



MANGAUNG
METRO MUNICIPALITY
METRO MUNISIPALITEIT
LEKGOTLA LA MOTSE

DIRECTORATE
CORPORATE SERVICES

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Your Ref.:

Our Ref.: **Council Resolutions**

Office: **Room 640, Bram Fischer Building**

Date: **24 July 2023**

CLLR M DAVIES (MS)
SPEAKER OF COUNCIL
COUNCIL ITEM

**REPORT ON COUNCIL RESOLUTIONS OF THE FIRST QUARTER (JULY –
SEPTEMBER 2022) & SECOND QUARTER (OCTOBER – DECEMBER 2022)
OF THE 2022/23 FINANCIAL YEAR**

1. PURPOSE

The purpose of this report is to provide council with progress on implementation of Council Resolutions taken between the First Quarter (July 2022 to September 2022) and the Second Quarter (October 2022 to December 2022) of the 2022/2023 Financial Year.

2. BACKGROUND & DISCUSSION

Council Resolutions for the First Quarter, July 2022 to September 2022 were 29 and structured as follows:

For Noting / On-Going	- 5
Withdrawn	- 1
Referred Back	- 2
Implemented	- 19
Not Implemented	- 2

Council Resolutions for the Second Quarter, October 2022 to December 2022 were 25 and structured as follows:

For Noting / On-Going	- 2
Withdrawn	- 3
Referred Back	- 0
Implemented	- 19
Not Implemented	- 1

----- Herewith attached, summary of the abovementioned information per Directorate.

3. RECOMMENDATIONS

It is recommended that Council:

- 3.1 Takes note of the progress report on implementation of Council Resolutions for Quarter 1 & 2 for the 2022/23 financial year.

Submitted by:



Adv. N Mpangane (Ms)

ACTING HOD: CORPORATE SERVICES

DATE: 25/07/2023

Supported / ~~Not Supported~~



N Dumalisile (Ms)

ACTING CITY MANAGER

DATE: 25/07/23

Approved / Not Approved



Cllr M Davies (Ms)

SPEAKER

DATE: 25/07/2023

Directorate	Total Number	For Noting / Ongoing	Withdrawn	Referred Back	Implemented	Not Implemented
COUNCIL RESOLUTIONS – FIRST QUARTER - JULY 2022 TO SEPTEMBER 2022						
Office of the Speaker	8	2		2	3	1
Office of the Speaker & Executive Mayor	1					1
Office of the City Manager	6	1			5	
Office of the City Manager & Internal Audit	1	1				
Finance	5				5	
Corporate Services	4		1		3	
Planning	4	1			3	
Directorate	Number	For Noting / Ongoing	Withdrawn	Referred Back	Implemented	Not Implemented
COUNCIL RESOLUTIONS – SECOND QUARTER - OCTOBER 2022 TO DECEMBER 2022						
Office of the Speaker	9	1	1		6	1
Office of the Speaker & City Manager	1				1	
Office of the Executive Mayor	1				1	
Office of the City Manager	3	1			2	
Finance	5		1		4	
Corporate Services	3		1		2	
Social Services	2				2	
Planning	1				1	



COUNCIL RESOLUTIONS

**1st QUARTER
of the
2022/2023 Financial Year**

**July 2022
to
September 2022**

REPORT: COUNCIL RESOLUTIONS FOR THE FIRST QUARTER (JULY 2022 TO SEPTEMBER 2022) OF THE 2022/2023 FINANCIAL YEAR

Item No.:		Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
SPECIAL MEETING: FRIDAY, 22 JULY 2022					
1	142	Setting The Scene: National Treasury / Malijeng Ngqaleni S139 Intervention Framework: National Treasury / Kavitha Ruplal State Of Affairs: National Treasury / Sifiso Mabaso • Governance • Institutional arrangements • Service Delivery • Finance Health • Final Take Away/ Summation Recommendations National Treasury / Malijeng Ngqaleni	Presentation noted	Office of the Speaker Executive Mayor	• NT deployed NCR and team of experts from July 2022. • Financial Recovery Plan tabled in council for consultation. • Municipality remains financial distressed.

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
ORDINARY MEETING: FRIDAY, 29 JULY 2022				
1	150.1 Municipal Finance Management Act (MFMA): Preliminary Budget and Performance Assessment Report in Terms of the MFMA, Section 52(D), for the Quarter Ended 30 June 2022	Votes In favour – 43 Against – 28 Abstained – 1 RESOLVED that, in compliance with section 52(d) of the MFMA - the Accounting Officer submits to the Executive Mayor this statement reflecting the implementation of the budget and the financial state of affairs of the Municipality for the quarter ending 30 June 2022 and, - the Executive Mayor of the municipality must, within 30 days of the end of each quarter, submit a report to the Council on the implementation of the budget and the financial state of affairs of the municipality and - in order to comply with Section 71(4) of the MFMA, the Accounting Officer ensure that this statement be submitted to National Treasury and the Provincial Treasury, in both a signed document format and in electronic format.	Finance	Implemented

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
2	150.2 Annual Report on the Implementation of Supply Chain Management Policy for 2021/2022 Financial Year	4. that Council takes note that this is preliminary financial information, final Section 52 report will be submitted after finalization of the 2021/2022 Annual Financial Statements. Votes In favour – 46 Against – 28 Abstained – 2 RESOLVED a) That Council take note of the Annual Supply Chain Management report for 2021/2022 financial year. (b) That the information on paragraph 10 be disclosed in the financial statements.	Finance	Implemented

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
3	150.3 Report on the Implementation of Supply Chain Management Policy Quarter Ending June 2022	Votes In favour – 46 Against – 28 Abstained – 2 RESOLVED (a) That Council takes note of the Supply Chain Management report for the fourth quarter ending June 2022. (b) That the Council take note of the stock report and the damaged items. (c) That the Council approves the removal of the damaged stock from shelves to redundant store.	Finance	Implemented
4	150.4 Tabling of the 2022/23 IDP and Budget Process Plan for Approval	Votes In favour – 67 Against – 0 Abstained – 5 RESOLVED that Mangaung Metropolitan Municipality's Council: (a) Approves the 2022/2023 IDP and Budget Process Plan set out in the body of the report and as attached, in compliance with the provisions of the Municipal Systems Act and the Municipal Finance Management Act.	Office of the City Manager	Implemented

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
5	150.5 Service Delivery and Budget Implementation Plan (SDBIP) 2022/2023	(b) Notes that a copy of the approved 2023/2024 IDP and Budget Process Plan will be submitted to the Free State MEC of Cooperative Governance as well as the National and Provincial Treasuries and (c) Notes the attached IDP and Budget Process Plan that also outlines IDP Institutional and Management arrangements that will be used to facilitate the planning, monitoring and budget processes. No Voting as item for noting RESOLVED	Office of the City Manager	Implemented
6	150.6 MFMA Section 52D Service Delivery and Budget Implementation Plan	(a) That Council notes the attached Service Delivery and Budget Implementation Plan for 2022/2023 financial year. (b) That Council notes that 2022/2023 SDBIP document is submitted to Provincial and National Treasury as well as Provincial CoGTA for record and (c) That Council notes that 2022/2023 SDBIP document is also publicized on the Municipal website. Votes In favour – 46	Office of the City Manager	Implemented

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
	(SDBIP) Report for 01 April – 30 June 2022	Against – 32 Abstained – 0 RESOLVED that Council approves the fourth quarter report (01 April – 30 June 2022).		
7	150.7 Report on the Status and Functioning of Mangaung Municipal Entity – CENTLEC	Withdrawn	Corporate Services	Withdrawn

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
8	151.1 Schedule Of Council Meetings for the 2022/2023 Financial Year	Unanimous RESOLVED that the Municipal Council resolve: a) That the attached schedule of programs of Council for the financial year 2022/2023 be approved. b) That submission of reports for inclusion in the Council agenda must reach the Secretariat at least ten (10) working days in advance. c) That Councillors and officials must please diarize the dates, of the Council program accordingly. d) That the Chairpersons of Committees (namely: Section 79, MAYCO, Section 80, Local Labour Forum etc) must submit the schedule of committee meetings within 14 days for inclusion in the main Council program, and e) That the City Manager is requested to incorporate all the schedules of Council and Council Committees and afterwards be placed in the municipal website for access and notification to the public.	Office of the Speaker and Corporate Services	Corporate Calendar developed.

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
9	154.1 Motion in Terms of Section 29 of the Mangaung Standing Rules and Orders Proposed at the Next Meeting of Council – Establishment of Section 79 Portfolio Oversight Committees in Mangaung.	No voting on this item RESOLVED that the Acting City Manager and the National Cabinet Representative must report back to Council on this matter within 30 days.	Office of the Speaker	Rules and Order to be reviewed to be aligned to the MSA as amendments and other pieces of legislation
SPECIAL MEETING: FRIDAY, 19 AUGUST 2022				
1	162.1 Approval of Indigent Accounts for Inclusion in the 2021/2023 Indigent Register	Votes as is: In favour – 51 Against – 35 Abstained – 0 Refer Back In favour – 35 Against – 51 Abstained – 0 RESOLVED 1. That Council approves the current indigent register for 2018/2021 subsidies still be applicable well undergoing the compilation and indigent register 2021/2024. Attached hereto is the indigent registration project plan for the compiling of the indigent registration 2021/2024 with tentative dates that can be amended as implementation process unfolds.	Finance	Implemented

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
2		2. That the Council approves the 3452 applications for inclusion in the 2022/2024 indigent register and are provided with 6 kiloliters of water monthly as stipulated in the indigent policy. 3. That the Council approves the 3459 applications for inclusion in the 2022/2024 indigent register and are provided with free 50kWh of electricity monthly. 4. That Council writes off the R 140 503 976.04 owed by 3459 indigents.		
162.2	Late Advertisement in the Provincial Gazette of the Public Notice Calling for Inspection of General Valuation Roll and the Lodging of Objections	No Voting as item is for Noting. RESOLVED that the Council takes note of the late publishing of the 2022 valuation roll in Provincial Gazette.	Finance	Implemented
3	162.3 Approval of the Land Use Management Scheme for Mangaung, No 1 Of 2021 in Terms of Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA)	Votes In favour – 80 Against – 9 Abstained – 0 RESOLVED (a) That the Mangaung Metropolitan Municipality approves, in terms of Section 24 of the Spatial Planning and Land Use Management Act 16 of 2013	Planning	Promulgated on September 9 th , 2022

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
		(SPLUMA). The Mangaung Metropolitan Land Use Scheme (No.1 of May 2021) as the official document to control its land uses and development parameters within its area of jurisdiction. (b) That this document come in affect after proclamation of the approval of the Mangaung Metropolitan Council in the Free State Provincial Gazette. (c) That Mangaung Metropolitan Municipality accepts all land use applications whereby a proxy was signed by the applicant / landowner before proclamation of the Mangaung Metropolitan Land Use Scheme (No.1 of May) in the Free State Provincial Gazette, subject thereto that a cut-off date be set for 12 months after proclamation and that no further land use applications in terms of old legislation then be accepted.		
4	162.4 Request for the Approval of Filling of Vacant Positions of the Municipal Planning Tribunal (MPT) and Municipal Planning Appeals Authority	Votes In favour – 80 Against – 9 Abstained – 0 RESOLVED (a) It is recommended that nominations be requested through advertisement for the	Planning	Nomination received for MPT. Appeals authority process is under way.

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
		appointment of MPT and MPT Appeals Authority board member positions as a matter of urgency. (b) That the composition of the MPT Appeals Authority be rescinded due to the non-availability of members. (c) That an alternative Member of the MPT be appointed as Deputy Chairperson of the MPT		
5	162.5 Approval of an Authorised Official to Deal With Category 2 Land Use and Development Applications in Terms of Spatial Planning and Land Use Management Act No. 16 of 2013 (SPLUMA) And Mangaung Land Use Planning By-Law 2021	Votes In favour – 78 Against – 9 Abstained – 0 RESOLVED (a) That Mangaung Metropolitan Municipality appoint an authorised official in terms of Section 32(b) of Spatial Planning and Land Use Management Act No. 16 of 2013 read together with Section 78(1) of the Mangaung Land Use Planning Bylaw 2021. (b) That the HoD: Planning be appointed by Council as an authorised official. (c) That the HoD: Planning be delegated the authority to appoint a committee of not more than three (3) officials composed of	Planning	Implemented from September 2022

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
6	162.6 Report on Development Applications Processed by the Mangaung Planning Tribunal (MPT)	GM: Planning, at least one other planning officials registered with South African Council for Town Planners (SACPLAN) as a professional planner supplemented by an official or officials with relevant expertise and experience in land use decisions; and (d) That the Committee through the HoD: Planning will provide Council with a report of all considered applications on a quarterly basis. No Voting as item is for noting RESOLVED that the report from MPT covering first quarter to fourth quarter is noted.	Planning	- Implemented - Progress report tabled.
7	163.1 Local Government Staff Regulation for Staff Below Senior Managers, as Gazetted by Minister of Cooperative Governance and Traditional Affairs on the 20 th , September 2021	Unanimous RESOLVED (a) That Council approves and adopts for implementation the Municipal Staff Regulations for staff below senior managers as promulgated by the Minister of Cooperative Governance and Traditional Affairs. (b) That Council takes cognisance of the effective date of implementation of the Regulations which is 1 July 2022.	Corporate Services	- Macro organisational structure developed and approved by council. - Organisational structure for Public Office Bearers approved by council.

Item No.:		Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
8	163.2	Nomination for SALGA Free State Provincial Working Group	(c) That upon approval, the relevant HR components ensure alignment of the Regulations into the Municipality's HR practices, processes, procedures, and systems Votes In favour – 78 Against – 0 Abstained – 8 RESOLVED (a) That Mangaung Metro Municipality supports SALGA initiative of establishing 14 working groups across the vast landscape of our Free State Province. (b) That nominated names will serve in the Working Groups as submitted to Council for consideration and approval. (c) That nominated Working Group members are accordingly requested to give their full cooperation and support towards the Working Groups activities.	Corporate Services	Implemented
9	163.3	Audit Report for Quarter 3 and 4 of 2021/2022 to Council: 29 June 2022	Votes In favour – 78 Against – 0 Abstained – 8	Office of the City Manager Internal Audit	Audit Action Plan developed and loaded at NT Reporting system.

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
		RESOLVED that the report be noted and referred to MPAC.		Implementation is in progress.
ORDINARY MEETING: FRIDAY, 31 AUGUST 2022				
1	Performance Agreements for the Municipal Manager and Managers Directly Accountable to the Municipal Manager for the City of Mangaung 2022/23	No Voting as item is for Noting RESOLVED that the Council: 1) Notes the signed performance agreements of the Acting Municipal Manager and Acting Heads of Departments and 1 Head of Department directly accountable to the Acting Municipal Manager. 2) Notes that the duly signed and dated performance agreements will be published on the municipal website of the City. 3) Notes that the performance agreements include the objectives of the support team as articulated in the Government Gazette No 46287 of 28 April 2022; and 4) The performance agreements will be submitted to the MEC responsible for local government.	Office of the City Manager	- Implemented - PA were submitted to MEC for COGHITA

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
2	174.2 Proposed Recruitment, Selection and Appointment Plan for Senior Managers in Mangaung Metropolitan Municipality in Terms of Section 82 (A) of The Municipal Structures Act 117 of 1998 and / or Section(S) 54A And Section 56 of the Municipal Systems Act No. 32 of 2000	Votes Cllr CF Rampai In favour – 26 Against – 37 Abstained – 24 Cllr MM Tladi In favour – 37 Against – 20 Abstained – 30 RESOLVED that Council: (a) Takes note of the report and approves the proposed amended selection panel amended, for the appointment of the Municipal Manager (City Manager) as follows: Panellists The Executive Mayor, Cllr Mxolisi Ashford Siyonzana Chairperson Cllr Motshewa Martha Tladi Prof Elizabeth Snyman van Deventer Mr Thabo Manyoni Acting City Manager, Mr Tebogo Motlashuping Observers NCR, Mr Paul Maseko	Office of the City Manager	Implemented as per report tabled to council on 28 February 2023.

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
		Governance expert, Mr Lulamile Mapholoba (b) Notes and approve the recruitment plan for the appointment of Municipal Manager (City Manager) and managers reporting to the Municipal Manager with amendments to the recruitment plan dates. (c) Rescind the council decision of 27.4-8/12/2021 and approve that response handling service provider be appointed for receiving and pre-screening purposes for recruitment. (d) Approve that service providers only accredited to CoGTA for sourced and utilised for vetting, screening, and competency assessment of preferred candidates for appointments. (e) Mandates the Executive Mayor supported by the acting City Manager to implement the administrative process.		
3	174.3 Municipal Council Manager's Report to	Noted	Office of the City Manager	- Implemented - Budget allocated for service delivery challenges such as shortage of fleet, sewer spillages –

For Noting	Withdrawn	Referred Back	Implemented	Not Implemented
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Item No.:		Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
4	175.1	Report: Funeral Group Scheme for Mangaung Councillors	Referred Back	Office of the Speaker	freedom square, water treatment plants Not Implemented – Was Re-tabled - Committee Still Finalising – Admin Challenges.
5	175.2	Request to Amend and Review the Terms of Reference of the Petitions and Motions Section 79 Committee	Referred Back	Office of the Speaker	Referred Back
6	175.3	Request to Establish an Independent Committee: Enforcing Code of Conduct for Councillors	Votes In favour – 73 Against – 0 Abstained – 10 RESOLVED (a) That the Municipal Council take note of the report. (b) That the Municipal Council approve the establishment of an independent and external committee of four (4) members, responsible for the enforcement of Code of Conduct for Councillors. (c) That the Committee be comprised of the following members, namely: An expert in the field of municipal governance,	Office of the Speaker	Partially Implemented. Committee still to meet.

For Noting	Withdrawn	Referred Back	Implemented	Not Implemented
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Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
		- An independent member of the community with high moral standing, - A delegate from SALGA Free State and - A legal person or practicing attorney within Municipal area. (d) That the establishment of the committee, including application or adherence be effective from the date of approval. (e) That the Executive Mayor and the Acting City Manager be requested to submit to the Municipal Council, the Delegation of Powers Policy as soon as possible. (f) That reimbursement for travelling costs be as per National Treasury Regulations. (g) That the terms of Reference of the Committees (Independent Committee) be finalized and submitted to the next ensuing Council meeting. (h) That the establishment be on a case-to-case basis as referred by the Speaker.		
7	175.4 Appointment of the Interim Chairperson of the Audit Committee	Votes In favour – 69 Against – 0	Office of the Speaker	Implemented

For Noting	Withdrawn	Referred Back	Implemented	Not Implemented
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Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
		Abstained – 24 RESOLVED It is therefore, resolved that: 1.1 Council approves the name of Ms Palesa Kaota (current member of the Audit Committee) as the Interim Chairperson of the Mangaung Audit Committee effective from 19 August 2022 (i.e. the resignation date of the previous Chairperson) until the end of the term of the current Audit Committee, which is 28 February 2023.		
8	MPAC Oversight Report Regarding The 2020/2021 Financial Year	Unanimous RESOLVED that having thoroughly considered the contents of 2020/21 annual report and the findings of the Auditor General for the year under review, it is therefore recommended by the MPAC that: (a) Council adopts the Oversight Report. (b) In line with Section 129(1) Council approves the 2020/21 Annual Report with Reservations due to the unsatisfactory pace at which management is addressing risk areas/control weaknesses mentioned under section 6 of this report.	Office of the Speaker / Accounting Officer	(b) Provincial EXCO commissioned investigation on UIF&W. Report incomplete. Service Provider litigating against the municipality over nonpayment. Internal Audit findings are that report produced by Service Provider not in line with mandate and or instructions by the municipality.

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
		(c) The Accounting Officer provide the MPAC with a detailed report on the investigations that are currently underway with regard to the UIF&W for both MMM and Centlec within 14 days of the tabling of this report. (d) That compliance reports compiled in line with sections 52,71,72 and 88 of the MFMA be noted by Council and be handled as permanent referrals to the MPAC for further interrogation. (e) An audit action plan be developed to address audit findings. A progress report be submitted to the MPAC monthly. (f) The indigent register be updated as a matter of urgency and a report be submitted to the MPAC within 30 days of the tabling of this report. (g) A progress report be provided to the MPAC pertaining to the recruitment of support staff in political offices within 7 days of the tabling of this report. (h) The MPAC be provided with an action plan to curb overspending on overtime across all directorates within 30 days of the tabling of this report. (i) The Accounting Officer submit an updated risk register with mitigating risk		Matter is before the courts. (e) Audit Action Plan developed and ongoing implementation is underway. (f) Indigent register is currently being updated. (g) POB structure approved by council and advertisement is under way to recruit support staff. (h) Report on overtime was provided.

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
		strategies to the MPAC within 30 days of the tabling of this report.		
		(j) The Accounting Officer must provide the committee with a monthly report on the recovery of debt from government departments and the top 20 businesses that owe the city for services rendered.		
		(k) The Accounting Officer must provide the MPAC with a monthly progress report that details the ongoing negotiations with Bloemwater and resolving current disputes.		
		(l) The National Intervention Team provide Council, through the MPAC, with a progress report on the ongoing forensic investigation on IPTN project within 60 days of the tabling of this report.		
		(m) The Accounting Officer must ensure that a performance management system for all employees is developed and implemented. A progress report must be submitted to the MPAC within 60 days of the tabling of this report.		
		(n) The Accounting Officer must ensure that a functional disciplinary board is properly constituted within 60 days of the tabling of this report.		

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
		(o) Council must expedite the recruitment and appointment of Centlec board members within 60 days of the tabling of this report. (p) The Accounting Officer provide the MPAC with a comprehensive report regarding the status of the Zoo within 30 Days of the tabling of this report. (q) The Accounting Officer provide the MPAC with a comprehensive report regarding the status of FRESHCO within 30 Days of the tabling of this report. (r) The Accounting Officer must submit an action plan to address the challenges listed as bullet items under section 6 within 60 days of tabling of this report.		
9	176.2 Annual Work Plan of the Municipal Public Accounts Committee	Unanimous RESOLVED that the Council approves the processed work plan for the 2022/23 financial year. Votes In favour – 46 Against – 38 Abstained – 2 Spoiled – 4	Office of the Speaker	Implemented
10	178.1 Motion of no Confidence Against the Council Whip	RESOLVED that the motions of no confidence against the Council Whip of Mangaung Metropolitan Municipality, Cllr V	Office of the Speaker	Implemented Interim Council Whip was elected on 25 April 2023.

For Noting	Withdrawn	Referred Back	Implemented	Not Implemented
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Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation / Comments
		E Nikelo were considered and deliberated by the Council and resolved by voting through secret ballot as follows: Majority of Councillors in the meeting voted in favour of the two motions and thus the motions were approved.		



COUNCIL RESOLUTIONS

2nd QUARTER of the 2022/2023 Financial Year

**October 2022
to
December 2022**

REPORT: COUNCIL RESOLUTIONS FOR THE SECOND QUARTER (OCTOBER 2022 TO DECEMBER 2022) OF THE 2022/2023 FINANCIAL YEAR

Item No.:		Description of the Item	Resolution	Directorate / Sub Directorate	Implementation
SPECIAL MEETING: MONDAY, 7 NOVEMBER 2022					
1	186.1	Request for Approval for Water Debt Write Off	Withdrawn	Finance	Withdrawn
2	186.2	Report on the Implementation of Supply Chain Management Policy for the Quarter Ending September 2022	No Voting as item is for Noting RESOLVED that Council take note of the Supply Chain Management report for the first quarter ending September 2022.	Finance	Implemented
3	186.3	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	Votes In favour – 34 Against – 28 Abstained – 0 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.	Finance	Implemented

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation
		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	186.4 Report to Council on Irregular, Fruitless and Wasteful Expenditure in Terms of the Municipal Finance Act 32(4)	No Voting as item for Noting 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).	Finance	Implemented

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation
		(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	186.5 Request for the Establishment of Community Safety Forums (CSF) within Mangaung Municipality Metropolitan Jurisdiction	Votes In favour – 68 Against – 1 Abstained – 6 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.	Social Services	• Implemented. • Implementation is going.

Item No.:		Description of the Item	Resolution	Directorate / Sub Directorate	Implementation
6	186.6	Request for Council's Approval for the Establishment of Strategic Relationship with Institution of Higher Learning the Mangaung Metropolitan Municipality (MMM) Jurisdiction	Votes In favour – 69 Against – 0 Abstained – 5 RESOLVED (a) That the Council approves the signing of MoU's with the UFS, CUT and Motheo TVET; and (b) That Council be provided with quarterly reports on the signed MoU's.	Office of the City Manager	Discussions ongoing.
7	186.7	Macro Organisational Structure for Mangaung Municipality: Municipal Council Term 2022 – 2027 Finance Years	Unanimous 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	Corporate Services	Implemented.

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation
8	Establishment of Mangaung Metropolitan Transport Forum	from nine (09) into seven (07) aligned to the Municipal Staff Regulations (MSR) come into effect 01 July 2022. Unanimous RESOLVED that Council considers the approval of the: (a) Mangaung Metropolitan Municipality Transport Forum establishment. (b) Mangaung Metropolitan Municipality Transport Forum Constitution.	Planning	Implemented
9	Extension of Deployed National Interim Management Team at Mangaung Metropolitan Municipality	Votes In favour – 48 Against – 0 Abstained – 33 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.	Office of the Executive Mayor	Implemented. - DWS and MISA seconded technical officials as additional technical support at Engineering Services. - Positions of CFO, Heads Corporate Services and Technical Services were advertised with closing date of 09 November 2022. - Council deferred appointment of selection panels for Heads of Department until to date for further consultation with multi party. The item is tabled to be deliberated at ordinary council of 28 February 2023. - The legal implications thereof is that the computation of time for

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation
		(b) That Council notes the letters from both Ministers of Finance and CoGTA responding on the advice 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 of 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		shortlisting has lapsed on 10 January 2023 therefore the positions must be readvertised. - It is imperative that council appoint the selection panel constituted by persons in line with the regulation prior readvertisement. - Proposed action plan for the recruitment, selection and appointment of Head of Department is attached hereto.

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		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.		

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10	186.10 Report on Status and Functioning of the Mangaung Municipal Entity – CENTLEC	Votes In favour – 47 Against – 0 Abstained – 17 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.	Office of the City Manager	- Implemented - Appointment letter of Mr Paul Maseko was withheld by former Executive Mayor due to the NCR requesting advise on the appointment of the Board Administrator from National Treasury. National Treasury confirmed for the appointment of a Board Administrator as there is no legislative provision. - Positions for seven board members were advertised with closing date of 14 July 2023.

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		(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	186.11 Municipal Finance Management Act (MFMA): Section 52(D) SDBIP First Quarter Report	Votes In favour – 41 Against – 22 Abstained – 9 RESOLVED that Council approves the (MFMA): Section 52 (D) SDBIP 1st Quarter Report (01 July – 30 September 2022)	Finance	Implemented

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation
12	187.1 Tabling of Council Resolutions for the Period November 2021 until June 2022	Votes In favour – 58 Against – 0 Abstained – 15 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.	Office of the Speaker	Implemented
13	187.2 Resignation and Replacement of Ward Committee Members	Votes In favour – 71 Against – 0 Abstained – 2 RESOLVED	Office of the Speaker	

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation
		(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.		
SPECIAL MEETING: MONDAY, 19 DECEMBER 2022				
1	196.1 Consideration and Approval of Placement Policy of 2022 of Mangaung Metropolitan Municipality	Votes In favour – 54 Against – 1 Abstained – 0 RESOLVED (a) That the Council takes note of this report and annexures thereto. (b) That the Council approves the attached draft Placement Policy so that the employees of the former Naledi Local Municipality and Soutpan area can be placed permanently into the organisational structure of the Mangaung Metropolitan Municipality. (c) That no vacancies be advertised until the organogram has been finalised for approval by the City Manager.	Corporate Services	- Implemented. - Placement of former Naledi Staff completed. 116 employees accepted the placement and 25 appealed. The appeal process is underway

Item No.:		Description of the Item	Resolution	Directorate / Sub Directorate	Implementation
2	196.2	Appointment of Acting Chief Financial Officer (CFO)	(d) That the policy be amended under the Placement Committee(Clause 5.2.1) to exclude the one Councillor, not to be involved in placement process. Votes In favour – 38 Against – 0 Abstained – 17 RESOLVED that Council note the letter from National Treasury and appoints Mr Lutanyani Denge as an Acting Chief Financial Officer (CFO) of the Mangaung Metropolitan Municipality with effect from 19 December 2022 until 31 January 2023.	Corporate Services	Implemented
3	196.3	Appointment of Selection Panels for the Recruitment, Selection and Appointment of Managers Accountable to the Municipal Manager in Accordance with the Local Government Municipal Systems Act as Amended and Regulations	Withdrawn	Corporate Services	Withdrawn
4	196.4	Approval of the Risk Management Policy and Noting	Unanimous RESOLVED that Council,	Office of the City Manager	- Implemented - Risk committee members appointed.

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		of the Risk Management Committee Reports	(a) Approve both Risk Management Polices (Annexure A and B). (b) Took note of the 2020/21 and 2021/22 financial year's Risk Management Committee reports (Annexure C and D).	Corporate Services	
5	197.1	Update Report: Ward Committee Stipend	Votes In favour – 51 Against – 0 Abstained – 2 RESOLVED a) That the Municipal Council takes note of the update. b) That the Municipal Council is requested to review the current situation relating to the stipends accorded to the ward committee. c) That should the Municipal Council resolve to provide ward committee members R 2,000 (after tax) in the pocket, then the Acting City Manager be mandated to put into effect the necessary budgetary adjustments during by February 2023.	Office of the Speaker	Implemented

Item No.:	Description of the Item	Resolution		Directorate / Sub Directorate	Implementation	
		Withdrawn			Not implemented	
6	197.2	Procedure for the Granting of Leave for Mangaung Councillors		Office of the Speaker	Not implemented	
7	197.3	Progress Report on the Performance of the Section 79 Committees A. Remunerations Committee B. Public Places and Street Naming	Noted	Office of the Speaker	Ongoing	
8	197.4	Audit Committee Report to Council Covering Quarters One and Two of the 2022 / 2023 Financial Year	Votes In favour – 50 Against – 0 Abstained – 2 RESOLVED that the report is submitted to Council in accordance with provisions of MFMA Section 166(2) and Regulation 14(4) of the Local Government Municipal Planning and Performance Management Regulations of 2001 for consideration and approval.	Office of the Speaker	Implemented	
9	197.5	Appointment of Audit and Performance Committee Members	Unanimous RESOLVED that: (a) Council approves the process to recruit five (5) new Audit and Performance Committee members (the initial approved	Office of the Speaker		- Report tabled to council. - Advise sought at National Treasury on the legality of participation of Speaker in the appointment process of the Audit and Performance Committee.

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		composition/humber as per the attached advert Annexure A). (b) Council approves the attached amended Committee's Terms of Reference (Annexure B). (c) Council authorises the Speaker who will be administratively supported by the City Manager(Acting) and the GM: Internal Audit to administer the process of recruiting members of the Committee and submit the report with recommended names to Council for deliberations and approval. (d) The Speaker must submit the above-mentioned report to Council on or before 31st January 2023. (e) In case where the recruitment process do not allow the process to be concluded by the 31st January 2023, the term of the current members in case it expires before the process is concluded, be extended for a maximum period of three (3) months to avoid a vacuum and allow the process of appointing new members to be concluded.		
10	197.6 Amendment of Determination of Upper Limits of Salaries,	Votes	Office of the Speaker	Implemented

Item No.:	Description of the Item	Resolution	Directorate / Sub Directorate	Implementation
	Allowances and Benefits of Councillors	In favour – 42 Against – 0 Abstained – 17 RESOLVED that the Municipal Council hereby: (a) Take note of the amendment of the Determination of Upper Limits of Salaries, allowances, and Benefits of Municipal Councils. (b) That the Municipal Council approves the amendment of mobile data bundles for councillors in the amount of R 300.00 per month and it be paid retrospectively from July 2022. (c) It be noted that adequate budgetary provision had been made in budget vote line entry for councillors' salary and benefits in the 2022/2023 budget. (d) That note be taken, that the MEC for CoGTA in the province had already issued concurrence regarding the Upper Limits of Salaries, Allowances and Benefits for Municipal Councils. (e) That the City Manager is requested to urgently review and amend the current Cellular Phone policy in line with the Determination of Upper	Office of City Manager	

Item No.:		Description of the Item	Resolution	Directorate / Sub Directorate	Implementation
11	198.1	First and Second Quarter Progress Report on the Functioning of the Municipal Public Accounts Committee (MPAC) for the 2022 / 2023 Financial Year	Limits for Municipal Councils and it be submitted to the Municipal Council for consideration. Unanimous RESOLVED (a) That Council takes note of this report. (b) That Council mandates the Acting City Manager to allocate a budget for the MPAC to enable the Committee to fulfil its oversight duties as outlined in its approved annual work plan. (c) Council authorizes the Acting City Manager to strengthen capacity in the MPAC office to enable the Committee to perform its work effectively and within legislated time frames.	Office of the Speaker	Capacity of MPAC to be strengthened by filling vacancies of support staff at political office bearers.
12	198.2	MPAC Report to Council on the Review of the 2021/ 2022 Mid-Year Audit Committee Report and the Audit Committee Report for Quarters 3 and 4 of the 2021 / 22 Financial Year as Tabled in Council	Unanimous RESOLVED that the MPAC has adequately deliberated on and processed the Audit Committee's Mid-year and 3rd and 4th Quarter reports as mandated by Council and therefore recommends that:	Office of the Speaker	- Two attempts were made to fill the City Manager positions. - Report to be tabled in council for further mandate in line with the Regulations and letter from MEC CoGTA and Minister for CoGTA.

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		(a) Council adopts the recommendations of the Audit Committee as set out in its mid-year report dated 24 January 2022. (b) Council adopts the recommendations of the Audit Committee as set out in its 3rd & 4th Quarter report dated 22 June 2022. (c) The Acting Accounting Officer ensure that the recruitment process of the City Manager and Heads of Department is concluded by the end of February 2023. (d) The Accounting Officer fast track the capacitation of the IDP and Organizational Performance Unit as a matter of urgency. A progress report must be submitted to the Audit Committee and the MPAC within 30 days of the tabling of this report. (e) The first quarter assessment of the Municipal Manager and Heads of Departments conducted in line with the provisions of the Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to municipal managers, of 2006 be submitted to the Audit Committee and MPAC		

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		within 30 days of the tabling of this report.		
		(f) An action plan addressing excessive spending on overtime be submitted to the Audit Committee and MPAC within 30 working days of the tabling of this report.		
		(g) The Accounting Officer establish a Project Management Unit (PMU) to address the absence of monitoring and evaluation of projects as a matter of urgency and report back to the Audit Committee and MPAC within 30 working days of the tabling of this report.		
		(h) As previously recommended to Council by the Audit Committee, all Heads of Departments should have Key Performance Indicators of managing risks within their Departments in their Performance Agreements and their performance on risk management should be assessed as part of their overall performance assessments.		