAL INTERVENTION TEAM

1. NCR
2. Service Delivery Specialist
3. Finance Specialist
4. Governance Expert

**Ms G Malaza
Mr E Mngomane
Mr S Mewalall
Mr M Nkosi**

OFFICIALS

1. Acting City Manager
2. Acting Chief Financial Officer
3. Acting HoD: Corporate Services
4. Acting HoD: Engineering Services
5. Acting HoD: Waste Management
6. Acting HoD: Human Settlement
7. Chief Executive Officer: Centlec
8. General Manager: Committee Services
9. Secretariat officer
10. Secretariat Officer

**Mr T Motlashuping
Mr L Denge
Adv N Mpangane
Mr W M^cleod
Mr F Nel
Ms NR Mosehana-Dumisile
Mr M Sekoboto
Mr Motete Mothekhe
Ms R Mamatela
Ms M Morakabi**

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).
3. **Name-plates:** Councillors are friendly requested to please take along their name-plates and to display it throughout the meeting.
4. **Apologies during the course of the Council meeting:** Councillors are friendly requested to complete in full and submit the relevant apology form for this purpose (Yellow Form).
5. **Code of Conduct:** Councillors are reminded of item 3, Schedule 1 of the Code of Conduct for Councillors which reads as follows, namely:

Attendance at Meetings: A councillor must attend each meeting of the municipal council and of a committee of which that councillor is a member, except when:

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

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

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**MINUTES
(OPEN COUNCIL)**

181.

OPENING

(MOMENT OF SILENT CONTEMPLATION FOR MEDITATION AND PRAYERS)

The meeting commenced at 10h15.

The Speaker officially opened the meeting and welcome the Minister of Finance, the Team from National Treasury and CoGTA, the National Intervention Team, the Acting City Manager and HoDs , Councillors, media and the citizens of Mangaung viewing the meeting in the gallery and also on Facebook live streaming.

She then requested all to observe a moment of silence for meditation and prayers.

Thereafter confirmed that 75 Councillor were present in the meeting therefore forming a quorum to continue with the Special Council meeting.

NOTED.

182.

NOTICE OF THE MEETING

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

NOTED.

183.

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.

184.

ACCEPTANCE OF THE AGENDA

Cllr CF Rampai moved for adoption of the agenda and was seconded by Cllr NP Monyakoana.

NOTED.

185.

ANNOUNCEMENTS

The Speaker provided clarity on what transpired at the previous Council meeting scheduled for 31st of October 2022 which led to the meeting being postponed to be held in seven (7) days, that Councillors raised concerns regarding the Facebook livestreaming which was not arranged and thus hindering public participation, unavailability of translation services as well as reports which were not included in the agenda to serve in Council especially the compliance report on the First Quarter Report of the SDBIP (for the period July to September 2022). The reason for postponement was to allow the Executive as well as the administration to ensure that Section 80 Committee meeting was held to address the item not included in the agenda.

Furthermore that Council Resolved that the Acting City Manager to report to Council on who would be taking accountability for the collapsed meeting due to SCM processes and also that the Executive be held accountable for not doing the political oversight on the compliance reports.

The Speaker's second announcement was in relation to the 2022 World Aids Day Commemoration as follows: "Every year on the 1st of December, the world is commemorating International Aids Day. This is a campaign to remember and celebrate the people who lost their lives due to the illness and the related pandemic. To raise public awareness about HIV/AIDS as well available prevention and treatments options and to reflect on progress made in the fight against HIV as well as to review and set milestones on top of it.

The 2022 National Aids Day commemoration is going to be hosted by the Mangaung Metropolitan Municipality led by the Deputy President in his capacity as Chairperson of the South African Aids Council. This is in line with the rotational system where Provinces take turns hosting the World Aids Day commemoration.

The theme for 2022 is to equalize, integrate, to end HIV and AIDS. The theme speaks to one of the most valuable lessons learned during the epidemic which is the need to integrate health services. It speaks to addressing the inequalities that continue to create barriers against access to prevention, treatment and care and also calls for a need to scale up equalization and integration of effort towards the ultimate objective of ending Aids by 2030. The anticipated number of delegates is 5000 and the hosting venue will be the Clive Solomon Stadium in Ward 16. The relevant Ward Councillors and all surrounding areas will be engaged moving closer to the event and will hope Councillors will respond positively.

6B

I also note that during COVID, we seem to have forgotten that we still have these other illnesses that are plaguing our communities and I also hope that the team will hear about the health crisis in that specific Ward and what the needs of the society were.”

In addition to the announcements, that the Ward Committee Forum would be convened at the City Hall on the 16th of November 2022 and all Ward Committees were expected and all Councillors will be invited. That the Councillors must ensure that the Ward Committee members would be present at that Ward Committee Forum.

- That the National Cabinet Representatives, the Acting City Manager and his team, the CEO of Centlec and his team will also be joining the Ward Committee Forum.
- That the Ward Committee Forum would also be given an opportunity to give feedback.
- That National and Provincial CoGTA were also invited.
- That moving closer to the event, Ward Councillors were expected to ensure that their reports were ready which should include:
 - i. The number of meetings they had convened in their Wards
 - ii. Whether the Ward Committees were functional
 - iii. What were the issues in their Wards
 - iv. That operational plans be presented at the Ward Committee Forum

Thus ensuring that Ward Councillors were working closer together with the Ward Committee to ensure that needs of the people of Mangaung were met in line with the approved IDP and the set SDBIP report to be discussed in the meeting.

NOTED.

In presenting his items on the agenda, the Executive Mayor passed his greeting to the Minister of Finance, Mr E Godongwana, the Minister of CoGTA, Dr N Dlamini-Zuma in absentia, the Speaker and all Councillors, Officials led by the Acting City Manager and CEO of Centlec, the Intervention Team, the National Treasury and CoGTA as well as the residents of Mangaung.

Upon presenting the item, the Executive Mayor mentioned that Council meeting sat on 31st October 2022 and there were issues that need to be delt with hence the Council was meeting on this day.

He the presented all items which also included the first quarter report of SDIBP and further requested the Speaker to allow Council to first start with the deliberation on item on the extension of the Nation Intervention Team (item 186.9 on the agenda) prior to dealing with other items.

The Speaker thereon granted the request by the Executive Mayor.

NOTED.

1.

REQUEST FOR APPROVAL FOR WATER DEBT WRITE OFF

Cllr B Vorster on a point of order stated that at Section 80 Finance Committee meeting held on the 24th of October 2022, the members agreed that prior the item could be submitted to Council, it be referred back to allow the members to undertake verification process by visiting the site/plot.

Executive Mayor responded that the item was born out of frustration that the Municipality delayed, hence it had been recommended so that Council can resolve on it. That the plot was purchased by the Province and they were busy finalising the deal on behalf of the Municipality and the Municipality was supposed to register the land., the unfortunate part, NT looking how we spend money on 1st and 2nd Quarter and if delay, might not be able to spend the money and lose it again.

On a point of order, Cllr GJ Lipale raised the same issue as Cllr B Vorster that it was what was resolved at Section 80 Finance Committee meeting.

The Speaker explained to Cllr B Vorster and Cllr GJ Lipale that the Executive Mayor overruled the decision of Section 80 Finance Committee and instructed that the item be submitted to Council.

Cllr CF Rampai requested clarity that the report indicated that Mangaung Municipality was purchasing the land whilst the Executive Mayor said it was Province purchasing on behalf of Mangaung Municipality. Where was the Council resolution if it is the Municipality purchasing that land?

The Executive Mayor responded that those who know the history of Estoire, would know that the land was bought by HDI on behalf of the Municipality, the land is not bought by Mangaung but by the Provincial Government for Mangaung to allocate people. Before Municipality buys a land, it should be approved by Council. Purchasing of land, cannot be delegated, Council must give approval. But still need to transfer the land to the Municipality before it is registered.

Cllr FR Botes addressed the Council as follows: "Thank you, Honourable Speaker. The DA is of the opinion that the new owner 'Theron & Theron Boerder' must not be penalized to transfer this property mentioned as 'Plot 53 Grassland' on their name, due to a huge amount of water that is outstanding on this property.

What happened here is the evidence of how this Municipality operate and why this Municipality is in a financial crisis. For 3 years and 3 months no meter reading, no water account, no follow up on the previous owner to make sure that the owner at that time paid for the water consumption. When the Auditor General submit yearly his audit report to council the council and officials are so shocked "how is it possible that the water losses can be so high" According to the last five years audit reports from the Auditor General, the water losses calculated to R1,154 billion. This item indicated the negative operating from the Municipality. Now council must give approval to write off R447 258.44 due to the Municipality who cannot manage this function correct. Sorry! tax payer you must pay for this water loss". When will this Municipality start to operate according to the relevant legislation. This action creates a delay to all owners who must wait for a rates clearance certificate to transfer the property. The delay on this rates clearance certificate cost most of the time the owners thousands of rands. Is this correct how this Municipality must operate with owners who become the tax payers? It is clear that investors do not want to invest in Mangaung. This Municipality creates the problems. After 28 years this ANC Municipality can not even manage a water account correct and this will not be the last one.

Honourable Speaker this Municipality cannot afford to make mistakes on water accounts but at the end the officials only submit an item to council to rectify the problems of R447 258.44. It will not even help to ask for an investigation on this problem. The attitude of this Municipality is not to give feedback on an investigation. Needless to say: a councillor will never get feedback.

Honourable Speaker I mentioned it in the beginning that the DA is of the opinion that 'Theron & Theron Boerder' must not be penalized to transfer the property and for that reason the DA will support the write off amount mentioned and that the Administration take note of all the aspects mentioned of a don't care Municipality in this regard. I thank you, Madam Speaker."

Cllr JE Sebolao proposed that the item be referred to MPAC for investigation and clarity be sought from the community verifying what had been submitted. That by writing off debt, the Municipality will be setting up precedent.

Cllr B Vorster asked whether the write off was only with regard to water and other services as the Ward Councillors only provided a one pager letter that indicated that the event happened as per the letter therefore there was a need for more information from the owner. Furthermore the letter also referred to the tenants of the owner hence the Section 80 Finance Committee requested more clarity on the item to be sure of the situation before writing off the debt.

Cllr MW Mongale remarked:

- That the matter was supposed to go back for verification to ensure that the Municipality did not create a precedent for request to write off as Mangaung was in financial distress.
- That who was the owner of the property, was it individually owned or owned by the Provincial Department. No paper to indicate or even MoU saying the Province was acting on behalf of the Municipality. Should have been provided with all the relevant papers on the issue. No signature of the National cabinet Representative, even their opinion is not included.

Executive Mayor indicated that based on issues raised, he was withdrawing the item to give the Section 80 Finance Committee a chance do verification at the property and ensure that all relevant information would be provided.

Speaker urged Committees to learn to process their reports on time, as it was unacceptable that items are withdrawn in that manner.

The item was thereupon

WITHDRAWN.

2.

REPORT ON THE IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY FOR THE QUARTER ENDING SEPTEMBER 2022

Cllr DMC McKay read the speech: Madam Speaker, please allow me the following clarity seeking questions:

1. Firstly, are we to assume that all bids/ procurements requested and appointed for the period 1 July 2022-30 September 2022 are reflected in this document?
2. If so, I would like to point out that nowhere in this document is a procurement for a new sub-contractor to complete the Vereeniging Road Extension. In the beginning of June it was already a well established fact that negotiations with the previous sub-contractor has reached a stale mate and that a new subcontractor would have to be procured.

7C

So, I would subsequently like to know from the Executive Mayor, if he willing and knowingly lied to the press when he said the Vereeniging Extension Road would be opened on 30 August 2022 or was he merely ignorant of what was going on and arrogantly announced a completion date, expecting that there will once again be no consequence for his deliberate attempt to deceive the residents of Mangaung?

3. Similarly, Mr Acting City Manager, when I spoke to you telephonically on 14 September 2022, you assured me that the new sub-contractor had been appointed and would be on-site the same week and that the road would be reopened by end September. You have now told the press that the Executive Mayor will open the road mid November and that it will be completed by end November. So can we count on your word and where you aware that no procurement had been made and you knowingly deceived me and the press or is there a mistake in this document? Because as I am sure you are aware, if a new subcontractor was appointed and it did not follow procurement policy, the appointment will be construed as irregular and illegal.
4. Which brings me to my last question. Once again I see no bid / procurement requestor appointment for the Welvaart Sewerage Treatment Works. This plant has not been adequately operational for more than a year. It was brought to your attention and the attention of the HoD in the middle of June when it came to a complete standstill due to cable theft. The Welvaart Treatment Works is the only treatment works for the entire southern suburbs of Bloemfontein and has lead to serious contamination of water in the surrounding catchment areas. So much that Cattle have died and the subterranean water tables are completely contaminated and not fit for human or animal consumption. This treatment works flows directly into Kalkspruit, which in turn runs into the Modder river, which is the source of 30% of Mangaung's' water supply. Surely this is an emergency and urgent matter! Why has there been no procurement request or appointment to repair this plant to operational condition? .

Madam Speaker, I respectfully request a written response to my questions above within the time period stipulated within our standing rules and orders.

Cllr M Thompson read her speech: Every quarter I look at this report, I get furious as to how the Mangaung metro is wasting the loyal taxpayers money.

Looking at the awarded bids for the month of July to September, here are the Freedom Front Plus concerns.

- Awards were approved for various security services, why are we not making use of the staff that were trained for the Metro Police Service that is just sitting in their offices?(hopefully in offices and not at home).
- Provision of locksmith services for Mangaung metro municipality, negotiated and accepted with the available budget of R7 million rand?

7D

- Supply and delivery of traffic light poles for maintenance in Mangaung metro municipality for R169 000, when is this project being started, as the traffic lights in the metro is a great concern and has caused a lot of accidents already.
- And listen to this one, supply and delivery of uniforms for the Zoo personnel, for R37 000, Speaker, we don't even have a zoo anymore.
- This one really blew me out; décor and sound system for Mayoral GBV program for 19 August 2022 – R22 387,
- Transportation services for the Executive Mayoral GBV program R161 920, Catering for the Executive Mayoral GBV program – R124 775 . In total, one day's function cost over R309, 000... how many Gender Based Violence victims benefitted from this money?

And then, catering for the office of the Deputy executive mayor women's event, R42 000, this while this Metro is not only under Intervention, but also are water running down the streets caused by burst pipes, sewerage running into residents houses due to no maintenance, how can this Metro continue to waste money on catering and parties while the City is in dire need of service delivery?

We also have production service for livestream and bottled water for Council meeting held on 31 August 2022, R20 000, this is for one Council meeting, this is absurd.

Then there is transport service to an employee's funeral in Upington for R89 000. What or who were transported for such an extravagant amount?

Then suddenly after 28 years there is a lot of maintenance work being done on fleet and waste management, these vehicles are old and has to be replaced, we are over using the current fleet, and that is what is causing the service delivery mess. In the adjustment budget it would be wise to move any form of money from catering and the metro police to rather procure new vehicles for water, sanitation, solid waste and the fire department. It is noted that outsourcing is becoming less of an issue and that I want to thank you for. I thank you Madam Speaker.”

Cllr SQ Peter stated that on the report, page 4, on provision of security, the service was costing the Municipality a lot and also stated on page 19 of the report of the Acting CFO indicate that operating on deficiency. Whoever the HoD or the GM who approved on what basis? Why cannot employ as part of law enforcement? Why hire 3 companies for value of R50 mil. Need to look at it.

Executive Mayor indicated that the issue on utilisation of private security was raised with the Acting City Manager, that there were learners who were paid for security whilst sitting at home, why don't you bring them to guard and he responded by saying, immediately you let them certain work, not paid as those in learnership but those employed to reduce the amount paid to private security companies.

Cllr MW Mongale stated that local companies need to be given a chance especially for projects such as honey sucking for ventilated pit latrines and further why was the item not signed by NCR for ratification.

Councillors did not vote on this item as it was submitted for noting.

RESOLVED that Council take note of the Supply Chain Management report for the first quarter ending September 2022.

3.

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

Cllr DMC McKay addressed the Council as follows: Madam Speaker, as this item is for noting, please allow me the following clarity seeking question:

- 1) Firstly, I notice that you are claiming a favourable variance of roughly R68 million for revenue received, however considering that you have a unfavourable variance of roughly R220 million for bulk purchases during the same period, I would like to know why we are spending more than 3 times our income, that just plain economic suicide?
- 2) The same for water, a greater revenue of roughly R46 million collected than budgeted for, but a loss of 32,37% of water due to leaks, which in turn means we are literally pouring roughly R20 million down the drain each month, as the Municipality still have to pay for that water. Why have you not used the budget funds for contractual services and/or outsourced services to compensate for the municipalities lack of resources to combat the backlog of water leaks?

If calculation is done you would see it would be cheaper to repair the leaks timelessly than to not spend the budget on outsourced or contractual services. Not to mention the wastage of an extremely scarce resource namely water.

Furthermore this could also be resolved if the inventory of the maintenance departments are replenished. The officials are constantly complaining of lack of parts and materials causing delays in repairs, so there should be no reason for the underspending on inventory.

- 3) Why did you not listen to us when we said that you over budgeted on the revenue from fines. We all know that there is no functional traffic department and that the law enforcement division is completely under staffed?

Which also begs the question, why are we still paying a stipend of R6,500 to 80 of the original 200 irregular appointed Metropolitan Police force sitting at home doing nothing?

7F

How on earth do you want to earn a revenue without an operational traffic management system and a total incompetence pertaining to internal control measures?
That comes from counting you chickens before they've hatched!

- 4) Why are you not using your grants? For a municipality that is grossly underfunded and battling to incur revenue from a growing debtors list currently only at 75%. One would think you would jump at the available grants and utilize them to their maximum capacity, yet the opposite is happening! Then to add insult to injury, only 28% of the available vote spend for the period has been utilised.

It is horrifying to see that with the current need for infrastructure, housing, land and settlements that the following grants have hardly been utilized:

- Neighbourhood Development Partnership Grant, 0% used (2,738,000 available)
- Public Transport Infrastructure and Systems Grant, 2,77% used (217,889,233 available)
- Informal Settlement Upgrading Partnership Grant 4,16% used (265,636,150 available)
- Urban Settlement Development Grant , 5,24% used (477,007,201 available)

Only 4,37% of a total of R936,270,584 has been utilized-absolutely shocking! Clearly the residents of Mangaung are not of any concern to this ANC governing party!

Madam Speaker, I once again respectfully request a written response to my questions above within the time period stipulated within our Standing Rules and Orders. Thank you, Madam Speaker."

Cllr B Vorster raised the following questions:

Page 6:

1. Why is there again overspending on overtime of more than R24 million in the first quarter.
2. What will be done to stop this overspending on overtime resulting in unauthorised expenditure?
3. Why is there overspending of overtime on the Metro Police again at over R2 million.

Page 14: why is there R1.3 billion unfavourable variance with regards to payment to suppliers and employees related costs?

Page 16:

1. what was done to collect the outstanding debt from government?
2. why are there not formal down payment agreement with government?
3. What key steps will be taken for the collection of the outstanding debts?
4. What plans are in place to collect the outstanding debts with regard to water, amounting to 37% of the outstanding debt?

Page 5: What will be done to improve the unfavourable revenue collection with regards to fines.

Page 17:

1. When will the internal audit be concluded with regards to the missing investments amounting to R100 million especially when the Acting CFO have been replaced?
2. What will be done with regards to the Emergency Risk of Security Services?
3. Why are the conditional grants not used?

Page 20:

1. What urgent measures will be taken to rectify the water losses of 32,37% for this past quarter?
2. The Municipality's profit with regard to water is flowing out in the streets.

Cllr MW Mongale raised the following matters:

- That what was happening to the company appointed at traffic to collect the fines, the traffic unit should have been issuing 341 tickets after 30 days, given notices and two (2) months later issued summons however none of the said processes had been happening which led to financial losses for the Municipality.
- That there were not sufficient traffic wardens and in addition why would the Municipality have a traffic warden still working at the age of 72 years, it should be investigated why still kept such person of that age.

Cllr IJ Makoloane indicated that the compliance report was submitted for noting and issues such as revenue collection and overspending on overtime needed urgent attention and therefore as Council, they should ensure that they come up with ways of using the finance of the Municipality wisely for the sake of the people of Mangaung who voted for them.

Cllr PJ Rampai addressed the Council as follows: "Madam Speaker and Councillors present, Bomme le Bontate.

Madam Speaker, there are many concerns that can be tabled on the items of today's agenda. Our main concerns are the poor quality of the day-to-day management of the Metro and the almost complete break-down of service delivery, almost across the board. Our worries were not laid to rest six months after CoGTA sent an Intervention Team, but unfortunately they were enhanced, by the figures of Preliminary Budget and Performance Assessment on the agenda. This report can unfortunately not be adopted; and I will name only a few examples:

Page 4 Bulk Electricity : Our first question already arises on page 4, where you have said, let us adjust our budget to take various factors into account for more accurate budgeting. Looking at the item 'Bulk purchases: electricity, it becomes clear that the adjusted budget does not differ from the original budget. Yet, when we look at the actual expenses to date, it is 41% more than the budgeted amount, even after you have adjusted the budget.

- How on earth is it possible to have such a huge variance, even after an adjustment?
- Did you even take the increase in price of electricity into account, or how can you possibly explain such a large variance?

7H

We understand that you will be tempted to say that you had an increase in the use of electricity, but your figures simply do not add up in such a scenario because you do not show a supporting increase in income which roughly corresponds with this variance. We simply cannot believe this without you significantly changing the books.

Page 5 Fines

Moving on to page 5, to Fines : We find your table on fines very unclear, since it appears that you have two lots of the same items. The first lot is not budgeted for, but we have movement and, at the second lot, you have budgeted for, but do not have any movement.

The questions therefore arise:

- Were these allocated correctly?
- If they were indeed allocated correctly, then why were they not budgeted for and what are the others?

We have three very straight forward questions here:

1. Why are dividends declared if a profit was not budgeted for, because dividends are only declared from profit made?
2. Dividends are paid from equity, not from Finance charges. It cannot influence your income and dividends do not belong here.
3. To whom did you pay R10 million in dividends without that you even show a profit?

On page 7, you report that you paid more than R676 000 interest this month alone on overdue accounts and more than R1.2 million interest on overdue or unpaid accounts up to date. Even last week you had to postpone this very meeting due to unpaid accounts. You cannot say that you don't have money because you report that you have money in the bank and we have just seen that you paid out Dividends. Why on earth then do you not pay your accounts if you report that you have money in the bank?

I will tell you why, Madam Speaker, it is because here at Mangaung Metropolitan Municipality, there are no consequences for any actions, that is why. If accounts are not being paid due to negligence, then propose very strongly that these interest must be claimed from the salaries of officials involved. We are actually busy to give account of what we are doing with public money here, we are not busy with the books of some clandestine Mafia gang.

Also on page 7, you have a table on 'Contracted Services per vote'. It shows an underspending and you are trying to make it look good, but financial figures have a language of their own, and these figures tell a different story. These figures tell us that work that need to be performed by the Municipality, is not performed. This is actually a very big red flag with regards to service delivery. Madam Speaker, another point of concern which underlines this red flag, is that we see later on that you have a R25 million overspending on overtime. This tells us that some persons must probably work overtime because contracted services are simply not delivered..."

The Speaker interjected as Cllr PJ Rampai speaking time ended.

Cllr CF Rampai elucidated that the Municipality performed poorly at 4.7% as the first quarter was supposed to be at 25% due to such issues: collection of traffic fines, sewer contractors not paid for the past financial year, appointment of three (3) security companies whilst they know that there was no money.

That next report must indicate why the Department had not perform as expected and the Acting City Manager must be hard on officials to ensure that they perform their work.

It was thereupon with 34 votes in favour, 28 against and 0 abstained

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 September 2022.
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 financial state of affairs of the Municipality.
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 Provincial Treasury, in both a signed document format and in electronic format.
4. Council take note that this is preliminary financial information, final Section 52 Report will be submitted after finalisation of the 2022/23 Annual Financial Statements.

4.

REPORT TO COUNCIL ON IRREGULAR AND FRUITLESS AND WASTEFUL EXPENDITURE IN TERMS OF THE MUNICIPAL FINANCE MANAGEMENT ACT 32(4)

Cllr JC Pretorius addressed the Council as follows: “Madam Speaker, Section 32 of the MFMA is clear on Unauthorised, Irregular or Fruitless and Wasteful expenditure and the definition that it is expenditure that was made in vain and would have been avoided had reasonable care been exercised. In the 2021/2022 financial year and the first quarter of 2022/2023 financial year the total expenditure noted as fruitless and wasteful and irregular amounts to over a whopping R175 million.

The Democratic Alliance welcome that the report will be submitted to MPAC and would like to point out some important issues to look into and investigate. A very disturbing fact from the report is that no steps have been taken to investigate any person or to recover the expenditure yet.

We note with concern that many of the wasteful expenditure was due to interest of late payments and that relates directly to the incompetence of the officials of this Metro. The DA would like to request a list of all responsible officials that was responsible for these late payments and the steps that was taken to recover the wasteful expenditure from these employees. Lets make something very clear, the money that officials are working with is taxpayers money, hard earned tax payers money. Its not monopoly money, its not the ANC's money, its not officials money, officials are earning huge salaries and they need to have respect for taxpayers money.

Another concern is that there is an overpayment of R24000 to Councillors and we do not understand how that cannot be recovered, again officials not doing their work.

After studying the Annexures in the report it was quite shocking to recover how two officials fruitless and wasteful and irregular expenditure amounts to over a whopping R34 million. Mr Nkaiseng from Corporate services fruitless and wasteful and irregular expenditure amounted to over R1.2 million and Mr Kgamanyane from Social Services fruitless and wasteful and irregular expenditure amounts to over R32 million.

This house will remember that Mr Nkaiseng was investigated and he resigned but was never criminally charged or monies recovered even though there was a resolution from Council. But let's quickly talk about our winner Mr Kgamanyane with his whopping R32 million. The big concern is that all these payments was towards security at the Municipality. This house and the residents will remember that this building was closed by numerous criminals and ghost workers this last year, while security was looking on and doing nothing.

Another red flag is one company by the name of Phiri Phiri Security Services that received three (3) payments of exactly the same amount that totals to over R6.6 million in the last financial year. No quote, No supply chain procedure followed just fruitless and wasteful and irregular expenditure. A company that is from Klerksdorp with 100% sole owner. The Sesotho word Phiri means wolf, and it made me think of the story with the Three Little Pigs. The wolf came into our house and blew all our tax money away!

Madam Speaker, The Democratic Alliance support the recommendations of this item, but would like to include recommendations (e) *that Council approve that an independent investigator be appointed to conduct an investigation into Mr Kgamanyane within a period of 30 days and that the disciplinary regulation for senior managers, paragraph 6(1) be applied.* Thank you, Madam Speaker.”

Cllr MI Mokoakoa supported recommendation (c) that irregular and fruitless and wasteful expenditure be submitted to MPAC as soon as the Auditor General of South Africa have finalized the audit for the 2021/22 financial year and the application of consequence management.

Cllr B Vorster remarked that the Freedom Front Plus asked the following questions:
“Honourable Speaker,

1. Why was there irregular expenditure of over R80 million in the previous financial year?
2. Why was there irregular expenditure of over R60 million with regards to non-compliance with the SCM process alone?
3. Why was there over R19 million of irregular expenditure due to contracts declared as irregular in the previous financial year?
4. Is it not acceptable that over R6 million were paid as fruitless and, wasteful and irregular expenditure due to interest on late payments in the previous financial year?
5. How there can be irregular expenditure of over R88 million for the first quarter of this financial year, already R8 million more than the combined irregular expenditure of the previous financial year?
6. How can it be allowed that the R88 million irregular expenditure for the first quarter is only due to non-compliance yet again, with the SCM process, already almost R28 million more than the previous financial year? And yet again, is there not a serious problem with the SCM?
7. Furthermore and most importantly, which steps will be taken in the SCM to avoid further irregular expenditure for the rest of this financial year, there is still three (3) quarters still left?

That the Freedom Front Plus noted the report and that it will be submitted to MPAC however, the most important question is, will steps be taken to investigate any person or recover these expenditures seeing that it will be fruitless if no action is taken. Will any official, HoD or MMC be held responsible for this irregular expenditure?

It defeated the whole purpose if the irregular, fruitless and wasteful expenditure is submitted to MPAC, MPAC then recommend steps has to be taken and then the whole process then stops with the Disciplinary Committee.

Honourable Speaker, the total fruitless and, wasteful and irregular expenditure amounts to over R175 million in the previous financial year, it is unacceptable for the Freedom Front Plus and this cannot continue. Thank you, Honourable Speaker.”

Cllr IJ Makoloane reiterated the purpose of submitting the report and concurred that it be send to MPAC for investigation.

Cllr S Sefaki stated that he wished that the Finance Minister was present as it was painful seeing the amount of money that went through the fruitless, irregular and wasteful expenditure and pleaded with members of Section 79 Committee: MPAC to give report back to Council and that all those responsible, will be held accountable.

The Speaker advised that with regards to the proposed recommendation by Cllr JC Pretorius, that in terms the Disciplinary Regulation for senior managers, Part 1 and 2 as well as Chapter 2, there was a process that must be followed and a report from the Acting City Manager and Executive Mayor must be submitted to Council and it would be then that Council decide on either precautionary suspension or whatever Council decided to do and therefore suggested that process be followed and it be in writing in terms of the Regulation upon the advice by the Speaker, Cllr JC Pretorius withdrew his proposed additional recommendation.

Councillors did not vote on this item as it was submitted for noting.

It was thereupon

RESOLVED

- (a) That the irregular and fruitless and wasteful expenditure incurred as indicated in the report is noted as required in terms of MFMA 32(4).
- (b) That the total irregular and fruitless and wasteful expenditure reported amounts to R175 575 213.
- (c) That an irregular and fruitless and wasteful expenditure be submitted to MPAC as soon as the Auditor General of South Africa have finalised the audit for the 2021/22 financial year.

5.

REQUEST FOR THE ESTABLISHMENT OF COMMUNITY SAFETY FORUM(CSF) WITHIN MANGAUNG METROPOLITAN MUNICIPALITY JURISDICTION

Cllr KC Moreeng addressed the Council as follows: “Madame Speaker, the Democratic Alliance takes note of the report and welcomes the establishment of a community safety forum in Mangaung. We would like the public to take note that the National Policy were approved by the then Minister of Police, Mr Nhleko on 26th of January 2016. This report is only tabled in Council on the day the HoD of Law Enforcement, Mr Israel Kgamanyane’s term expires and therefore we ask the following clarity seeking questions:

1. Why did it take the Mangaung Metro six (6) years to start establishing the Community Safety Forum?
2. Recommendation B reads that the Municipal manager will be mandated to operationalize and establish this forum, Mr Acting City Manager will this Forum be prioritising the same as the establishment of a Municipal Ombudsman in Mangaung?

To conclude Madam Speaker, I would like to remind the Acting City Manager that Mangaung is rated number 25 for most dangerous places in the world. I thank you, Madam Speaker.”

The Speaker stated that in the report, the composition of CSF included CPFs of which some Wards had active CPFs, Ward Councillors as ex-officio and therefore hoped that it would respond to issue as raised by Cllr KC Moreeng that Mangaung was rated number 25 of the most dangerous places in the world.

Cllr TJ Mogotloane addressed the Council: “Thank you, Honourable Speaker and the august house at large.

We must act as if we answer to our communities that have send us here to serve them, ancestors, children and unborn ones. Safety directly relates to socio economic development and equality and it is even considered a baseline for essential activities such as human development, education, improving quality of life and health, increasing productivity and strengthening socio cohesion. The provision of safety and security is also linked to infrastructure and access to sustainable livelihoods in the communities whether they be at urban, peri-urban or rural.

CSF are meant to facilitate at multiagency and intersectoral governmental approach on safety in the communities. An approach inclusive of responses of all Departments in the Justice, Crime, Prevention and Security Cluster and other relevant organs of state and civil society. Principles underlining the CSF include the following:

- Joint planning and budgeting processes
- Integrated service delivery
- Strong community participation and consultation
- A commitment to sharing of resources as well as community engagement and accountability.

Mandates and needs for CFS, the government priority for the JCFPS, i.e. joint Justice, Crime Prevention and Security Cluster is that all people in South Africa are and feel safe. There is a paradigm shift in government service delivery from silo attitude and silo mentality all inclusive and shared approach among departments and various stakeholders in line with the DDM approach. The government through cabinet mandate Civilian Secretariat of Police to develop and introduce a policy that will facilitate the establishment of CSF in all parts of the Country to give effect to the imperatives of working in a cohesive and integrated manner. CPCSFs must coordinate, integrate, facilitate a multisectoral crime prevention and community safety initiatives within the JSPS context to enhance the quality of life of local communities.

There will be a question regarding CSF as opposed to CPFs. Firstly, CFS are not intended to replace CPFs or any other existing forum/s. CSFs are aligned to Municipality boundaries whilst CPFs are confined to Police Station Precinct boundaries. CSF facilitate integrated planning and budgeting and service only as a coordinating structure while the CPF focuses on good relations between the Police and the communities. CSF is established and guided by the intergovernmental relations framework while CPF a SAPS Statutory forum.

CPF find expression in the following frameworks, legal as well as policy framework, the Constitution of 1996, South African Police Sector of 1995, Municipal Structures Act 117 of 1998, Municipal Systems Act of 2000 and Intergovernmental Relations Framework Act, Municipal Systems Amendment Bill of 2010. The policy framework includes the National Crime Prevention Strategy of 1996, the Community Safety Forum Policy, the White Paper on safety and security of 2016, the White Paper on policing of 2016, White Paper on Traditional leadership and governance, White Paper on local government as well.

Honourable Speaker, the main objectives are to coordinate, promote cooperation, synergize and integrate planning and budgeting between government departments and other relevant role players on matters of community safety and security. They must also facilitate in meeting with government, community partnerships, capabilities on matters of community safety and security like the one I saw you on Madam Speaker, on Facebook. I saw you with the Police in Ward 16 and Ward 2.

Strategically consult and engage communities through organisations to participate in planning, monitoring of safety, security interventions and in the development of local crime prevention plans. Strategically must start community plans to implement programs in enhancing community safety, security development program. There are also financial education, budgets for Provinces that must be considered within the equitable share which includes both safety projects and assistance towards the frame, administrative costs of the actual CSF level.

Municipalities will remain with the task to budget for administrative costs through IDP. Some Provinces have already started budgeting for CSF implementation. In the Free State out of the 23 municipalities, eight (8) are already implementing. Each Department will continue to budget for their respective projects according to its call, responsibilities or mandates. The National Police Department and the Provincial Civil Secretariat are responsible for budgeting, coordination whilst Municipality should avail the operational infrastructure. Municipalities must develop the safety plans which should be incorporated into Municipality's IDP..."

The Speaker interjected Cllr TJ Mogotloane as his speaking time ended.

Cllr NR Shale delivered her speech as follows: "Madam Speaker, rele caucus ya EFF re dumelana le kakanyo ya hoba le community safety forum ka hare ha makeishene a rona, ebile e le ka tlasa tsamaiso ya Masepala.

Re dumela hore ha e tlo etsuwa, ho be le transparency ka hare ho yona, re ntse re hopola hore ho ntse ho na le NGOs kapa di group tse ntse dile teng ka hare ha makeishene.

Re le caucus ya EFF re ka thabela hoba considered pele ho tsohle, le hore ha re tlo di establish ho be le screening process hobane ka hare ho tseeding, re nale batho bao ba sa etseng dintho ka tsela e molaong.

Re le caucus ya EFF, re support item ena hobane e le bohlokoa ka hara metse ya rona le ho bona ho ba le diphethoho communities tsa rona, le hore ba fumane stipend ho fedisa hlokeho ya mesebetsi . I thank you, Madam Speaker.”

Cllr VE De Kock delivered her speech as follows: “Thank you, Madam Speaker. Although Community Safety Forums (CSF) are very necessary in a lawless SA today, and especially Mangaung since the latest statistics show Bloemfontein under the top 25 dangerous cities, it is unfortunately not as easy as establishing a CSF and then expecting that everything will go better. If the root causes for crime are not addressed we can have twenty different forums and it will still not curb the prevalence of crime. Our economy is shot, many are jobless, hungry, despondent, with little future prospects, so the rewards of crime become enticing.

The biggest reasons for the high numbers of family and other violence as well as theft and crime in general are due to socio-economic conditions that in most cases drive people to do so. Imagine sitting next to the road, early every morning, eagerly waiting to be picked up for a day-job – comes 4 ‘o-clock – you are still waiting, you have to walk home, knowing that a hungry family is waiting excitedly for you to return with food... What are your options ... go home empty handed, or quickly steal something to feed your family with? It might be right to invest in a CSF, but the National, Provincial and Local Government must create a healthy economic climate that provides job opportunities and financial security so that fewer people are socially dependent and will be less likely to be dependent on crime in order to survive.

Then we also need political will, effective leadership at all levels. We need to end corruption and re-create an effective police-system and an effective criminal justice system where laws can be enforced and transgressions can be properly prosecuted. This Metro cannot even effectively discipline workers that are unruly, damaging property, threatening managers’ lives, etc. without political interference or being overruled by unions.

We also need a zero-tolerance of all petty issues, like speeding, littering, skipping stop streets or traffic lights, the way taxis drive, etc. But how can we monitor and enforce policing over this if three quarters of our traffic lights don’t work, traffic signs are damaged and road markings non-existing or traffic officers are not equipped with tools of trade.

We had to take note of the fact that there was no provision made for the unblocking of sewers in the budget – if there cannot be budgeted for such a basic item, how will there be a proper budget for an effective CSF function?

We do not think that the establishment of a CSF is a bad idea, we would like to support it, but, first of all, get current systems in Mangaung to function properly, we cannot start policing citizens, if our house is not in order. We cannot want to have a forum in place that will keep citizens accountable when hardly any department in the Metro is functioning properly – and nobody is kept accountable for the actions that led to the current state of disaster in this Metro.

To close off with, the recommendation of the then Acting Secretary of Police in his report stating that the CSF policy signed off on by Mr Mthethwa has been “misplaced” is a textbook example of incompetence - a policy is not an isolated document in one person's possession that can be misplaced. If this is the quality of the apology that the ruling party offers, it speaks volumes and the rest of South Africa has cause for concern. Thank you, Madam Speaker.”

Cllr NP Monyakoana asked clarity questions that as the Municipality did not have Metro Police, how would the Community Safety Forum be operated and how would it be linked to the Policing Forum and which office would they be reporting at?

Cllr MW Mongale addressed the Council: “Thank you, Madama Speaker. We have heard that this is a product of a white paper, and also of national, but there is also some questions on why National Treasury has never put CSF in their budget and if it is a decision that was made in 2016, but to date there is no commitment on the side of National Treasury to make a budget, I am afraid that we are going to have a CSF, its finances is going to be on the shoulder of Mangaung Metro Municipality.

When one look at the Department that are going to be involved in the CSF, none are in a good financial condition e.g. the SAPS, they do not have vans for normal visible policing or even investigate a crime, the police at the station will even say they are waiting for a van as they are running short of vans.

Now with CSF, I can assure you that, they want in Mangaung Metro, not because they have interest of the community of Mangaung, but because they want Mangaung to carry the burden of those departments that are failing including SAPS because Mangaung is the one that is going to fund SAPS operations. And now that is Mangaung Metro, we would start to year “*operation*” what-what, all of them with one purpose, just to show that at least there is something that they are doing, but knowing that all the expenses, there is a political instruction given to the Executive Mayor that, he is the one who must foot the bill, and he don't foot the bill, he knows what would happen. That is exactly what is going to happen.

It is an unfortunate situation that this item is introducing at the time when the Municipality is under financial recovery. I wish it could have been introduced earlier; it is a brilliant idea, but it should also not be taken with emotions to say, we are just going to do it, we should also have a way even if we want to comply, of cutting things to say the roles must be clarified. Who is going to pay what, who is going to carry what costs and no party should carry the cost of another party. In that way it would work, or else I can assure you, you will hear about 12 or 20 meetings there is no quorum because people who supposed to be at the party are not at the party because they don't have money and they are waiting for Mangaung to foot the bill.

I want to bring that caution but I don't want to undermine an effort of a good job because the crime in the township, is very disturbing, all of us we know and we are also not safe as Councillors in this Council. We have just seen it today that someone have just entered here, who happens to be a community leader and most of us Councillors are not wanted by community organisations, our safety is in danger and we need this CSF. I will persuade other Councillors who don't want it, that we need it.

We only need to regulate our spending, that we should not spend on behalf of others, every party that comes to CSF must carry its own burden. If they do not, they must explain why not because this is a legislated matter that we all have to comply. But our safety is a matter of priority, the community safety is a matter of priority. If you can go to the township, I can assure you, most of us, who are sitting here, will not enjoy the environment that they would see there in the township. It is no more a place for people to be settled, it is not habitable, it has become a dangerous place.

I will not dwell in statistics but I will say anyone who challenge this, let us go to the township and I must leave you, and not walk with you and see what happens to you because this is real Madam Speaker.”

It was thereupon with 68 votes in favour, 1 against and 6 abstained

RESOLVED

- (a) That the Council approve the establishment of Community Safety Forums in accordance with the White Paper (2016) on Safety and Security and Committee Safety Forum Policy of 2011.
- (b) That the Municipal Manager be mandated to operationalise the establishment of the Community Safety Forum within Mangaung Metropolitan Municipality and report back to Council.

6.

REQUEST FOR COUNCIL APPROVAL FOR THE ESTABLISHMENT OF STRATEGIC RELATIONSHIP WITH INSTITUTION OF HIGHER LEARNING IN THE MANGAUNG METROPOLITAN MUNICIPALITY (MMM) JURISDICTION

Cllr T van der Walt addressed the Council: “Thank you, Madam Speaker. I am a proud alumni of the UFS and that the UFS alone injects more than R3 billion per annum to the economy of Mangaung. Furthermore, there are most probably more residents employed at UFS than the entire Mangaung Metro Municipality. The presence of UFS and similar institutions are not only crucial for the survival but also for a thriving Mangaung Economy.

Furthermore, myself and the DA has regularly called for stronger, more structured cooperation between MMM and these institutions. In 2016, the DA asked that councillors should rather be trained at the highly acclaimed UFS Governance and Political schools. This proposal was ignored, and councillors attended qualifications at UFH at massive costs.

However speaker there are also a number of crucial failures on the part of the UFS and Municipality in terms of their interdependencies.

Let me mention four examples of failures speaker:

1. Traffic Impact:

- a. Nelson Mandela Bridge/Traffic Light > both UFS and Mangaung did not plan for increased pedestrian traffic over Nelson Mandela, only when lives are lost the blame game between Mangaung and UFS arts. To date the promised smart pedestrian traffic lights or pedestrian bridge has not been implemented.
- b. CUT Pedestrian Bridge, 100's of property items haven't come to council in the past 5 years, including this item which needs the council to approve air rights for the construction of a pedestrian bridge on a very dangerous road in the middle of CUT campus
- c. Kornalyn Street 0.05 parking ratio after advertising for comments with a parking ration of 0.6. 12 times lower. There are already constant traffic jams around campus which has a 0.3 parking ratio. With this ratio traffic will be permanently stuck. This is a illegal decision.

2. Bylaw implementation:

- a. Noise
- b. Traffic
- c. Drinking
- d. Accommodation
- e. Illegal Businesses – business has paid millions to obtain a legal right to carry on business, while other people agree simply allowed to open a business in a residential property without any permissions or compliance. Used for illicit trades as confirmed by SAPS, CPF. Law enforcement (gun pulled on them) and economic development dept.
- f. Informal Trading – dangerous and illegal places in contravention of the traffic act.

3. Student Accommodation:

- a. UFS has about 4478 students residing in “accredited off campus accommodation in MMM” while approximately another 10 000 resident in non- accredited accommodation. The first question would be how has UFS accredited so many student houses if there are barely 30 legal student accommodation establishments in terms of the MMM land use scheme. This means UFS are accrediting student houses that are illegal in terms of our Land Use scheme and this allows at least R89 million in rent to flow from NSFAS to owners of accredited illegal private student accommodation. Many of these have no approved building plans and do not comply to normal architectural and health and safety guidelines. Which is a danger to the inhabitants
- b. While these owners and UFS get filthy rich off vulnerable students, due to failure to properly plan for the increased student numbers by UFS for the past 30 years, the massive costs of this failure are simply pushed off to the residents in the surrounding neighbourhoods who are many times forced to endure days on end of parties, music, screaming, drinking in public, regularly overflowing sewage in their yards, increased crime due to the attractiveness of students for criminals, traffic problems and many more unintended consequences of this student accommodation
- c. Further Cost of failure to plan and cooperate for infrastructure and strategic planning is being shifted from UFS and Natl Dept of Education and UFS to MMM Planning, Engineering and the community surrounding the UFS.
- d. At the latest meeting between the Ward Committees of surrounding Wards and UFS HRA, they indicated they are not interested to develop any further high density on campus student accommodation due to “lack of infrastructure capacity”. We have made a proposal for years for a Public Private Partnership for high density off campus student accommodation on the land belonging to FSPG adjacent to UFS land with infrastructure upgrades by Mangaung ...”

The Speaker interjected as Cllr T van der Walt speaking time ended.

Cllr LN Lecoko stated that he did not agree that MoUs be signed without been checked by Council, and therefore recommended that they should be resubmitted with details on the MoU.

Cllr MW Mongale said indeed it was a good document however it needed another role player, which is CENTLEC. The Speaker then confirmed that CENTLEC should and would be part of all the processes.

It was thereupon with 69 votes in favour, 0 against and 5 abstained

RESOLVED

- (a) That the Council approves the signing of MoUs with the UFS, CUT and Motheo TVET and
- (b) That Council be provided with quarterly reports on the signed MoUs.

7.

MACRO ORGANISATIONAL STRUCTURE FOR MANGUANG MUNICIPALITY: MUNICIPAL COUNCIL TERM 2022 – 2027 FINANCIAL YEARS

The Speaker mentioned that the structure on political offices was separate and the administration was still working on it and it would be submitted at a later stage i.e. next Council meeting and that the Council would be dealing only with the Departments Macro Structure.

Cllr PA Lotriet mentioned as follows:

- That the recommendation indicate that Council must note the savings, endorse reconfiguration and approve the reviewed macro-structure. That the item was submitted to the relevant Section 80 Committee.

To note savings

- That Council must note the theoretical savings in rationalisation of Department and that the fact that the two (2) HoDs were acknowledged, it did not reflect the amount of cost inflation in GMs and other officials.

Endorse reconfiguration

- The staff regulation are explicit and reconstruction is meaning full and the structure support the Turn Around Strategy (TAS), and that it was Council's last opportunity to focus on discipline inside the Metro.
- That currently laws are not enforced.
- That the HR Department was the important driver for the TAS.
- That the position of Ombudsman in the macro structure was not considered and therefore, the item be referred back to the relevant Section 80 Committee before the first week of December 2022 and therefore support the item.

Cllr M Thompson addressed the Council: "Madam Speaker, the purpose of and plan with this Macro Organisational design is to rationalize and streamline the staff component of the Mangaung Metro Municipality. And though we note the savings of apparently R16,7 million something which remains to be seen, it is still not nearly enough. Much more can be done and much more can be saved in this regard.

The Freedom Front Plus notes that the component of the political office staff of this Macro Organisational design is outstanding and await the tabling thereof. Which in its current form as approved by the ANC majority in the Corporate services committee perfectly illustrates the ANC's skewed and irrational priorities.

We further note that the number of directorates in the municipality will be reduced from nine (9) to seven (7). It will not help to reduce costs if those staff from reduced directorates and positions are merely redeployed in other positions; duplicating work and staff expenses. This is most worrying for it does not help to reduce directorates on the one side to cut costs only to go adding other posts and redeploying staff into other positions at the same exorbitant salaries.

Then paying large severance packages in order to avoid legal repercussions in a situation that the Metro itself has created by employing an unnecessary large and expensive staff component in the first place.

Madam Speaker, we have been warning the governing party for years that it is not the job of government to create jobs, but to enable job creation, your own President even confirmed it during his SONA speech! And what we are seeing here today, the very need for a Macro Organisational design and rethink of the staff component is a direct consequence of the state employing and employing and employing at ridiculously large packages that are ever increasing and have now become unsustainable. This seems to be merely a band-aid on the gaping wound where Mangaung Metro Municipality is bleeding money month after month. Treasury confirms this.

And Madam Speaker, while we are on the subject of excessive, it is a crying shame that an HoD in a Municipality that is functioning as poorly as this one is paid more than R1,8 million per year. This is more than what is earned by a mid-level police officer, a nurse and teacher combined. Shocking to say the least! Even if you are doing your job, this is excessive. Be that as it may, at the current moment we can pay them anything, but if the posts are not filled, the work won't be done.

Madam Speaker, Honourable Executive Mayor and City Manager when will the appointment and contract finalization of the Heads of Departments be completed, will it be end of February as said this morning? We cannot afford the uncertainty of pending collapse of service delivery once the intervention teams clear out. Why is this process not prioritised?

In conclusion, we welcome any attempts to save on excessive expenses and to ensure better management in the metro, but any and all cost saving measures will be futile if costs are saved in certain departments, but excessive expenses are incurred in others. Thank you, Madam Speaker."

Cllr MA Morake addressed the Council: "in terms of Macro, we cannot integrate Planning and Human Settlement. Human Settlement or Housing is an important service delivery arm of local government. The evidence of this is service delivery protests across the Country which are shoeing the importance of this function at local government level. I am sure SALGA shares these same sentiments when it comes to the housing function.

As early as 1996 the Constitution envisaged that through continuous capacity building at local government level, housing will finally be transferred to local government. Section 156(4) of the Constitution states that the national and provincial government must assign to a municipality, subject to any condition, the administration of a matter (which is housing) listed in part A of Schedule 4 or Part A of Schedule 5 which necessarily relates to local government, if (a) that matter would effectively be administered locally; and (b) the municipality has the capacity to administer it. The Accreditation and Assignment Programme serves as a continuous capacity building and support mechanism for municipalities until they are ultimately assigned the housing function.

Remember as this Council, we have applied to be accredited as housing developer and it has been gazetted by Provincial Government, it is only at National that we are not yet assigned with the function. Therefore, for us to say we put housing under any Department, we would be reducing its importance let alone that there are mushrooming that informal settlements that need specific and urgent attention and also there is an advantage in terms of the 2030 vision that we are getting Urban Settlement Development Grant as Metropolitan Municipality.

We therefore say, let us build more on human settlement and housing, land, title deeds, informal settlement upgrading, addressing the gap and social housing, rental stock etc. This can be a co function of the Municipality and a method of income and revenue generation. I therefore say, let housing and human settlement stand alone. In the Office of the City Manager, let the HoD also be responsible for the district model, we need to give proper attention and priority on the issue of district model because it has long term benefits to the City. I support the structure to be passed here and we are able to employ HoDs and not leave skeleton Municipality that is under Section 139(7). Thank you, Madam Speaker.”

Cllr CF Rampai was in support of the proposed structure which is inline with new regulation and gave a picture of what type of the administration would the Municipality have.

Cllr JI Mokoena remarked that the structure is what would enable the Municipality to execute on its strategy. That the generic structure was based on some other considerations and therefore they can accept and note it but not to tie Mangaung in such a way that it talks to the IDP and Strategy. That he understood the importance of accepting and approving the Macro Structure but not sure about the core responsibilities of HoDs that at this stage, as there is limited information, the Municipality must keep its options open.

It was thereupon with unanimous votes.

RESOLVED that Council

- (a) Note cost savings associated with the reviewed macro-organisational structure in accordance with the Municipal Staff Regulations (MSR).
- (b) Endorse reconfiguration and redesign of the macro-organisational structure for Mangaung Metropolitan Municipality.
- (c) Approve reviewed macro-organisational structure with reduction of Heads of Department from nine (09) into seven (07) aligned to the Municipal Staff Regulations (MSR) come into effect 01 July 2022.

8.

ESTABLISHMENT OF MANGAUNG METROPOLITAN MUNICIPALITY TRANSPORT FORUM

Cllr T van der Walt stated that the implementation of the item was the most important part and seeing that there were no financial implication, therefore they would vote in favour of the item.

Cllr VE Jonas-Malephane stated that roads in the Municipality needed attention and the purpose of the program is to create an environmental at all levels of industries where all transport and land issues are discussed and this was a requirement of National Lands and Transport Act No 5 of 2009 and it will be chaired by the City Manager and supported by three subcommittees.

The objective and function of the Forum will be on the following: to attend to all matters related to public transport, operating licenses, rules and determination of transport to empower communities on Passenger Transport Policy making and planning to make inputs, comments and recommendation on all governments plans related to public transport and to promote and plan for the use of non-motorized transport.

Cllr M Thompson remarked: “Madam , Speaker, it all looks good on paper, and it is exactly what the metro needs, but is it just going to be another ANC project. It is promised that the project will promote a safe, secure, reliable and sustainable public transport system, but will it be maintained, as historically the ANC proved that it cannot fulfil its promises to the public.

- To ensure that land passenger transport operations are more environmentally sensitive, sustainable and energy efficient, how is it going to be done?
- To identify problems and possible solutions with regards to road and transport infrastructure development and maintenance,

I think that this should be the starting point for this project, as the currant state of the roads in Mangaung is a danger to be on, by car, truck, foot or bicycle, if we don't start with this, the project is just as good as the paper it is written on. Thank you, Madam Speaker.”

Cllr MW Mongale indicated that it was brilliant idea however the current infrastructure was not in a good condition, that the Municipality needed to find a way on how to respond to the financial challenges that might come with new transport system as it was known that once a matter is brought to Council, there will be financial implication. The infrastructure and financial situation of Mangaung raised questions that whether the forum would be able to deliver its mandate.

Cllr MC Lelala raised a concern that the Municipality only do things for compliance hence the establishment of the forum and thereafter do not bear any fruits and therefore hoped that the forum would resolve issues of the taxi rank. That it be considered and noted that Mangaung did not have weighbridge, every vehicle would then enter the Municipality, furthermore the by-laws put in place were not implemented. Roads in the Municipality were in bad condition, that the Provincial Department were collecting money, but not at the benefit of the Municipality.

The Speaker indicated that the Transport Forum will advise on all issues Councillors raised and three (3) members from the Ward Committees were expected to form part of the Forum.

It was thereupon with unanimous votes.

RESOLVED that Council considers the approval of the

- (a) Mangaung Metropolitan Municipality Transport Forum establishment.
- (b) Mangaung Metropolitan Municipality Transport Forum Constitution.

9.

EXTENSION OF DEPLOYED NATIONAL INTERIM MANAGEMENT TEAM AT MANGAUNG METROPOLITAN MUNICIPALITY

The Minister of Finance: Mr Enoch Godongwana thanked the Council of Mangaung for the opportunity to address it and the following were highlighted, namely:

- That when he was addressing the Council the previous time, it was not their intention to be in Mangaung forever but it depended on how the intervention was dealing with issues.
- That National Intervention is not ideal especially in Metro as they have capacity to raise revenue and employ quality staff and be effective and National come at an tail end of the process.
- That when Provincial Intervention took place, issues deteriorated hence the National Intervention which should be short as possible.
- It requires intervention, cooperation and throw affords in addressing the problems so that national government move away.
- Thought by now, would have City Manager and HoDs, have ensured that by end of November would have the City Manager for stability.
- That it was critical that there should be a managed interphase between the administrative and political sides to avoid issues of meddling, as the administration recommend and the political side decide on the recommendation.
- That in the last few months, progress had been made and it is reflected in governance issues, basic service delivery issues are also been attended however it did not mean the City was out of the woods yet.

Mr Jan Hattingh, the Chief Director: Local Government Budget Analysis at National Treasury indicated that due diligence were done on Ms G Malaza as well as Mr M Nkosi who would be replacing the two NCR Team members.

Minister further explained that with regards to the Acting CFO, the current incumbent had not intended to be in Mangaung for long taking into account that his period was also extended however the Executive Mayor and the Speaker asked whether it was a suitable period to change the Acting CFO as the Municipality was in the middle of audit.

Cllr DMC McKay delivered his speech as follows: “Thank you, Madam Speaker. As this item is again only for noting, I just want to briefly sketch the background to my questions. I want to clearly state that the DA agrees that it is of vital importance that there is continuity in the intervention team leadership and that it will be futile to change out all the positions with new bodies. This has been clearly outlined in the letters from the various ministers as well. However the continuity I am referring to is that of positive reinforcement, well planned and executed development and turn-around strategies that have been implemented and cannot just be left to fend for themselves if the positions are all changed, for as we know council committees are still not all sitting (Human settlements for one); Grants are still not being spent; debt recovering is staggeringly low; infrastructure maintenance and repair is basically at a standstill and refuse collection is sporadic.

This brings me to the following questions:

- 1) Apart from the department of Fleet and solid Waste How many of the other HOD's have developed and implemented any such turnaround strategies in their departments?
- 2) And if they have, why have they not been communicated to councillors and residents alike? Communication is key to getting the buy-in of Councillors, residents and officials alike. it does not help keeping turn-around implementation strategies a secret as no-one will support it because they did not know about it
- 3) The Department of Engineering and Infrastructure is far too much for one man and a bi-weekly visiting Engineer to turn-around. The department is riddled with alleged corruption, lack of resources, uncooperative staff and political will. I am afraid that they will once again be out of their depth. That department needs 4 intervention management specialists, each in the respective fields of sewerage, roads, water and storm-water drainage. Once it has been derailed of alleged corrupt officials and brought back to standard operating capacity, then it can once again be maintained by one HoD. I strongly advise you listen to our advice and request more assistance. Failing that, the Municipality will be in a worse position in six (6) months.

That said when can we expect a written turn-a-round strategy from the returning HoD, Mr Wallis McLeod and incumbent bi-weekly Engineer, Mr George Joma?

Can we also expect better communication and liaison with these two gentleman, pertaining to respective issues in our Wards? Will they use the grants available to improve the infrastructure in Mangaung Municipality?

- 4) Madam Speaker, I have to ask if this team was only meant to stay for 6 months from the start, why then was their no attempt to advertise for HoD's and why was there no 90 day handover contingency plan put in place from the word go?
And finally, why was there no urgency for the MM still not been appointed. A permanent MM could of potentially brought stability to the various department and definitely to procurement and day-to-day operations? I fear I will be asking this question again in December, Mr Executive Mayor please take note.

Madam speaker, I once again respectfully request a written response to my questions above, within the time period stipulated within our Standing Rules and Orders. Thank you, Madam Speaker.”

Cllr ZMC Campher delivered his speech as follows: “Honourable Speaker. This is a very important Item, and one not to be taken lightly. I only have 4 questions which I would like to ask through you, and I would like written responses as the Standing Rules and Orders talks to.

When reading through the documents one cant help but see a sense of urgency being portrayed. The same sense that was painted on the 20th of April 2022 when Minister Dlamini-Zuma addressed this house, making more or less the same commitments. I for one remember thinking that, should this be pulled off, I should find another job because the ANC would have turned their ship around.

10B

1. My first question, through you Madam Speaker, is on the position of City Manager, to the National Cabinet Representative. The Minister had committed specifically to the appointment of a City Manager. As the most important position in the Administration one would expect priority on the matter and to date, after thousands of tax money being spent on adverts, we sit with a Acting City Manager that does not give councillors the time of day, never mind this council and its constituents. Will it take the full length of this extension to give us stability through our own City Manager? Yes I see that the commitment is for end of November but my faith in the execution is 0.
2. My second, Madam Speaker, the document states that should senior manager positions not be filled, National Government will have to look at other remedial options provided for by the constitution to reinforce the National Intervention. Should you as the National Council Representative and your updated team not be able to do so – will this council face the full force of the Parliament and the constitution or will it be career limiting to you and your team? We need to insure accountability management.
3. I have good relationships with Municipal Staff, Madam Speaker. Currently, there is a general feel that the Intervention team disregards Municipal staff to the degree where most are left feeling, as we in the opposition benches do, as rubber stamps. My third question is to ask how will the facelift team include current staff in their processes? These are hard working individuals that earn their keep, deserve to be allowed to do what they have been employed to do.
4. My last question is that As a Council, the Parliament is aiming to hold us accountable to what happens in our municipality, and rightly so. We, however can only act on what we know. Rule 38 questions are poorly answered, if at all, council meetings are ignored and disregarded by those the very Parliament has put to pull things back in line. Ms Gugu Malaza, through you, Madam Speaker, to what degree will you inform this council of the doings of the facelift team? It is imperative for us to work together, should this Municipality be saved from itself.

May the voters take note of these warnings. Madam Speaker, I thank you.”

Cllr JI Mokoena remarked:

- That he assume that all were on the same page in terms of intent to change the lives of people of Mangaung hence in April 2022 there was an intent to get Mangaung Municipality in order.
- That whether the National Treasury did its own vetting to ensure that the people who were brought to Mangaung Municipality were fit and proper and were here to assist the Municipality?
- That as we all lived in South Africa and heard things flying in the media, it was advisable that abridged resume of both Ms G Malaza and Mr M Nkosi be provided to Council for verification purposes so that all Councillors were comfortable with a team that have the interest of the people of Mangaung.
- That there was mistrust and despondency by the people of Mangaung on the Council and all Councillors were trying their best to be able to repair what the community were feeling about the Council.

Cllr E Snyman van Deventer agree with what had been raised by Cllr JI Mokoena and further remarked:

- That when one do a quick internet search, disturbing information on both Ms Malaza and Mr Nkosi surfaced and that was troubling and ask if that was the ANC redeployment as it would not serve the people of Mangaung?
- Factions – interference from outside, glad that you are solving the problems, however what they received in MMM culture of staff official and Council be interfered by ANC, seen WhatsApp frying around that S, DEM and EM replaced by other people.
- That there were a number of 'gossip', that the end results for the whole process was for ultimate dissolution of Council and by-election in June 2023 and therefore this did not contribute to the stability of Council.

Cllr JE Sebolao pointed out the following:

- That when the Minister introduced the report he indicated that it was not their intention to stay long in Mangaung, and the Minister of CoGTA stated the same, however the intervention team was still in Mangaung.
- That with regards to quality of work provided to Mangaung, the problem was cadre deployment hence the Municipality is in such a state, politician instruct officials what to do.
- That when did the two members started working in Mangaung, has there been any decision that they took in office, because as Councillors, they see them for the first time in Chamber.
- that it was disturbing that Mangaung was seen as instable and other Municipality were stable, and why were people parachuted to Mangaung; whilst there were allegations of things they did, Mangaung needed to be taken serious.

Cllr PJ Rampai asked that as the Municipality was looking for quality leadership, where there no people who would qualify to can do the work in Mangaung if the Minister was bringing people from the outside, and that the appointment of the City Manager was long overdue and the process thereon be properly done and by end of November 2022 and whether the City Manager would be appointed from outside the Free State Province or would it be someone who knows the Municipality and its community and would give proper service to the communities?

Cllr CF Rampai remarked:

- That on what the Minister indicated on the progress made in Mangaung, they had different views because what he saw at Ward level was not what progress entailed. That progress should be judged based on what the people on the ground were saying and seeing and the fact that sewer was running for the past four (4) months to date in Freedom Square, did not signify progress. That things were getting worse since April 2022.
- That on the interphase of administration and political referred to by Minister, it was true that it should start somewhere and as a Councillor, he interfaced on daily basis with the residents in his Ward.
- That where in the world have one seen that a private company was taking responsibility on a public institution and therefore this matter should be subjected to a legal opinion.

- That where was the leadership learned on this matter?
- That why would there be all the noise coming after the two names and can the Council be allowed to vet them before being allowed to touch the Municipality's money?
- The former Acting CFO was given a task to investigate the R100 million that disappeared and as yet no report has been submitted including the R200 million on the housing project. Furthermore that the Acting City Manager keep his eyes closely on the Vista Park project.

Cllr NP Monyakoana supported the recommendations by Cllr CF Rampai and further remarked.

- That the Minister was back again in Mangaung with the same issues as then. That it was now November 2022 and he came to introduce the new team however there were serious contradictions to what the Minister indicated that there was progress. Therefore why were they making changes if there was progress?
- That other Councillors had been raising issues however as a Cllr in Mangaung, he felt that the Municipality had been regarded as a dumping place. The Minister had not make time to speak to Councillors but only spoke or came when he wanted to make changes.
- That in April 2022 he asked whether the money that was taken from the Municipality would be returned however the response was no
- That they previously requested to be provided with CVs of the HoDs and it was not done and their experience (HoDs) was not seen because the Municipality was still where it was before.
- That whether the reason for changing the Acting CFO was it because he indicated that the money disappeared?

Cllr PL Seleke asked the following questions, namely:

1. Why was the Ministers bring new people if the Executive Mayor had assured that there will be a new City Manager by end of November 2022?
2. Why would the Minister change the intervention team if they had done well?
3. That Ms G Malaza had already signed the documents of Council including the agenda when it was only then (i.e. on the 7th November 2022) that the Minister was introducing them.
4. That the Minister spoke about progress in Mangaung however the people of former Naledi Municipality had been without water for the past two (2) months.
5. That they were still awaiting the report from the Acting CFO on the missing R100 million as well the report from the NIT.
6. That Councillors who viewed their opinion in Council, they would later hear that they were fired or suspended in Council.

Cllr MI Mokoakoa stated that, change was not yet necessary for Mangaung and therefore the officials previously seconded should remain. That the Free State Province brought the intervention team however they left the Municipality without submitting anything to Council. Furthermore that both Ms G Malaza and Mr M Nkosi had bad record but they are brought to Mangaung, thus not fair for the Municipality.

Cllr JC Pretorius raised a concern that when the intervention team came, they send out a memo indicating that all contractors were cancelled and thus leaving the officials without resources. That issues such as prepaid water meters, sewer and water leakages needed to be dealt with on daily basis and therefore not having contractors created a vacuum and also officials were not assisting as they indicated that there were no resources nor have the know-how to undertake the work. That the Municipality should get rid of officials who were not working, and even some of the HoDs were assaulted by officials, and that was not right.

In responding to issues raised by Councillors, the Minister and Mr J Hattingh explained:

- That social media issues were not considered by Treasury when doing the work because Ms G Malaza and Mr M Nkosi, between the two (2) of them had a 20 year local government experience and they were never found guilty in the court of law for any alleged misconduct. That in terms of the Accounting Profession, one would not need to be found guilty in the court of law however there were ethical issues e.g. if one is a Chartered Accountant (CA) could be struck off the profession.
That Ms G Malaza on ethical issues as a CA professional was not found guilty nor in the court of law and being fired did not imply that one was a bad official.
- That what was important for National Treasury was to bring the team which was on the same level as senior managers i.e. HoDs level, and the Minister of CoGTA was agreement.
- That the fact that the National Government brought two (2) new persons did not change the Term of Reference (ToRs) for the National Intervention Team (NIT), that the role of the NCR was to verify and endorse the decisions made by the administration and Council. The NCR responsibilities was articulated in the ToRs.
- That historically when a municipality was under intervention, only one (1) person would be deployed however this would not work for Mangaung hence a team of experts was send to assist the National Government to oversee the intervention process and implementation of the Financial Recovery Plan (FRP).
- That the change in the team remained the National Government prerogative and the company would not be running the affairs of the Municipality but assist in the implementation of FRP.
- That the effective date was the 1st of November 2022 and as National Government they hoped to attend the previous Council meeting.

Cllr GJ Lipale on a point of order indicated that he was in disagreement with what the Minister said and that he was misleading the public that some of those people were suspended due to the Auditor General's report, the AG being a professional and an expert in that field. That Council and public should not be misled by the ANC factional politics and the AGs report. That the Minister was comparing the apples with bananas.

The Minister thereon stated that he would step off the comparison and stick to the ethical issues.

- That if indeed everyone who works in government would undertake all kinds of things, audit queries etc and if there was ethical issue relating to an audit query, the issue would probably be with the accounting profession and she would not be a CA.

- That indeed they had not had interaction in past few months with Councillors of Mangaung.
- That operational issues which were raised need to be attended to.
- The relationship between the NIT and the Acting HoDs be strengthened and meet on a weekly basis (preferably Mondays) to work on the plan for the week. There should always be direct and robust interactions between them. That they were not happy that there was still no City Manager in Mangaung.
- That it was a concern that Councillors felt that they were ignored by the administration which was something that should be dealt with, because Council had to undertake political oversight over everything in the municipality and that there were no intentions, plans nor basis to dissolve Mangaung Council, as they believed that the Municipality was starting to work together.
- That on the deployment of Ms G Malaza and Mr M Nkosi, he dismissed the issue saying that it was cadre deployment, that the party did not deploy the two (2) officials but they were brought in Mangaung purely on procurement processes done by his Department based on capacity, skills and experience and as a Minister he was not involved in that procurement process as stipulated by law.
- That he was in agreement that occasionally the interphase roles on political and administration tended to blurred and thus ending up been in difficulties with the law .
- That he could not guarantee that the City Manager would be someone in Free State Province or outside and that his function was only to ensure that the people who were responsible for the selection process of the position of the City Manager were actually doing their work for Mangaung Council to appoint a City Manager.
- That if the people who were doing the work previously were no longer part of the team or being replaced due to employment opportunities elsewhere etc, it was not fundamental.
- That it was no right that Councillors were intimidated for their views and that such actions would destabilise the Municipality when things were starting to “gel” and political tensions were attended to; which then affect the work that was already in progress.
- That the report of the Acting CFO must be provided to Council.
- That he would be investigating the cancellation of contracts as it created a vacuum, which then delayed services to be delivered to the community.
- That with regard to HoDs being assaulted, those responsible must be charged.
- That more information/ report was needed on the three issues referred to by Councillors i.e. the R100 million that went missing, the R200 on housing projects and the Vista Park Project were raised for the first time including cancellation of contracts for the Department to know what was happening on those issues.
- That his appeal to the Council and administration, is to ensure that they strengthen the communication between Councillors, HoDs, Mayoral Committee, TROIKA, so that Council was properly informed and that the Minister would be back to Mangaung Council at their next Council meeting at the end of November 2022 to answer some of the issues raised regarding the R100 million that went missing, the R200 million on housing projects.

The Speaker thereafter summarised the recommendations as in the agenda, taking into account the two letter received from both Ministers of Finance and CoGTA as well as additional proposals raised by Councillors during the deliberations.

The Speaker gave clarity with regards to the question raised by Cllr DMC McKay that Engineering Department was in need of more specialists, that in one of the letters submitted (Annexure B, page 12 – the last bullet point) it was stated that the Executive Mayor should identify areas where technical support was needed from National Government.

Cllr PL Seleke and Cllr NP Monyakoana were dissatisfied with the fact that the NCR, Ms G Malaza was able to sign documentations including the Council agenda even though Council had not yet approved the replacements. Cllr NP Monyakoana continued to ask why were they bringing someone to Mangaung Municipality who still had issues with regard to AG's report and why were they given nine (9) months whereas others were supposed to leave the Municipality in February 2023 and whether the handover report would be submitted to Council as the previous NIT did not submit any report to Council to date and they were now replaced by new people? Furthermore, in terms of the new regulation, what they Ministers were doing was wrong, that Mr J Hattingh was assigned to assist Mangaung to ensure that they complied and followed the right processes however he was not assisting the Municipality.

The Deputy Executive Mayor was in agreement with issues raised by Councillors and that indeed what had been raised against the two (2) officers were allegations however it was not right that people were send to Mangaung without proper procedure and therefore the National Government should allow the team that had been in Mangaung to finish their work and give proper report to Council which should then report back to the community of Mangaung. That she was happy that the Minister will be coming back to the Municipality. Cllr CF Rampai concurred with the Deputy Executive Mayor that the whole Team must remain and that Mr P Maseko be assisted should he need help health wise.

Cllr MW Mongale stated that one of the reasons why the Minister was in Mangaung could be stopped if the Provincial Departments paid the Municipality what they owed for services, the R2 billion they owed, it meant that there was no commitment on their side to ensure that they paid the Municipality as the amount they owed was increasing. Some of Provincial officers were leaders of the ruling party, MECs and were expected to play an oversight role in Mangaung Municipality whilst they were the ones at default. That the Minister also gave assurance that he will talk to National Departments on provision that the Municipality write you a letter that it is intending to cut off services of National Departments. That if the Minister could just engage them to pay the Municipality what they are owing.

That regarding the appointment of Ms G Malaza, he was aware that the Minister was given a recommendation however the Minister was also aware that the AG's report was also binding. Furthermore that it was not automatic that SAICA (South African Institute of Chartered Accountants) would struck one off the roll without been given opportunity to state ones case and in that regard whether Ms G Malaza went through that process already or still awaiting to go through the process.

Cllr S Sefaki reiterated that the AG's report was binding and therefore the Minister be requested to write to Council to dispute the findings by the Auditor General.

Cllr N Nhlapo asked that seeing the Acting CFO was also replaced, whether the new Acting CFO had also been signing for the Municipality from the 1st of November 2022?

The Minister responded:

- That distinction be drawn on what Council can vote for, that the intervention was the decision and prerogative of the National Government in terms of Constitution. However a report on the legality of that form of intervention would be provided on whether it was appropriate and legal. That the Council was fair on questioning the legal standard of the composition.
- That for now, they will commit themselves in writing
 - Intervention have legal basis and why it is correct to insulate Council from any wrong decision – that National Treasury done due diligent on candidates.
 - What Council saying, the people who had resigned and got new job, would be brought back? Not happen.
- That Council can note the replacement of the two (2) as members of the National Intervention Team as this was a prerogative of National Government therefore there was no need for it be a Council resolution.
- The AG's report, none of their names appear.
- That Spend more time talking to Councillors and how to resolve the problem.

Cllr NP Monyakoana asked what should be done in the mean time while awaiting the report on legality by the Minister?

The Minister then reiterated his response that the intervention was prerogative of the National Government and Council will be served with the requested report however, Councillors should also give details of the findings to enable the Department respond effectively.

The Speaker stated that the new replaced officials commenced with the duties as of the 1st of November 2022 as stipulated in the letters.

Cllr M Davies requested 10 minutes DA caucus and thereafter reported back to Council that there was nothing to report on as they needed to clear some issues raised in Council and the proposed recommendations.

The Speaker read the recommendations and indicated that Council would note the two (2) recommendations in the agenda however under recommendation (b) the word “endorse” be deleted and additional recommendation be included as raised in the letters and deliberations by Councillors.

After the Speaker reiterated the recommendations, it was thereupon with 48 votes in favour, 0 against and 33 abstained

RESOLVED

- (a) That Council notes that the six (6) months secondment period of the interim Executive Management Team deployed from National Government has come to an end and that this has necessitated me to inform the Minister of Finance and Cooperative Governance on the implications thereof.
- (b) That Council notes the letters from both Ministers of Finance and CoGTA responding on the advise provided from the Executive Mayor regarding the seconded Interim Executive Management Team.
- (c) *That Council resolves that no changes to the Interim Management Team led by the Acting City Manager, Mr T Motlashuping be made and that includes the position of the Acting CFO, Mr T Sediti.*
- (d) *That the recruitment, selection and appointment of the City Manager be finalized by the end of November 2022 and the current Acting City Manager must handover to the newly appointed City Manager within a period not exceeding 90 days on a month to month basis.*
- (e) *That the Macro Organizational Structure will be tabled to Council on the 31st October 2022 as advised in the letter (meeting was postponed and item tabled in Council on 7th November 2022).*
- (f) *That all Head of Departments positions must be filled on or before end of February 2023 and no extension will be granted beyond this period. In the event that Council fails to make these appointments within the stipulated period, National Government will have no other options but to implement remedial actions provided for in the Constitution.*
- (g) *That the Interim Management Team will be made available for a handover purpose on a monthly basis for a period not exceeding 90 days upon exiting the Mangaung Metro Municipality to avoid possible regression.*
- (h) *That the Executive Mayor provide the Ministers of Finance and CoGTA with bi-weekly progress reports on filling of senior management positions.*
- (i) *That the Executive Mayor identifies areas where technical support is required from National Government to enable the Metro to continue providing the necessary basic services to the community.*
- (j) *That a legal opinion be sought/provided to Council on the type/form of intervention instituted in Mangaung Metro Municipality.*

10.

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

Executive Mayor said that as all board members had resigned and recommended the Board Administrator, he proposed Mr Paul Maseko be appointed as the Board Administrator for CENTLEC.

Cllr LE Rasoou delivered his speech as follows: “Thank you, Madam speaker. The DA take note and approve that the Board of the Mangaung entity, CENTLEC, be dissolved with immediate effect and an administrator be appointed.

But Madam Speaker, the DA will also like to inform Council and the public that the Board of CENTLEC has failed the residents of Mangaung since 2016. Let me enlighten you with the history that is starting to catch up with, due to its obnoxious practise that is cadre deployment.

The biggest mistake made by the majority of the ANC Councillors in 2016 was the appointment of the biggest plane-crash in South Africa, Ms Dudu Myeni as the Chairperson. All opposition parties then warned the Council of the consequences en vandag sit ons met die geakkle pere.

Your predecessor, now Executive Mayor, Cllr MA Siyonzana and Ms Olly Mlamleli always defended the indefensible as they defended the appointment of Ms Dudu Myeni all the while CENTLEC was going under.

Allegations are tabled in this report by the Executive of CENTLEC and the then serving Chairperson of CENTLEC Board. The Auditor General red flagged the same findings within the report of CENTLEC and therefore the DA would like to add the following recommendations:

- e. That the administrator appoints an independent Chartered Accountants service provider to conduct a financial forensic audit
- f. That the appointed service provider must also focus on the allegations tabled between the Executive and Chairperson of the Board to why there was a break down of relationship and why the Board did not sit?
- g. That the administrator request that the South African Revenue Service conduct life-style audits on all members appointed to serve on the CENTLEC Board since 2016 and the Executive Mayor as he is the shareholder.

The DA invite all parties to support these recommendations. I thank you Madam Speaker.”

Cllr NP Monyakoana remarked that since Council appointed the Board, had not even received one report from Board. That in terms of the Companies Act, there was number of board members who constitute a board and though the explanation of Executive Mayor, it is that all Board members resigned. Therefore it will be wrong for the Council to accept the resignation of Chairperson of the Board without the submission of the report.

That it is not even mentioned that as the Executive Mayor seeing that the Board was not sitting, he indeed asked why it was not sitting. That it had been a while since the Council received or had see any issues/decisions taken at CENTLEC, that they most heard via social media.

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That if Council accept the resignation of the Chairperson without knowing what was happening there and it would be only the CEO who can report on what had been happening and that Council was aware that it cannot force the Chairperson to be part of the Board.

Furthermore, what was happening to decisions at CENTLEC when the Board was not sitting, as there were key issues that they could not decide on without the approval by the Board. That not only the Executive Mayor should take account but also the Municipality's administration.

Cllr DJ De-Huis addressed the Council as follows: "Thank you, Honourable Speaker. The electricity service provider, CENTLEC, is a municipal entity established and mandate by the Municipality to provide electricity to its residents and, as a consequence, its shipwrecks and debacles are attributable to the Council. All the appointments which were made under their leadership was a clear indictment to service delivery.

The entity is treated as milking-cow to certain individual whom have no interests of serving the people of Municipality.

We have previously called on the Executive Mayor to disband the board and appoint a new board that will take the entity to the next level aimed at providing sufficient electricity, fight against corruption and fraud happening at the entity.

All these occurs because there are people from the ANC whom stands to benefit from malfunctioning of the entity. There`s a section within the ANC that is not concerned to save the entity from maleficence`s , fraud and corruption.

As the EFF we will provide support if only the new appointments to the boards are directors with clear intention of serving the people of Mangaung.

Our recommendations:

- The EFF therefore proposes that the Council appoint an administrator to take care of the business of the entity while we waiting for new board to be install.
- The entity be dissolved and Eskom be introduced like Thaba-Nchu.

The CENTLEC matter was apparently sent to Section 80, where it will be taken to Council for disbandment, and the new boars to be appointed. We cannot run the government as when we pleases. There has been calls over months to disband the entity`s boars and the Executive Mayor has failed to do so because of there are internal fights within the entity, it only when the Executive Mayor wants to become reactionary.

The ANC internal infighting has collapsed the entity and still continues to do so under the leadership of the mayor. There`s a new driving force that wants to control entities and certain departments for financial gains.

We will only support the Section 80 proposal provided it is intended to serve the people of Mangaung and there will be provision of sufficient supply of electricity that corruption will be rooted out, good governance will be placed and the entity`s mandate is advance.

The non-functional board, mismanagement, cadre deployment and corruption have left CENTLEC at the dysfunctional mess, as it is incapable of serving its 186,858 customers.

We have noted with utter arrogance the manner in which the entity was handled by the chair of the board and its company secretary. Through their association with some corrupt ANC members, we have witnessed many exodus of resignations of the board members. Both the chair and the numerous secretary proved to be running the entity like their own tuck shop.

Cllr CF Rampai supported the name of Mr Paul Maseko as the Board Administrator and the recommendation proposed by Cllr NP Monyakoana that Council should not to accept the resignation of the Chairperson of Board without providing the Council with a comprehensive report also stipulating that what happened to all decisions taken while the Board was not there nor sitting and what was the law saying about the Council's relationship with CENTLEC. That it was noted that the CEO indicate that he had been writing to Executive Mayor with regards to issues at CENTLEC.

Cllr TD Masoeu seconded the recommendations as proposed by Cllr LE Rasoeu.

Cllr MW Mongale mentioned that Mr P Maseko was declared sick as NCR of Mangaung but fit to work at CENTLEC as Board Administrator. That with regards to the Chairperson giving a report on CENTLEC, all other Board members should also do the same including the management of CENTLEC. Council be privileged by report by Executive Mayor. Reps from the Council representing the shareholder at Centlec. Those recommended will also give a report about the status at Centlec.

Cllr SQ Peter requested that Mr P Maseko on the same day and same Council, had been declared unwell by the Minister but also recommended by the Executive Mayor to be appointed as Board Administrator, where there no any other people that could be recommended?

Cllr E Snyman van Deventer stated that the law indicate that within six (6) months, the board of director should be appointed and CENTLEC as the only entity of Mangaung the role of the shareholders in ensuring good governance is unacceptable, and whether legal services had ever given legal opinion on the matter.

Executive Mayor responded as follows:

- That the Board of Directors resigned and two were left,
- Have two Mayco members representing Mangaung, namely MMC Cllr MA Morake and MMC of Finance, Cllr LM Titi-Odili and had been reporting on matters of CENTLEC.
- Brought an item to Council to disband the Board after Section 80 Corporate Services sat. he then met with the Chairperson, Mr Moroka who had a different view and the CEO also having a different view. Mr Moroka believed that the Company Secretary and CEO were Board members however the CEO believed it to be different.

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- Both members sitting at Board, have also different views, because of that, he then felt that he withdraw the item from the Council agenda.
- The item was initially In Committee and after receiving a legal opinion, wanted to submit the item to Council but both members had resigned.
- That around September, it was resolved that if problems in CENTLEC, Executive Mayor can appoint an administrator.
- That the Board Administrator would be expected to generate a report which will serve in Council.

Cllr TP Moilola confirmed that the Companies Act stipulate that the CEO and the CFO were part of the Board and raised the following questions:

1. How was CENTLEC Board disbanded without provision of the report to Council.
2. How did the Executive Mayor seek legal advice without Council's knowledge?
3. That he proposed that the CEO of CENTLEC also be investigated

Cllr NP Monyakoana indicated that he did not recall the resolution taken in September by Council to appoint administrator. In addition, that the Minister replaced Mr P Maseko but the Municipality recommend to take him in.

Clr JE Sebolao cautioned that the requested report should not be about the Chairperson but the functioning of the Board as a whole and supported that Mr P Maseko as Board Administrator.

Cllr LE Rasoeu stated that he will have hoped that at ensuing Council that is when the Administrator will be appointed and given three (3) option with their CVs and that Council would develop an illegibility criteria for people to serve in the Board.

The Executive Mayor clarified that the report he referred to was dealt with by Council, around September 2021, (*the definitive agreements*) and that before he signs any documents, if he did not understand or was unsure, he would then seek legal advice.

Cllr NP Monyakoana asked about the role of the Intervention Team in Centlec, does it exclude Centlec and the Executive Mayor replied that in terms of Section 139(7) the Municipality was under compulsory financial recovery plan and they were expected to comply, and therefore the NIT role extended to CENTLEC.

Cllr E Snyman van Deventer mentioned that recommendation (c) referred: That the Council appoint Board Administrator for a period of six (6) months *and or until the new board members are appointed* however the law state that it should be within six 6 months.

Cllr CF Rampai and Cllr NP Monyakoana asked that if the Municipality accept the resignation and Council need a report to be submitted, who should then give the report?

Cllr JE Sebolao differed with Cllr NP Monyakoana and Cllr CF Rampai on refusing to accept the resignation, that Council cannot force someone not to resign.

After the Speaker reiterated the recommendations, it was thereupon with 47 votes in favour, 0 against and 17 abstained

RESOLVED that Council

- (a) Note the status of Board members at CENTLEC and concerns raised by oversight committees for local government internal, provincial, and national.
- (b) That all Board directors including the Chairperson has since resigned rendering CENTLEC operating without a Board of Directors as of 31st October 2022.
- (c) That the Council appoint Board Administrator, Mr Paul Maseko for a period of six (6) months.
- (d) *That the Board Administrator facilitate the recruitment process and submit to Council for the approval, the appoint the board of directors within a period of six (6) months and report monthly on the state of affairs and progress made be submitted to Council.*
- (e) That the Council condones the 60 days period that has lapsed since the recommendation by MPAC that the board must be dissolved, and Council appoint new board members.
- (f) *That the Board Administrator appoint a service provider for a forensic audit with regard to the allegations in relation to the former Chairperson of the Board as well as the Chief Executive Officer*
- (g) *That a detailed report relating to the functionality of Centlec be submitted to Council from the former Board Chairperson, members of the Board and the Executive Mayor within 30 days months after the date of this Council resolution.*

11.

MUNICIPAL FINANCE MANAGEMENT ACT (MFMA) : SECTION 52 (D) SDBIP FIRST QUARTER REPORT

The Executive Mayor indicated that the Mayoral Committee had a meeting on Friday and indicated that all MMCs and HoDs that had submitted their report late, they will be receiving a written warning and the report thereon will be submitted at the next Council.

Deputy Executive Mayor remarked: “Thank you, Madam Speaker. It will be wrong of me if I don’t acknowledge what happened in the last council meeting scheduled on the 31st of October 2022, where this Service Delivery and Budget Implementation Plan (SDBIP) report was not part of the agenda items which were supposed to be discussed. As the custodian of this portfolio of the IDP and OPM, I must commend the two (2) officials in my office that worked under tremendous pressure to make sure that this report is finally submitted to this council and be discussed, following the challenges that was experienced by the non-compliance of certain Departments that decided that they won’t comply with Council approved time schedule as adopted in the IDP and Budget Process Plan. As such, the Executive Mayor and the Acting City Manager are urged to make sure that, those departments that undermines this council are dealt with decisively.

As I move from the disappointment of last week, today we finally table the 1st quarter report and it is clear that we are still confronted with lot of challenges based on the overall achievements of only 44% of the planned programmes that are realised.

Honourable, Speaker I wish to just indicate that out of the 5 IDP Strategic Objectives, whilst we must keep the pressure on improving the other 3 objectives, more focus should be on “Service Delivery Improvements” performing at 44% and “Organisational Strength” at 29%. The Objective of “Spatial Transformation” cannot be overlooked as well, this is a government program, and we must do justice in implementing it.

Over and above, I wish to take this opportunity to commend our officials together with our councillors on their efforts and professional services including sacrifices they continue to make in ensuring that despite the challenges faced by this City, they still truly believe in making strides and continue to put our communities first and providing services in a sustainable manner as directed by the Chapter 7, Section 152 (1) of the constitution of the Republic of South Africa.

We shall therefore pursue the needs and desires that were identified by our communities during the various participatory platforms of the IDP, such as amongst others, emphasis on infrastructure related projects in our various communities. As a caring local government, we will continue pursuing during our term of office. Thank you, Honourable Speaker.”

Cllr DMC McKay addressed the Council as follows: “Madam Speaker, through you to the Executive Mayor, as predicted and reiterated in my earlier speeches today. The service delivery of this Metro has declined dramatically. In the press you have stated that you sleep soundly at night, knowing that during your term so far the Metro has performed well. I hate to burst your bubble Mr Executive Mayor, but these figures are disastrous, 66% of projects/services are below expectation or worse.

It is no wonder that your own party wants you recalled, along with the rest of TROIKA. 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 continue to decline. This Metro is currently serving a failed state status.

The worst two (2) performance were Corporate Services at 11% and Engineering & Infrastructure at 21%. My attention unfortunately is drawn to the latter as it is the Department that has the greatest direct impact on the residents of Mangaung. As stated before this Department is riddled by alleged corruption, lack of resources, uncooperative staff and political will. It will be a mammoth task for specialists to revive it to operating status, let alone one HoD and a bi-weekly visiting Engineer. Furthermore, this document cannot be taken serious as it is fraught with half truths and assumptions. I will expand by highlighting three (3) areas of concern, starting with the Welvaart Wastewater Treatment Works.

According to this document on page 33 of 144 it states that, the Welvaart Treatment Works was refurbished. Now according to my understanding of the word '*refurbished*' and that of the Oxford English dictionary, it means renewed, renovated, repaired and functional. If you simple take a drive out the site, you will see that rather than refurbished, it is mismanaged, vacated, dilapidated, vandalised, overgrown and non functional, in-fact at a complete standstill. Now unless your definition and that of mine and the Oxford English dictionary differs. This document is stating a complete fabrication of the truth. In plain English, a blatant lie. It is however of vital importance that it be refurbished and I am sure the inspector of special investigations into water works will confirm this week when I will meet her on-site for oversight and possible criminal charges against the officials directly responsible for the maladministration and state of the treatment works.

Secondly, after years of begging and pleading to refurbish and upgrade the Bainsvlei/Mooiwater Stormwater. It was disheartening to say the least when I saw that the preliminary design has still not been complete. How is that possible this has been on the books since 2016. Resident homes are flooded every time there is 3mm of rainfall in that catchment area. Surely this should be prioritized.

Last but not least, the much debate Vereeniging road extension that still remains closed after nine (9) months after it was 92% complete. There should not be any budget constraints to resolve. This was a conditional grant. The funds should be available. According to the contractor, there are still outstanding payment due. According to the Acting Municipal Manager, a new contractor has been appointed and the road will be opened by mid November by Executive Mayor, Cllr Mxolisi Siyonzana (that is if he has not been recalled by then). However not tender documents or procurement feature in the supply chain report. Which begs the questions, how was the new contractor appointed and/or is the statement just another ruse to prolong the opening? I believe I have illustrated my point quite efficient with these examples for current discrepancies. It is time for action, to clean house and get the job done, residents of Mangaung deserves better. Thank you, Mister Speaker."

Cllr JE Sebolao remarked: “Thank you, Honourable Speaker. It is disturbing and disheartening when I have to speak about the SDBIP. The poor performance by the following Departments is heart breaking: Fleet and Waste Management, Human Settlements, Corporate Services, Finance and Office of the City Manager. All these Departments submits their reports late. What I am talking about, its in the following pages 2 – 4, an assessment have been done and performance of the Departments; it is bad Honourable Councillors.

The poor performance by the Department despite having budgeted for, the late submission of reports despite having timelines for submissions. The officials are defiant when it comes to Council Resolutions to SDBIP. The non-timeous reporting of Circular 88 by the Departments. What I have observed Honourable Speaker, is that the officials of Mangaung do not care because they know that nothing will happen to them. I feel sorry for the two officials who are committed in their jobs and they are not even recognised by the same Council. If my memory serves me well, Honourable Speaker, the house recommended that the two officials be assisted by beefing up their Department, but by to date, they are still struggling and they are managing their work and so, you can imagine if they could get support, they will do wonders. They still do wonders without the necessary support. We are of the view as the EFF that the two officials are abused by their colleagues and as Council we are numb about the abuse they are experiencing. Thank you, Honourable Speaker.”

Cllr W Pretorius remarked: “Honourable Speaker, it is very concerning that the Municipality have become accustomed to submitting reports late. If we ant to get the Municipality working, and tackle the real issues, we need to start, tackling the small issues, by complying to the laws, submitting reports on time. It is very easy now for the Deputy Executive Mayor to say the HoDs are submitting late, the political will starts with the Executive, they must be beating the drum.

Looking at the actual performance of the Metro, it has only met 44% performance reached and the Council and residents of Mangaung should not be happy with the achievement of 44%, the residents deserves much better. Some of the alarming Departments and the figures on the report, correspond to what is seen in the City. When one drives around and ask residents to give percentage, they will give the same or even less if one take into account what was happening in the City.

Corporate Services Department has only achieved 11% of their target, which means that only one of the ten objectives has been achieved. Engineering Services Department only 21% (i.e. one out of five objectives achieved in the last three months), Fleet and Waste Department at 25%, Municipal Police Services at 27%; it is really very low targets that have been met.

One has to pause and ask why are these Departments struggling to meet their objectives, and it is easy to accuse the current HoDs to say that they are not doing their work etc, that is not the truth. There has been mismanagement, corruption, maladministration in this Municipality for the last 20 plus years, it is not like the HoDs were handed functioning Departments. It is now the Municipality that have been under intervention by the two entities and this was caused by the ANC and it is not something new. The objectives have not been achieved or remain unfunded. These are the things that are serious and we are playing with people’s livelihoods in this Municipality.

If one looks on Planning Department under Fresh Produce Market, the fencing, building of refrigerator rooms, the report indicates that there was a problem with SCM; the Fresh Produce Market is critical in the growth of the economic development of the Municipality, it needs to function as it brings millions of rands. We need to start and focus on economic development entities of which the Fresh Produce Market is one.

I am glad to see stormwater refurbishment in Mangaung, meaning that the rubbish has been removed from inlets but it would be just placed on the median outside and when it rains, it then go back inside the inlet.

Sewer network upgrades at Bloemspruit has not been done. Outstanding dam safety reports – we had seen what transpired at Jagersfontein, the catastrophe but our dam safety reports are still outstanding, Mockes Dam, Maselspoort Dam and Van Stadensrus Dam and the “sloot” system at Maselspoort need to be inspected to ensure dams are safe.

Water security in Mangaung; the Municipality was sitting with the bulk water at the Naval Hill water reservoir which is not working, the massive infrastructure that is not being used. It is not in the report, what is going on there? Similarly, the Maselspoort upgrade that has not transpired. Feasibility report for the Pellissier reservoir that has not been finalised. The Municipality is reminded of water shortages that happened for 16 days in Mangaung and therefore playing with people’s lives.

Municipal Services, not a single crime prevention activity conducted in the first quarter. No street trading by-law enforcement has been done. Speed camera operations in Mangaung, nothing. It is astonishing to see that individuals are left as the Municipality is not doing anything to ensure safety of residents.

The SDBIP must address the wants and needs of the residents of Mangaung. We need to go back and see what is needed. If looking at what the IDP said on what is important for residents:

1. Roads and stormwater
2. Solid waste
3. Water and sanitation

Yes, the DA cannot condone or celebrate the low performance of this Metro, it is totally unacceptable. Our residents deserves much better. I thank you, Madam Speaker.”

Cllr B Vorster addressed the Council as follows: “Thank you, Honourable Speaker and all protocols observed. It is of utmost importance that reports tabled before this Council should be tabled on time as set out in the relevant legislation.

It is therefore unacceptable for the Freedom Front Plus that the report was submitted outside the timeframes, resulting to the postponement of the Council meeting on the 31st October 2022. It is quite clear from the report that service delivery and performance against the IDP and SDBIP is at an all time low in our City. The Metro actual performance for the first quarter is at 44%. One does not even need this report to indicate the poor performance. One can just drive throughout the City and listen to the daily complaints of the citizens of this City.

Engineering Services achieved performance stands at 21%.
Fleet and Solid Waste achieved performance stands at 27%.
Municipal Police Services achieved performance stands at 27%.
Corporate Services achieved performance stands at 11%.

Honourable Speaker, if this Municipality was a private company doing its business, it would have already closed its doors due to this performance. The Freedom Front Plus takes note of the responses of the Acting City Manager to questions during the Committee meeting held on the 4th of November 2022. Further take note of the leading reasons for poor performance as indicated by Departments in this report.

The Freedom Front Plus however request more in-depth report from the Department with regards to the reasons for the poor performance and the challenges they are facing. It is clear from the report that budget constraints and the Supply Chain Management are two of the main reasons for the poor performance.

Honourable Speaker, I can go on for days deliberating that we have a problem with service delivery and the performance of this Municipality. The question however is, what will be done by the administration and intervention team to rectify the situation we find ourselves in? As the Chairperson indicated on Friday, we are one team but we cannot play the game if we do not have the game plan Honourable Speaker.

Where is the Financial Recovery Plan and where are the plans to improve the service delivery in the City? The Freedom Front Plus strongly advice that we should go back to the drawing board, identify the challenges in this City and draw up a clear, realistic and doable plan to turn around the financial situation in this City as well as the service delivery problems. Thank you, Honourable Speaker.”

Cllr MW Mongale highlighted the following:

- Page 3: report creates an impression that there is 83% of economic growth in Mangaung, there is no such evidence in Mangaung.
- Vereeniging Laan: it was realised that in report it was stated that 1.9 km road had been upgraded from gravel to surface. It was a mystery on how they came to those figures?
- The report talking about services that Municipality wants to deliver or delivered but at the township/location, it is a different story, there is sewer and fresh water leakages and thus causing water contamination that might lead to infections/diseases.
- Page 16: same road of Vereeniging Laan, why was the road not yet completed.

Cllr SQ Peter pointed out that it was clear that Departments delivered late, and on certain columns Department explained why they did not achieve certain targets. Furthermore, that targets that did not need finances, such be fast tracked.

It was thereupon with 41 votes in favour, 22 against and 9 abstained

RESOLVED that Council approves the (MFMA) : Section 52 (D) SDBIP 1ST Quarter Report (01 July – 30 September 2022)

1.

TABLING OF COUNCIL RESOLUTIONS FOR THE PERIOD NOVEMBER 2021 UNTIL JUNE 2022

Cllr S Sefaki raised a concern that 171 resolutions were taken by Council and only 11% had been implemented. That on the 26th of January 2022 Council took a resolution, and therefore how much was spend on that matter. Furthermore, on the 15th of March 2022, Council resolved on the other matters, a comprehensive report on the implementation of all those resolutions be submitted.

He then proposed that recommendation (d) be amended that instead of progress report on the implementation be bi-annually, it should be submitted on quarterly basis.

Cllr CF Rampai urged the Acting City Manager to implement the resolutions of Council and further that Executive Mayor ensures that he sign those resolutions that he hasn't signed as yet.

The Speaker advised that where the resolution was not yet implemented, the administration needed to give status reporting on why it was not yet implemented or by just adding a column on the table of Council Resolutions in that regard.

Cllr NP Monyakoana reminded the Council that they resolved on what should happen on officials who authorised the payment of ghost workers however nothing has happened and this is very serious matter including what Council resolved on the matter of MMC of Corporate Services, Cllr TM Mosala.

Cllr ZMC Campher delivered a speech as follows on behalf of Cllr KC Moreeng: "Madame Speaker, the Democratic Alliance take note of the council resolutions but need clarity on the following items published and would appreciate it if you can respond to these questions. The Standing Rules and orders will be respected, and Rule 38 questions will be submitted to your office and the office of the City Manager.

During the Special Council meeting dated 8 December 2021, Council resolved the adoption of the Language Policy.

1. Why are translation services not available at all Council meetings?

During the Ordinary Council meeting of 12 May 2022, council reaffirmed the Council resolution of 24 May 2018 for the establishment of an Ombudsman. Council also voted for the establishment within 90 days.

2. Why has the Acting City manager not signed the execution letter yet and when will the letter be signed? During the same council meeting dated 12 May, council took note of the motion to immediately implement an action plan to resolve refuse collection and the negative environmental impact caused to the Metro in a sustainable and feasible manner. Council referred the motion to the Executive and the administration to draft a plan of implementation and report back to council at the next meeting.

3. Why has the Acting City Manager not signed the execution letter and when will this letter be signed? Madam speaker, I conclude to remind the Executive and Administration of the Terms of Reference for the National Intervention Team gazetted by the Minister of Finance and refer to the following:

Section 1.1 subsection c reads Engaging with internal and external stakeholders.

Section 1.2 subsection c: c) To identify challenges and propose solutions to ensure provision of uninterrupted basic services to the community and prudent financial management

I thank you, Madam Speaker.”

Cllr NP Monyakoana cautioned Council that it would be wrong to leave things as they were, that change was needed and Council needed the administration that will ensure that resolutions of Council were fast tracked.

Cllr Tukula seconded the proposed change in recommendation (d) from bi-annually to quarterly.

It was thereupon with 58 votes in favour, 0 against and 15 abstained.

RESOLVED

- (a) That the Municipal Council takes note of the Register of Council Resolutions report.
- (b) That the Municipal Council takes note of the progress made on the implementation of Council Resolutions.
- (c) That the Management is instructed to implement all outstanding Council Resolutions and
- (d) That the Acting City Manager is required to submit progress report on the implementation of Council Resolutions *quarterly*.

2.

RESIGNATION AND REPLACEMENT OF WARD COMMITTEE MEMBERS

This item was not drawn for deliberations by Council.

It was thereupon with 71 votes in favour, 0 against and 2 abstained.

RESOLVED

- (a) Municipal Council take note of the resignation and replacement of ward committee members.
- (b) Municipal Council approves the replacement of ward committee members who cease to hold office

188	REPORTS FROM THE MPAC
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None.

NOTED.

189	IN COMMITTEE REPORTS
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None.

NOTED.

190	CLOSING OF THE SPECIAL COUNCIL MEETING
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The meeting official closed at 19h57.

SECRETARIAT UNIT
COMMITTEE SERVICES