MINUTES

Ref no.2/1/4/4/2

Date distributed

7th COUNCIL MEETING

OF THE

BREEDE VALLEY MUNICIPALITY

2021-08-24 AT 10:00

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1. OPENING AND WELCOME

In terms of the Rules of Order for Internal Arrangement By-Law 2012 the chairperson must take the chair at the time stated in the notice of the meeting or as soon thereafter as is reasonably possible: provided that the meeting does not commence later than 30 (thirty) minutes after the time stated in the notice of the meeting and must proceed immediately with the business of the meeting.

The Municipal Manager opened the meeting at 10:10 and welcomed everyone present.

1.1 ELECTION OF SPEAKER

File No. /s: 2/1/2/1 **Responsible Officials:** R Esau

Directorate: Strategic Support Services **Portfolio:** SSS

Purpose

The purpose of the item is for Council to elect a Speaker.

Background:

Councillor Neil Peter Mercuur elected from a party list, ceased to be a councillor of Breede Valley Municipality when he, unfortunately, died on 20 August 2021. This created a vacancy in council and a speaker vacancy.

The Municipal Council must, in terms of Section 36 of the Municipal Structures Act No.117 of 1998, elect a Speaker from among its members.

Section 36(3) cast in obligatory terms determines that the municipal manager shall preside over the election of the Speaker.

The procedures set out in Schedule 3 of the Municipal Structures Act apply to the Speaker's election.

1. ELECTION PROCEDURE

"SCHEDULE 3

Election of municipal office-bearers

1. Application

The procedure set out in this Schedule applies whenever a municipal council meets to elect a speaker, an executive mayor, a deputy executive mayor, a mayor or a deputy mayor.

2. Nominations

The person presiding at a meeting to which this Schedule applies must call for the nomination of candidates at the meeting.

3. Formal requirements

(1) A nomination must be made on the form determined by the municipal manager.

(2) The form on which a nomination is made must be signed by two members of the municipal council.

(3) A person who is nominated must indicate acceptance of the nomination by signing either the nomination form or any other form of written confirmation.

4. Announcement of names of candidates

At a meeting to which this Schedule applies, the person presiding must announce the names of the persons who have been nominated as candidates, but may not permit any debate.

5. Single candidate

If only one candidate is nominated, the person presiding must declare that candidate elected.

6. Election procedure

If more than one candidate is nominated—

(a) a vote must be taken at the meeting by secret ballot;

(b) each councillor present at the meeting may cast one vote; and

(c) the person presiding must declare elected the candidate who receives a majority of the votes.

7. Elimination procedure

(1) If no candidate receives a majority of the votes, the candidate who receives the lowest number of votes must be eliminated and a further vote taken on the remaining candidates in accordance with item 6. This procedure must be repeated until a candidate receives a majority of the votes.

(2) When applying subitem (1), if two or more candidates each have the lowest number of votes, a separate vote must be taken on those candidates, and repeated as often as may be necessary to determine which candidate is to be eliminated.

8. Further meetings

(1) If only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, a further meeting must be held within seven days at a time determined by the person presiding.

(2) If a further meeting is held in terms of subitem (1), the procedure prescribed in this Schedule must be applied at that meeting as if it were the first meeting for the election in question.

(3) If at the further meeting held in terms of subitem (1) only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, the person

presiding at such meeting must determine by lot who of the two candidates will hold the office for which the election has taken place. [Sch 3 item 8(3) ins by s 34 of Act 51 of 2002.]

In terms of 3(1) of Schedule 3, a nomination must be made on a form determined by the Municipal Manager. A pro-forma form for the nomination of a Speaker is attached. Ballot papers will be available at the meeting.

Financial Implications: Position are legally obliged and budgeted for.

Applicable Legislation/ Council Policy:
Section 55(2) and (3) of the Municipal Structures Act, 117 of 1998

Comment of Directorates/ Departments concerned are not applicable

RECOMMENDATION:

- **That Council elects a Speaker in terms of the procedures set out in Schedule 3 of the Municipal Structures Act.**

The MM confirmed that the process for the election of the Speaker is driven by the Municipality and that the IEC assists the Municipality with the election process.

The MM asked Council whether there is any objection from any Councillor against the assistance of the IEC. No objection against the assistance of the IEC tendered by any Councillor.

Nomination forms were made available and where only requested by the DA and ANC.

The following councillors were duly nominated for the position of Speaker:

DA : CLLR J. P. KRITZINGER
ANC : CLLR I. TSHABILE

The ANC asked a caucus for 10 minutes.
Caucus started at 10:50
Meeting reconvened at 10:58.

The Municipal Manager announced the result as follow after a secret ballot:

DA : CLLR J. P. KRITZINGER: 20 VOTES
ANC : CLLR I. TSHABILE: 11 VOTES

SPOILED BALLOT: 1

The following Councillors did not vote:
Cllr N. Nel
Alderman C. Ismail
Cllr N. Wullschleger
Cllr K. Benjamin

RESOLVED **C77/2021**
The Municipal Manager declared Cllr J.P. Kritzinger duly elected as the Speaker of the Breede Valley Municipal Council.

<u>To action</u>
Mr R Esau

2. OFFICIAL NOTICES

2.1 DISCLOSURE OF INTERESTS

Item 5 of the Code of Conduct for councillors' states:
A councillor must –

(a) disclose to the council, or any committee of which that councillor is a member, any direct or indirect personal or private business interest that that councillor or any spouse, partner or business associate of that councillor may have in any matter before the council or the committee; and

(b) withdraw from the proceedings of the council or committee when that matter is considered by the council or committee, unless the council or committee decides that the councillors' direct or indirect interest in the matter is trivial or irrelevant.

2.2 APPLICATIONS FOR LEAVE OF ABSENCE

In terms of the Rules of Order for Internal Arrangement By-Law 2012.

2.2.1 Every Councillor attending a meeting of the Council must sign his or her name in the attendance register kept for such purpose.

2.2.2 A Councillor must attend each meeting except when –

(a) Leave of absence is granted in terms of Clause 10; or
(b) The Councillor is required to withdraw in terms of law.

2.2.3 The Attendance Registers will be available at the meeting.
2.2.4 A blank Application for Leave of Absence form is enclosed.

Applications for Leave were received from Cllr P.B. Langata and V. Mngcele. Cllr N. Wullschleger indicated that Cllr C.F. Wilskut will arrive later at the meeting but he never attended the meeting.

3. COMMUNICATION

3.1 INTERVIEWS OR PRESENTATIONS BY DEPUTATIONS

In terms of the Rules of Order for Internal Arrangement By-Law 2012.
*"A deputation seeking an interview with Council must give the Municipal Manager **6 (six) days** written notice of its intention and furnish details of the representations to be made and the source of the deputation. The Municipal Manager must submit a request by a deputation for an interview with Council to the Speaker, who may decide to grant or refuse an interview and under what conditions*

3.2 BIRTHDAYS OF COUNCILLORS

Alderman P. Tyira	29 August 2021
Alderman M. Sampson	30 August 2021
Cllr C.F. Wilskut	6 September 2021
Cllr K. Benjamin	7 September 2021
Cllr N. Wullschleger	21 September 2021
Cllr T. Maridi	1 October 2021
Cllr R. Farao	5 October 2021
Cllr T. McThomas	9 October 2021
Alderman C. Ismail	10 October 2021
Cllr M. Jacobs	24 October 2021
Cllr N. Nel	25 October 2021

The Speaker asked Cllr J.F. Van Zyl to congratulate the Councillors on their respective birthdays.

3.3 STATEMENTS BY THE SPEAKER

EULOGY TO COMMEMORATE THE LEGACY OF NEIL MERCUUR

by
Cllr Dr Julian Kritzinger
Breede Valley Municipality

Introduction

Great sadness recently struck Breede Valley with the passing of Speaker Neil Mercuur.

Neil Mercuur's Role as Speaker of Breede Valley Municipality

Neil Mercuur was a multi-faceted and high potential individual who was a true '*allemansvriend*' and many of us here were friends with him outside of the political arena and will have our own stories to tell how he impacted our lives. I consequently would like to just focus on the aspect of his life related to his gift of able chairmanship as Speaker of the Council of Breede Valley Municipality.

Four Characteristics of a Good Chairman

In order to be a good chairman of a meeting, one can abide by the rules of order and know the rules of order well, but that still doesn't necessarily mean that one will be a good Speaker. In order to be a good Speaker one requires four further unique characteristics that is difficult to describe but which must be inherently part of your personal character:

1).*Dignitas*

This is a Latin word for a concept that means that one has to act in a dignified manner and treat everyone with equal respect.

2.*Gravitas*

This is a Latin word for a concept that means dignity, seriousness and solemnity of manner.

3.Command

This is a concept that requires one to be in clear control of a meeting and have authority over a situation.

4. Experience

Experience is something that cannot be taught and that can only be internalised through practical experience over the years.

Sum Total

A very rare example were all four of these phenomena – *dignitas*, *gravitas*, command and experience – intersected was our colleague and friend, Neil Mercuur.

Neil Mercuur's Role in History

History will of course remember Neil Mercuur for mainly four things:

1).His very important role that he played as Secretary of the Worcester Bestuurskomitee after his election in 1975;

2). When he was appointed as Town Secretary in 1997 at a very difficult time in Worcester's history;

3).The seremonial role that he played with the sod-turning ceremony of the Mountain Mill Mall, where we can still until today see the silver plated spade that he used where it is mounted against the wall in the Mall; and

4).His role in the preliminary discussions to locate the Golden Valley Casino in Worcester.

It is a pity that Neil Mercuur never took the time to pen down his memoirs of these historical events.

On a Personal Level
Then on a personal level, when I was a much younger councillor in my early twenties, Neil Mercuur took effort and his personal time to help hone my skills as councillor. He especially took the time to show me how to write a media release, what information it should contain and how it should speak to its purpose. His help at that point in my life was much needed and I am forever indebted to him for having taken his personal time to teach me such an important skill.

Life Lesson
Usually with a passing of a colleague or friend, I look at such a person's life and try to extrapolate one lesson from it that I can apply in my own life so that one can make sure that such a person's legacy stays with you. In the case of Neil Mercuur, he once taught me a very important lesson on a personal level. He one day told me; "*Onthou, 'n goeie politikus raak nooit kwaad nie*" (*Remember, a good politician never gets angry*).' And that principle stayed with me after that day, and since then I never got angry ever again after I lost a debate.

Maybe you can also extrapolate this precious lesson and apply it in your own career.

Observation of Moment of Silence
So, on that note, I would like to say; '*Rus sag, Neil*;' and ask that we stand and observe a moment of silence to pay our respects to our former colleague . . .

- Various tributes and messages of condolences by Councillors were offered in remembrance of the deceased Speaker, Cllr Neil Peter Mercuur.

3.4 STATEMENTS BY THE EXECUTIVE MAYOR

- The Executive Mayor congratulated Cllr J.P. Kritzinger with his election as Speaker of Breede Valley Municipality;
- The Executive Mayor paid tribute to Speaker Neil Peter Mercuur and thanked him for his contribution as friend and colleague;

- The Drive-by of Speaker, Neil Mercuur will be held 25 August 2021 and invited everyone to participate;
- Our towns are still struggling with the deaths of family, friends and colleague and those who are left behind should support these families who lost loved ones;
- Another young lady lost her life in Avian Park last week;
- Another young man excelled in his sport this week;
- Solutions to the challenges that our communities face daily must be reached;
- She expressed her gratitude to each person who make a difference in our communities**;**
- Happy Women's day to each woman and hope that each Women enjoyed their Women's month.

4. CONFIRMATION OF MINUTES

4.1 In terms of the Rules of Order for Internal Arrangement By-Law 2012.

(a) Minutes of the proceedings of meetings must be compiled in printed form and be confirmed by the Council at the next meeting and signed by the Speaker.

(b) The minutes shall be taken as read, for the purpose of confirmation, if a copy thereof was sent to each Councillor within forty-eight hours before the next meeting, subject to the provisions of sub-Clause (4).

(c) No motion or discussion shall be allowed on the minutes, except in connection with the correctness thereof.

(d) The minutes formulated and screened during meetings, shall constitute a resolution for purposes of implementation of decisions.

4.2 Council Meeting held on 27 July 2021 (Copy enclosed)

RECOMMENDATION
That in respect of
CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING
discussed by Council at the Council Meeting held on 24 August 2021:

1. As the Minutes of the Council Meeting held on 27 July 2021 were sent to each councillor at least forty-eight hours prior to the meeting, the minutes of the Council meeting held 27 July 2021 be taken as read and confirmed.

PROPOSED: CLLR E. VAN DER WESTHUIZEN

SECONDED: CLLR J.F. VAN ZYL

RESOLVED **C78/2021**
That in respect of
CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING
discussed by Council at the Council Meeting held on 24 August 2021:

1. As the Minutes of the Council Meeting held on 27 July 2021 were sent to each councillor at least forty-eight hours prior to the meeting, the minutes of the Council meeting held 27 July 2021 be taken as read and confirmed.

5. REPORT BY THE EXECUTIVE MAYOR ON DECISIONS TAKEN BY THE EXECUTIVE MAYOR, THE EXECUTIVE MAYOR TOGETHER WITH THE DEPUTY EXECUTIVE MAYOR AND THE MAYORAL COMMITTEE

5.1 The Deputy Executive Mayor: Alderman E.Y. Sheldon

5.2 MMC1: Alderman M. Sampson

5.3 MMC 3: Cllr. J.P. Kritzinger

5.4 MMC 4: Cllr. R. Faroa

5.5 MMC 5: Cllr. S.J. Mei

5.6 MMC 6: VACANT

5.7 MMC 7: Cllr. W.R. Meiring

5.8 MMC 8: Cllr. J.F. Van Zyl

5.9 MMC 9: Cllr J.J. Von Willingh

6. CONSIDERATION OF AGENDA ITEMS

6.1 ROLL OVER FROM 2020/2021 FINANCIAL YEAR - ADJUSTMENTS BUDGET 2021/2022 - 24 AUGUST 2021

The Executive Mayor tabled the Roll Over from 2020/2021 Financial Year-Adjustments Budget 2021/2022 before Council for approval.

File No. /s: 3/2/2/15 **Responsible Official:** R Ontong

Directorate: Financial Services **Portfolio**: Financial Services

1. Purpose

To submit an Adjustments budget for the 2021/22 financial year as a result of roll-overs from the 2020/21 finan

2. Background

Section 28 (2) (e) of the MFMA states the following: An Adjustments Budget – "may authorize the spending of that were unspent at the end of the past financial year where the under-spending could not reasonably have b foreseen at the time to include projected roll-overs when the annual budget for the current year was approved council;"

In terms of the Budget and reporting regulations, Regulation 23(5) on Government Gazette No: 32142, Notice of 2009 states; An adjustments budget referred to in section 28(2) (e) of the MFMA may only be tabled after th the financial year to which the roll-overs relate, and must be approved by the municipal council by 25 August o financial year, following the financial year to which roll-overs relate.

Further, section 30 of the MFMA states that; “The appropriation of funds in an annual or adjustments budget la the extent that those funds are unspent at the end of the financial year to which the budget relates, except in th of an appropriation for expenditure made for a period longer than that financial year in terms of section 16 (3).” Conditional grant funding must also be rolled over or refunded to the allocating authority.

“Municipalities may not rollover unspent conditional grant spending in terms of section 28(2) (e) of the MFMA (together with regulation 23(5) of the Municipal Budget and Reporting Regulations) because they are national/p funds. The applicable rollover process is then given effect through the municipal adjustments budget in January/February each year for all the cash/transfers that had already been transferred to the bank accounts o municipalities prior to the end of the financial year. In this regard refer to MFMA Budget Circular No. 51 for mo information.

Section 21 of the 2013 Division of Revenue Act requires that any conditional grants which are not spent at the the municipal financial year must revert to the National Revenue Fund, unless the receiving officer proves to th satisfaction of National Treasury that the unspent allocation is committed to identifiable projects, in which case funds may be rolled over.”

3. Financial Implications

Financial implications are contained in the detail in this report.

4. Applicable Legislation / Council Policy

1. The MFMA Section 28, 30 and 16(3)
2. Municipal Budget and Reporting Regulations
3. Council Budget related Policies

ROLLOVER ADJUSTMENTS BUDGET 2021/22

BREEDE VALLEY

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

24 August 2021

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SECTION A – Part 1

1. Glossary

Adjustments Budgets – Prescribed in section 28 of the Municipal Finance Management Act. It is the formal m which a municipality may revise its budget during a financial year.

Allocations – Money received from Provincial and National Treasury.

Budget – The financial plan of a municipality.

Budget related policy – Policy of a municipality affecting or affected by the budget.

Capital Expenditure – Spending on municipal assets such as land, buildings and vehicles. Any capital expend must be reflected as an asset on a municipality's balance sheet.

Cash Flow Statement – A statement showing when actual cash will be received and spent by the Municipality month end balances of cash and short-term investments.

DORA – Division of Revenue Act. The annual piece of legislation that indicate the allocations from National Government to Local Government.

Equitable Share – A general grant paid to municipalities. It is predominantly targeted to assist with free basic

GDFI - Gross Domestic Fixed Investment

GFS – Government Finance Statistics. An internationally recognised classification system that facilitates comp between municipalities.

IDP – Integrated Development Plan. The main strategic planning document of a Municipality.

KPI – Key Performance Indicators. Measures of service output and/or outcome.

LM – Breede Valley Municipality.

MFMA - Municipal Finance Management Act (No 53 of 2003). The principle piece of legislation relating to mun financial management.

MTREF – Medium Term Revenue and Expenditure Framework as prescribed by the MFMA sets out indicative and projected expenditure for the budget year plus two outer financial years to determine the affordability level

Operating Expenditure – Spending on the day to day expenses of a municipality such as general expenses, wages and repairs & maintenance.

Rates – Local Government tax based on assessed valuation of a property.

TMA – Total Municipal Account

SDBIP – Service Delivery Budget Implementation Plan. A detailed plan comprising quarterly performance targ monthly budget estimates.

Strategic Objectives – The main priorities of a municipality as set out in the IDP Budgeted spending must cor towards achievement of these strategic objectives.

Vote – One of the main segments into which a budget is divided, usually at department level.

Abbreviations and Acronyms

AMR	Automated Meter Reading
ASGISA	Accelerated and Shared Growth Initiative
BPC	Budget Planning Committee
CBD	Central Business District
CFO	Chief Financial Officer
CPI	Consumer Price Index
CRRF	Capital Replacement Reserve Fund
DBSA	Development Bank of South Africa
DoRA	Division of Revenue Act

DWA	Department of Water Affairs
EE	Employment Equity
EEDSM	Energy Efficiency Demand Side Management
EM	Executive Mayor
FBS	Free basic services
GAMAP	Generally Accepted Municipal Accounting Practice
GDP	Gross domestic product
GDS	Gauteng Growth and Development Strategy
GFS	Government Financial Statistics
GRAP	General Recognised Accounting Practice
HR	Human Resources
HSRC	Human Science Research Council
IDP	Integrated Development Strategy
IT	Information Technology
kℓ	kilolitre
km	kilometre
KPA	Key Performance Area
KPI	Key Performance Indicator
kWh	kilowatt-hour
ℓ	litre
LED	Local Economic Development
MEC	Member of the Executive Committee
MFMA	Municipal Financial Management Act
MIG	Municipal Infrastructure Grant
MM	Municipal Manager
MMC	Member of Mayoral Committee
MPRA	Municipal Properties Rates Act
MSA	Municipal Systems Act

MTEF	Medium-term Expenditure Framework
MTREF	Medium-term Revenue and Expenditure Framework
NERSA	National Electricity Regulator South Africa
NGO	Non-Governmental organisations
NKPIs	National Key Performance Indicators
OHS	Occupational Health and Safety
OP	Operational Plan
PBO	Public Benefit Organisations
PHC	Provincial Health Care
PMS	Performance Management System
PPE	Property Plant and Equipment
PPP	Public Private Partnership
PTIS	Public Transport Infrastructure System
RG	Restructuring Grant
RSC	Regional Services Council
SALGA	South African Local Government Association
SAPS	South African Police Service
SDBIP	Service Delivery Budget Implementation Plan
SMME	Small Micro and Medium Enterprises

1. Mayors Report

The 2021/22 Roll-over Adjustments Budget serves the purpose of allocating unspent and underspent fu which are committed to identifiable projects in the 2021/22 financial year budget. These projects, due to unforeseen circumstances could not be fully implemented during the 2020/21 financial year, and theref to be rolled over to the current (2021/22) financial year to ensure continued service delivery. The bigge contributor towards the underspending remains the COVID 19 pandemic, having severe consequences on citizens of Breede Valley but also on the municipal processes and the implementation thereof.

2. Resolutions

That council approves the following:

(a) To approve the adjustments budget as tabled in terms of section 28 of the Local Government: Municip Finance Management Act, 2003 (Act 56 of 2003).

(b) The recommendations with regard to resolutions are contained at the end of this report and have bee prepared and presented according to the budget regulations.

3. Executive Summary

The 2021/22 Adjustments Budget was compiled in accordance with section 28 of the Municipal Finance Management Act and regulation 23 of the Municipal Budget and Reporting Regulations.

In compiling the 2021/2022 Roll-over Adjustments Budget, the importance of credibility, sustainability, respons and affordability remains integral in striving to achieve the desired outcome of effective and efficient service de

Below is the list of projects to be rolled over from the 2020/21 financial year to the 2021/22 financial year:

Description	Roll overs from 2020/21
Refurbishment of electrical system	1 209 135
High to Protea Str. slip lane	640 000
Replace 11 Kv cable from Mc Allistor to Field Sub (1 600 m @ 185 mm Al PILC)	1 054 390
Erosion Protection of Hex River: Phase 2 (300m @ R13,333.33/m)	678 081
Upgrading of Gravel Road	123 233
Site D - Avian Park (25 Erven) Roads	257 109
Site D - Avian Park (25 Erven) Stormwater	275 000
Computer Equipment (Finance)	200 000
Insurance claims	584 000
Township Tourism Route Zwelethemba - CWDM Funding (OPEX)	100 000

Contractual commitment is in place for all the above-mentioned project, in line with the relevant criteria for this Adjustments Budget. The implementation or finalization of these projects prior to the end of the 2020/21 financ due to the following:

- Unresponsive bidders and / or lack of supply
- Adverse weather conditions
- Extensive nature of SCM processes
- COVID 19 pandemic and the effect the operations of the municipality

1. Adjustments Budget Tables – refer to Annexure A

Please refer to Annexure A for the complete and visually enhanced / user friendly version of the Schedule B ta
mentioned in this document.

B1 Consolidated Adjustments Budget Summary

B2 Consolidated Adjustments Budget Financial Performance by Standard Classification

B3 Consolidated Adjustments Budget Financial Performance by Municipal Vote

B4 Consolidated Adjustments Budget Financial Performance (Revenue and Expenditure)

B5 Consolidated Adjustments Budget Capital Expenditure Vote and Funding

B6 Consolidated Adjustments Budget Financial Position

B7 Consolidated Adjustments Budget Cash Flows

B8 Consolidated Cash Backed Reserves/Accumulated Surplus Reconciliation

B9 Consolidated Asset Management

B10 Consolidated Basic Service Delivery Measurement

SECTION A – Part 2

1. Adjustments to Budget Inputs and assumptions

The 2021/22 Roll-over Adjustments Budget was compiled in line with Chapter 4 Municipal Finance Manageme and Chapter 2 Part 4 of the Municipal Budget and Reporting Regulations.

The 2021/22 Roll-over Adjustments Budget remain consistent with the Long-Term Financial Plan to ensure co synergy between long term planning and implementation planning.

As per the legislative prescript mentioned above, these underspending was not foreseen during the compilatio 2021/22 annual budget. Only projects committed to identifiable projects as at the end of the 2020/21 financial y included in the roll-over Adjustments Budget, unless determined otherwise by the Accounting Officer / Municip Manager based on the merits of these related projects.

The roll-over of the abovementioned projects came about as a result of delays outside the control of the Munic The causes of these delays have been established and corrective measures have been put in place to monitor progress, which will promote effective and efficient implementation in the 2021/22 financial year.

2. Adjustments to Budget Funding

Budget funding in terms of operating and capital expenditure is set out on tables B4 and B5.

3. Adjustments to Expenditure on Allocations and Grant

Detailed particulars of budgeted allocations and grants can be found on SB8.

4. Adjustment to Allocations or Grants made by the Municipality

None.

5. Adjustment to Councillor Allowances and Employees

The changes to councillor allowances and employee related cost is provided on table B4. None.

6. Adjustment to Service Delivery and Budget

The monthly targets for revenue, expenditure and cash flows are provided in B10 - Section B Supporting Table

7. Adjustment to Capital Spending Detail

Information/detail regarding capital projects by vote is provided in Section B – Capital Budget, read with B5, B5
SB17, SB18a, SB18b, SB18e and SB19.

8. Other Supporting Documents

- National treasury electronic revised budget report, SB1-SB19 as **Annexure A**
- Signed quality certificate as **Annexure B**

Comment of Directorates / Departments concerned:

Municipal Manager:	Recommendation Supported
Director: Strategic Support Services:	Recommendation Supported
Director: Financial Services:	Recommendation Supported
Director: Technical Services:	Recommendation Supported
Director: Community Services:	Recommendation Supported
Acting Director: Public Services	Recommendation Supported

RECOMMENDATION

That in respect of

Adjustment Budget for 2021/222 – August 2021

Discussed by Council at the Council Meeting held on 24 August 2021 and:

1. **Council resolves that the rollover Adjustment Budget of Breede Valley Municipality for the finan 2021/22 be adjusted and approved with amendments as follows;**
    a. **Council approves the Adjustment Budget tables and Adjustment Budget supporting tabl prescribed by the Municipal Budget and Reporting Regulations, as set out in Annexure A**
    b. **Council approves the Quality Certificate to the Adjustments Budget signed by the Accou Officer, as per Annexure B.**

PROPOSED: ALDERMAN A. STEYN

SECONDED: CLLR W.R. MEIRING

21 VOTES IN FAVOUR OF ALDERMAN A. STEYN'S PROPOSAL

14 COUNCILLORS OF THE ANC ABSTAINED FROM VOTING

1 COUNCILLOR OF THE ANC VOTED AGAINST

RESOLVED C79/2021

That in respect of

Adjustment Budget for 2021/222 – August 2021

Discussed by Council at the Council Meeting held on 24 August 2021 and:

1. **Council resolves that the rollover Adjustment Budget of Breede Valley Municipality for the finan 2021/22 be adjusted and approved with amendments as set out in the following;**
    a. **Council approves the Adjustments Budget tables and Adjustments Budget supporting ta prescribed by the Municipal Budget and Reporting Regulations, as set out in Annexure A**

b. Council approves the Quality Certificate to the Adjustments Budget signed by the Accou Officer, as per Annexure B.

To Action

R. Ontong

6.2 2022/23 IDP & BUDGET TIME SCHEDULE (IN PREPARATION FOR 5TH GENERATION IDP) & PROPOSED WARD COMMITTEE/PUBLIC ENGAGEMENT PLAN

File No./s: 10/3/8 **Responsible Official:** C. Malgas

Directorate: Strategic Support Services **Portfolio:** IDP/SDBIP/PMS

1. PURPOSE

To table the 2022/23 IDP & Budget Time Schedule, linked to the IDP & Budget planning- as well as the financial- and performance reporting cycle, for Council's notification.

The following points (as depicted in the Annexure "A") are emphasised accordingly:

- Point 2:
    - That Council takes note of the planned activities earmarked for implementation from September 2021 – August 2022. The Time Schedule excludes activities relating to July- & August 2021 as these have been tabled to Council during August 2020 (as part of the 2021/22 Time Schedule – Council Resolution C52/2020). The activities are subject to change in accordance with the Process Plan to be considered and adopted by the newly elected Council (will be tabled after inauguration).

- Point 3:
    - That Council takes note of the proposed ward committee/public engagement plan, scheduled in September/October 2021 and March/April 2022 respectively, and endorse that it be consulted with each Ward Councillor and applicable stakeholder(s) prior to finalisation and publication thereof. Special consideration will be given to Covid-19 regulations issued in relation to public gatherings. In addition, the

Constitutional Court ruling pertaining to the Local Government Elections will be closely monitored, as this will have an impact on the planned public engagements.

2. BACKGROUND

Section 21(1) of the Municipal Finance Management Act (Act 56 of 2003) (MFMA) regulates the Budget preparation process; by stating that:

(1) The mayor of a municipality must:

(a) co-ordinate the processes for preparing the annual budget and for reviewing the municipality's integrated development plan and budget-related policies to ensure that the tabled budget and any revisions of the integrated development plan and budget-related policies are mutually consistent and credible;

(b) at least 10 months before the start of the budget year, table in the municipal council a time schedule outlining key deadlines for -

(i) the preparation, tabling and approval of the annual budget;

(ii) the annual review of -

(aa) the integrated development plan in terms of section 34 of the Municipal Systems Act; and

(bb) the budget-related policies;

(iii) the tabling and adoption of any amendments to the integrated development plan and the budget related policies; and

(iv) any consultative processes forming part of the processes referred to in subparagraphs (i), (ii) and (iii).

Section 53(1)(b) of the MFMA prescribes that:

(1) The mayor of a municipality must:

(b) co-ordinate the annual revision of the integrated development plan in terms of section 34 of the Municipal Systems Act and the preparation of the annual budget, and determine how the integrated development plan is to be taken into account or revised for the purposes of the budget.

Section 34 of the Local Government Municipal Systems Act (Act 32 of 2000) requires the Municipal Council to annually review its IDP in accordance with an assessment of its performance and to the extent that changing circumstances require. The Municipality must inform the public of the particulars of the process it intends to follow.

However, this Time Schedule is unique, as Local Government Elections are scheduled to take place during the period under discussion. A newly elected Council must (in terms of legislation) adopt its own process to guide the planning, drafting, adoption and review of its IDP (i.e. 5th Generation IDP). On this premise, Council should note that this Time Schedule will form an integral part of the Process Plan earmarked for tabling to the newly elected Council in terms of section 28 of the MSA. The key activities listed, are therefore subject to change in accordance with the new Council's approved process.

3. COMMENT

A copy of the 2022/23 IDP & Budget Time Schedule and proposed ward committee/public engagement plan, is attached as Annexure "A"

4. FINANCIAL IMPLICATIONS

None

5. APPLICABLE LEGISLATION/COUNCIL POLICY

Municipal Finance Management Act (Act 56 of 2003)

Municipal Systems Act (Act 32 of 2000)

COMMENT OF DIRECTORATES/DEPARTMENTS CONCERNED

Municipal Manager: Supported

Director: Strategic Support Services: Supported

Director: Financial Services: Supported

Director: Engineering Services: Supported

Director: Community Services: Supported

Acting Director: Public Services: Supported

Senior Manager: Legal Services: Supported

RECOMMENDATION

That in respect of –

The 2022/23 IDP & Budget Time Schedule and proposed Ward Committee/Public Engagement Plan

as discussed by Council at the Council Meeting held on 24 August 2021:

1. That the 2022/23 IDP & Budget Time Schedule be noted in terms of Sections 21(1)(b) and 53(1)(b) of the Municipal Finance Management Act (Act 56 of 2003), read together with Sections 28 and 34 of the Local Government Municipal Systems Act (Act 32 of 2000), with specific emphasis on the following:

    a. The planned activities earmarked for implementation from September 2021 – August 2022 be noted;
    b. The proposed Ward Committee/Public Engagement Plan, scheduled in September/October 2021 and March/April 2022 respectively, be noted coupled with the

endorsement to consult it with each Ward Councillor and applicable stakeholder(s) prior to finalisation and publication thereof.

PROPOSED: CLLR W.R. MEIRING

SECONDED: ALDERMAN A. STEYN

RESOLVED **C80/2021**

That in respect of –

The 2022/23 IDP & Budget Time Schedule and Proposed Ward Committee/Public Engagement Plan

as discussed by Council at the Council Meeting held on 24 August 2021:

1. That the 2022/23 IDP & Budget Time Schedule be noted in terms of Sections 21(1)(b) and 53(1)(b) of the Municipal Finance Management Act (Act 56 of 2003), read together with Sections 28 and 34 of the Local Government Municipal Systems Act (Act 32 of 2000), with specific emphasis on the following:

    a. The planned activities earmarked for implementation from September 2021 – August 2022 be noted;
    b. The proposed Ward Committee/Public Engagement Plan, scheduled in September/October 2021 and March/April 2022 respectively, be noted coupled with the endorsement to consult it with each Ward Councillor and applicable stakeholder(s) prior to finalisation and publication thereof.

<u>To Action</u>

C. Malgas

6.3 REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF: JULY 2021

File No./s: 2/1/1/1 **Responsible Official:** R. Ontong

Directorate: Financial Services **Portfolio:** Supply Chain Management

1. Purpose

To report to Council on all deviations and their reasons, approved by the delegated authority in terms of paragraph 36(2) of the Supply Chain Management Policy, for the month of July 2021.

2. Background

The purpose of this report is to ensure that Council maintains oversight over the implementation of the Supply Chain Management Policy. In terms of paragraph 36(2) of the said policy, the Accounting Officer must record the reasons for any deviations in terms of paragraph 36(1)(a) of the policy and report them to Council. However, it must be noted that these deviations also serve on the **monthly Section 71** (MFMA) report/s to Mayco and **quarterly Section 52** (MFMA) report/s to Council.

Deviations approved in terms of paragraph 36(1)(a) for the month of July 2021, are attached as **Annexure A.**

3. Financial Implications

Reference can be made to the total approved amount as reflected in annexure “A”

4. Applicable Legislation / Council Policy

Municipal Finance Management Act. 2003, (Act 56 of 2003)
Breede Valley Supply Chain Management Policy, as amended.
Supply Chain Management Regulations

Comment of Directorates / Departments

Municipal Manager: Noted

Director: Strategic Support Services: Noted

Director: Financial Services: Noted

Director: Engineering Services: Noted

Director: Community Services: Noted

Acting Director: Public Services: Noted

Senior Manager: Legal Services: Noted

RECOMMENDATION
That in respect of
REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH: JULY 2021
as discussed by Council at the Council Meeting held on 24 August 2021:

1. That the deviations from the procurement processes, approved in terms of the delegated authority for the month of July 2021, **be noted**.

PROPOSED: CLLR W.R. MEIRING

SECONDED: CLLR P. RAMOKHABI

RESOLVED **C81/2021**
That in respect of
REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH: JULY 2021
as discussed by Council at the Council Meeting held on 24 August 2021:

1. That the deviations from the procurement processes, approved in terms of the delegated authority for the month of July 2021, **be noted**.

To Action

M. Potgieter

7. CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY SUBMITTED BY THE MUNICIPAL MANAGER

8. CONSIDERATION OF MATTERS SUBMITTED BY THE CHAIRPERSON OF COUNCIL

9. CONSIDERATION OF NOTICES OF MOTION AND NOTICES OF QUESTIONS WHICH SHALL APPEAR ON THE AGENDA IN THE ORDER IN WHICH THEY HAVE BEEN RECEIVED BY THE MUNICIPAL MANAGER

10. CONSIDERATION OF MOTIONS OF EXIGENCY

11. CLOSURE

The Speaker closed the meeting at 14:10.