



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2020-09-09

**NOTICE OF A SPECIAL MEETING OF  
THE COUNCIL OF STELLENBOSCH MUNICIPALITY  
FRIDAY, 2020-09-11 AT 10:00**

<b>TO</b>	The Speaker, Cllr N Jindela [Chairperson] The Executive Mayor, Ald G Van Deventer (Ms) The Deputy Executive Mayor, Cllr WC Petersen (Ms)	
<b>COUNCILLORS</b>	F Adams FJ Badenhorst FT Bangani-Menziwa (Ms) Ald PW Biscombe G Cele (Ms) PR Crawley (Ms) A Crombie (Ms) Z Dalling (Ms) R Du Toit (Ms) J Fasser A Florence AR Frazenburg E Fredericks (Ms) T Gosa E Groenewald (Ms) JG Hamilton AJ Hanekom DA Hendrickse JK Hendriks LK Horsband (Ms)	MC Johnson DD Joubert N Mananga-Gugushe (Ms) C Manuel NE Mcombring (Ms) XL Mdemka (Ms) C Moses (Ms) RS Nalumango (Ms) N Olayi MD Oliphant SA Peters MM Pietersen WF Pietersen SR Schäfer Ald JP Serdyn (Ms) N Sinkinya (Ms) P Sitshoti (Ms) Q Smit LL Stander E Vermeulen (Ms)

Notice is hereby given in terms of Section 29, read with Section 18(2) of the *Local Government: Municipal Structures Act, 117 of 1998*, as amended, that a **SPECIAL MEETING** of the **COUNCIL** of **STELLENBOSCH MUNICIPALITY** will be held via **MS TEAMS** on **FRIDAY, 2020-09-11** at **10:00**.

**SPEAKER  
N JINDELA**

**A G E N D A**  
**SPECIAL MEETING OF THE COUNCIL**  
**OF STELLENBOSCH MUNICIPALITY**  
**2020-09-11**

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7.	<b>STATUTORY MATTERS</b>
7.1	<b>MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 2020</b>

Collaborator No: 8/1

BUDGET KPA Ref No: Good Governance and Compliance

Meeting Date:

**1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 2020**

**2. PURPOSE**

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2020/2021 to report the deviations to Council.

**3. DELEGATED AUTHORITY**

Council

FOR NOTING.

**4. EXECUTIVE SUMMARY**

Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy (2019/2020) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during August 2020.

**5. RECOMMENDATIONS**

That Council notes the deviations as listed for the month of August 2020.

**6. DISCUSSION / CONTENTS**

**6.1. Background/Legislative Framework**

The regulation applicable is as follows:

**GNR.868 of 30 May 2005: Municipal Supply Chain Management Regulations (SCM) Deviation from and ratification of minor breaches of, procurement processes**

**36. (1) A supply chain management policy may allow the accounting officer—**

(a) To **dispense with the official procurement processes** established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only—

(i) in an emergency;

(ii) if such goods or services are produced or available from a single provider only;

(iii) for the acquisition of special works of art or historical objects where specifications are difficult to compile;

(iv) acquisition of animals for zoos; or

(v) in any other exceptional case where it is impractical or impossible to follow the official procurement processes; and

(b) to ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.

## AGENDA

SPECIAL MEETING OF THE COUNCIL  
OF STELLENBOSCH MUNICIPALITY

2020-09-11

(2) The accounting officer must record the reasons for any deviations in terms of sub regulation (1) (a) and (b) and **report them to the next meeting of the council**, or board of directors in the case of a municipal entity, and include as a note to the annual financial statements.

**6.2. Discussion**

Reporting the deviations as approved by the Accounting Officer for August 2020:

The following deviations were approved with the reasons as indicated below:

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 03/21	13 August 2020	Landfill Consult	Appointment of Green Waste chipping Contractor for the period from date of appointment for four months or until Tender BSM 69/20 is awarded	Emergency	To obtain approval, in terms of SCM regulation 36.1(a)(v) - in any other exceptional case where it is impractical or impossible to follow the official procurement process - of Council's approved SCM policy. The deviation is for the appointment of a waste transport contractor for a period of four months or until Tender BSM 66/20 is awarded. This request is as a result of the delay in the award of tender BSM 69/20 due to the Covid-19 lockdown and the extensions thereafter. The chipping of green waste is considered as an essential service and must continue uninterrupted to ensure that green waste delivered to the Stellenbosch Landfill is chipped and removed from the site. Uncontrolled stockpiling of green waste can cause a fire risk, damage to the environment and an interruption in continued service delivery.	R871 010,00 excluding VAT
D/SM 04/21	07 August 2020	STBB Attorneys	To appoint legal representative to oppose the application brought by Securitem (Pty) Ltd declaring	Exceptional case and it is impractical or impossible to follow the official	The Municipality awarded a tender to Securitem (Pty) LTD in which rates for services are awarded VAT inclusive. Securitem served and	R250 000.00 exclusive of VAT

			<p>that value added tax ("vat") must still be added to the shift rates per guard as approved on tender B/SM87/18 issued by Stellenbosch Municipality.</p>	<p>procurement processes.</p>	<p>filed a Notice of Motion on the Municipality on or about 13 July 2020 for a declaratory order that inter alia Value Added Tax ("VAT") must still be added to the shift rates per guard upon which Securitem submitted its bid response to tender B/SM 87/18.</p> <p>STBB Attorneys represented the Municipality in the dispute of Metro City Protection Services pertaining to the same tender. STBB Attorneys successfully defended the interdict application instituted by Metro City Protection Services and pursuant thereto settled the Review application in the Municipality's favor. STBB Attorneys has the relevant background, institutional experience and expertise to attend to this matter and is already familiar with the tender.</p> <p>It is impractical to appoint an attorney to familiarize themselves with the case. STBB is not part of the approved legal panel appointed by the Municipality.</p>	
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**6.3 Financial Implications**

As per table above.

**6.4 Legal Implications**

The regulation applicable is:

**GNR.868 of 30 May 2005: Municipal Supply Chain Management Regulations: Deviations from and ratification of minor breaches of, procurement processes.**

**6.5     Staff Implications**

No staff implications

**6.6     Previous / Relevant Council Resolutions**

None

**6.7     Risk Implications**

That the market may not be tested.

The measures in place to deal with deviations mitigate the risk to an acceptable level. The Auditor-General also audit the deviations during the yearly audit.

**6.8     Comments from Senior Management**

The item was not circulated for comment except to Municipal Manager

**6.8.1   Municipal Manager**

Supports the recommendations.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Dalleel Jacobs
<b>POSITION</b>	<b>SNR SCM Manager</b>
<b>DIRECTORATE</b>	<b>Finance</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8588</b>
<b>E-MAIL ADDRESS</b>	<b>Dalleel.jacobs@ Stellenbosch.gov.za</b>
<b>REPORT DATE</b>	<b>01 September 2020</b>

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<b>8.</b>	<b>MATTERS SUBMITTED BY THE MUNICIPAL MANAGER</b>
<b>8.1</b>	<b>WITHDRAWAL OF COUNCIL DELEGATIONS TO THE EXECUTIVE MAYOR</b>

**Collaborator No:**

**IDP KPA Ref No:** Good governance and compliance

**Meeting Date:** 11 September 2020

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**1. SUBJECT: WITHDRAWAL OF COUNCIL DELEGATIONS TO THE EXECUTIVE MAYOR**

**2. PURPOSE OF REPORT**

Council to withdraw Council delegations given to the Executive Mayor on 25 March 2020.

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

During the declaration of a national disaster on the coronavirus (COVID-19) pandemic on 15 March 2020, and to ensure effective operations and service delivery, Council granted permission to the Executive Mayor to exercise power of the council with the exception of powers in Section 160(2) of the constitution.

On 17 August 2020 the entire country was placed on alert level 2 which means that there is a moderate Covid-19 spread of the virus. Economic activity is allowed with the necessary and appropriate stringent health protocols and safety precautions in place. Council is fully operational therefore there is no need for council delegations. For this reason, the Executive Mayor requested on 04 September 2020 (see attached as Appendix 1) to withdraw the delegations of council conferred to her, as council activities has returned to normal.

**5. RECOMMENDATIONS**

that Council withdraw the delegation conferred to the Executive Mayor on 25 March 2020.

**6. DISCUSSION / CONTENTS**

**6.1 Discussion**

When the President of South Africa declared the Coronavirus (COVID-19) pandemic a national disaster in terms of Section 23(1) (b) of the Disaster Management Act 2002, it was to prevent a sudden and uncontrolled surge of infections and to prepare the health system adequately. The past months' indications are that South Africa has reached the peak and moved beyond the inflexion point of the curve. Adaptation to the restrictions around mask wearing, social distancing and good hygiene in the process helped to save lives.

On 17 August 2020 the entire country was placed on alert level 2 which means that there is a moderate Covid-19 spread of the virus. Economic activity is allowed with the necessary and appropriate stringent health protocols and safety precautions in place.

To this end, and to ensure continuous service delivery all Council delegation with the exception of functions as per section 160(2) was conferred to the Executive Mayor. Furthermore, the Executive Mayor reported in terms of Section 63 of the Municipal Systems Act to Council on all decisions that was taken during this time. Easing of the COVID-19 regulations to level 2 provide sufficient scope for council meetings and communication on Council matters.

**7. Financial Implications**

No financial implications

**8. Legal Implications**

Recommendations is in line with legislative provisions

**9. Staff Implications**

None

**10. Previous / Relevant Council Resolutions:**

Urgent Council Meeting: 2020-03-25 Item 9.1

**11. Risk Implications**

No risk implications

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Geraldine Mettler
<b>POSITION</b>	Municipal Manager
<b>DIRECTORATE</b>	Municipal Manager
<b>CONTACT NUMBERS</b>	021 808 8025
<b>E-MAIL ADDRESS</b>	<a href="mailto:municipal.manager@stellenbosch.gov.za">municipal.manager@stellenbosch.gov.za</a>
<b>REPORT DATE</b>	07 September 2020



# **APPENDIX 1**



**STELLENBOSCH**  
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**Kantoor van die Uitvoerende Burgemeester**  
**Office of the Executive Mayor**  
**iOfisi kaSodolophu olawulayo**

Ms G Mettler: Municipal Manager  
Stellenbosch Municipality  
**STELLENBOSCH**  
7600

Dear Ms Mettler

**WITHDRAWAL OF DELEGATIONS**

I refer to the delegations granted to me as Executive Mayor, as per section 160(2) of the Constitution and granted by Council on 24 March 2020. I am satisfied that level 2 of COVID19 regulations now provide sufficient scope for Council meetings and communication on Council matters.

I hereby request you to submit an item to the next Council meeting to request Council to withdraw the delegations granted to the Executive Mayor.

I wish to thank Council for the confidence placed in me to enable the administration to continue with their duties and further efficient administrative functions during the first phases of lockdown.

Thank you.

Best regards.

Adv GMM van Deventer  
**EXECUTIVE MAYOR**

Date: 2020-09-04

8.2	<b>ALLOCATION OF FUNDS TO ORGANISATIONS PROVIDING FOOD TO THE HOMELESS DURING THE COVID-19 LOCKDOWN PERIOD</b>
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

08 September 2020

**1. SUBJECT: ALLOCATION OF FUNDS TO ORGANISATIONS PROVIDING FOOD TO THE HOMELESS DURING THE COVID-19 LOCKDOWN PERIOD**

**2. PURPOSE**

To consider a further donation to the Stellenbosch Unite Initiative to procure and distribute food packages to the homeless and vulnerable people of the municipal area during the COVID-19 lockdown period.

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

On 20 April 2020, the Executive Mayor under the delegation approved by Council on 25 March 2020 to confer Council power and functions upon the Executive Mayor, approved the recommendations from the Special Grants Committee to donate funding to the Stellenbosch Unite Initiative to provide food parcels and soup to the vulnerable community groups during the COVID-19 lockdown period.

Stellenbosch Unite on 23 August 2020 submitted a formal request for further funding in order to systematically phased out the support granted to the abovementioned parties. The request required the following funding to be allocated to the initiative:

- A further allocation of R50 000.00 to cover the costs for the maintenance of the E-Voucher food distribution database for August- and September 2020;
- A further allocation of further R480 000.00 or part thereof, to Stellenbosch Unite, to keep the soup kitchens in vulnerable communities operational until 30 September 2020.

In terms of the signed MOU with Stellenbosch Unite, an ICT system to verify potential beneficiaries against the criteria for qualification to receive food aid during the lockdown period, as defined under the National Disaster Management Act. The parties (Stellenbosch Municipality and Stellenbosch Unite) agreed that the funding received will be distributed through the E-Voucher system.

To this end Stellenbosch Unite sought assistance from African Data Technologies which agreed to provide the service at a rate of R25 000 per month. These costs were covered from private sector donations up to July 2020. However, due to donor fatigue and the fact that the needs in our vulnerable communities has not subsided, the service is required for the months of August- and September 2020. Essentially more funding is needed to continue with the various soup kitchens serving the vulnerable communities in WC024, and also to ensure that the affected communities are aware that Council will have to re-assess the continued financial support, as this would impact significantly on the budget as approved by Council, as well as the objectives of the Grants-in-Aid Policy adopted by Council.

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**5. RECOMMENDATIONS**

- (a) that Council approves the allocation of a further R50 000 to Stellenbosch Unite to cover the costs for the maintenance of the E-Voucher food distribution database for August and September 2020.
- (b) that Council consider the allocation of a further R480 000 or part there-of, to Stellenbosch Unite, to keep the soup kitchens in vulnerable communities operational until 30 September 2020.

**6. DISCUSSION / CONTENT**

In terms of the signed MOU with Stellenbosch Unite, the platform will utilize an ICT system to verify potential beneficiaries against the criteria for qualification to receive food aid during the lockdown period as defined under the national Disaster Management Act. The parties (Stellenbosch Municipality and Stellenbosch Unite) agreed that the funding received from the Department of Local Government (Western Cape) – a total of R900 000.00, will be distributed through the E-Voucher system.

In terms of this, it was also agreed that the recipients be verified against the databases of DSD, SASSA and local NOGs providing food relief in WC024 communities. This was to ensure that all those needing assistance are identified and supported, but more importantly to prevent double-dipping by unscrupulous operators.

To this end Stellenbosch Unite sought assistance from African Data Technologies which agreed to provide the service at a subsidized rate of R21 000 per month plus travel and cell phone expenses, which amounted to approximately R25 000 per month. These costs were covered from private sector donations up to July 2020. However, due to donor fatigue and the fact that the needs in our vulnerable communities has not subsided, the service is required for a further two months, that is, for August and September.

In order to secure the service and to protect the integrity of the data on record, a further R50 000 assistance is requested from Stellenbosch Municipality.

Alongside the provision of food parcels to qualifying beneficiaries, Stellenbosch Unite has also mobilized various restaurants in Stellenbosch and Franschhoek to produce soup for distribution in vulnerable communities. Notwithstanding this, with the re-opening of restaurants under lockdown level 2 and a decline in donor funding for this purpose, the soup kitchens are facing closure. In order to keep soup kitchens open and operational until the end of September 2020, a further R480 000 is required to procure the ingredients and to have the soup prepared.

**6.3 Financial Implications**

A possible amount of R520 000 may be transferred to Stellenbosch Unite in terms of the recommendations.

**6.4 Legal Implications**

The recommendations complies with municipal policy and all relevant and applicable local government legislation.

**6.5 Staff Implications**

There are no staff implications.

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**6.6 Previous / Relevant Council Resolutions**

- 6.6.1 Council approved funding of R300 000.00 to Stellenbosch Unite as part of the Humanitarian Relief project that was implemented in partnership with various local NGOs and civil society organisations.
- 6.6.2 Council also approved the transfer of R900 000.00 (received from the Department of Local Government for humanitarian relief) to Stellenbosch Unite to be distributed in WC024 in the form of E- Vouchers that can be redeemed at local retailers for food.

**6.7 Risk Implications**

The risk of funding misuse and double-dipping is mitigated by maintaining the integrity of the database and verifying all potential beneficiaries against the qualifying criteria and the beneficiary network.

**COMMENTS OF THE GRANTS COMMITTEE: 2020-09-07**

The recommendations are supported by the Grants Committee based on the following reasons:

- Although R480 000.00 is requested that this amount included the distribution of food parcels, and the request is to at least continue with the soup kitchens until 30 September 2020, thus only donations is being recommended the latter purposes in the amount of R105 000.00.
- The exemption of the policy is motivated to cover costs which may have been incurred to track the issuing of the food parcels, which donor funding from the private sector was ceased and there were still budget remaining for the distribution of these packages, thus Council will cover the cost for the E-Vouchers for the months of August – and September 2020 to ensure that the food parcels be distributed the correct beneficiaries.
- Although the amount for the E-Vouchers are R21 000.00, the additional costs as prescribed being for travelling and cellphone costs, are to ensure that the data of the vouchers are confirmed with the Service Provider. Thus, the R25 000.00 is supported.
- The Grants Committee note that no further contributions be made the Stellenbosch Unite Initiative as a number of sponsors have withdrawn, due to the Level 2 Restrictions permitting the further opening of businesses and thus need to focus such attention to getting their own business on track again.
- Currently the budget vote for the Sports Grant has been incorrectly allocated to the cost centre for the Directorate: Planning & Economic Development, this will be rectified during the adjustment budget. It should be noted that the are no funds currently available in the Ukey: 20200707993200. The Directorate: Planning & Economic Development will through the verimentation process allocate funds to the amount of R155 000.00 to this Ukey from funds where projects will not be implemented during this financial year and where such savings of projects is predicted.
- The recommendations include the request to Council to approve the exemptions from the required clauses within the Grants-in-Aid Policy 2020/2021, to enable the donations to the Stellenbosch Unite Initiative.

**CONTINUATION GRANTS-IN-AID COMMITTEE MEETING: 2020-09-07: ITEM 3.1****RECOMMENDATIONS**

- (a) that Stellenbosch Municipality, as a partner in the Stellenbosch Unite Initiative, approves the allocation of a further R50 000 to Stellenbosch Unite to cover the costs for the maintenance of the E-Voucher food distribution database for August and September 2020 only;
- (b) that Stellenbosch Municipality approves the donation of R105 000.00 to the Stellenbosch Unite Initiative, to keep the soup kitchens in vulnerable communities operational until 30 September 2020;
- (c) that the above donation be exempted from the following Clauses within the Grants-in-Aid Policy (2020/2021):
- Clauses 4 (Restrictions)
  - 6.1.4(vi) "*Where expenses have already been incurred,..*".
  - 6.1.4(vii) "*Where applications were received after the due date and time for submissions.*"
- (d) that Council note that no further ad-hoc financial donations will be entertained, as any further donations of this nature must be discussed through the IDP and Budget processes.

**ANNEXURES**

Annexure I: Request for assistance from Stellenbosch Unite – Maintenance of Database

Annexure II: MOU between Stellenbosch Municipality and Stellenbosch Unite

Annexure III: Request for assistance from Stellenbosch Unite – Soup Kitchens

**FOR FURTHER DETAILS, CONTACT:**

<b>NAME</b>	Michelle Aalbers
<b>POSITION</b>	Manager: Community Development
<b>DIRECTORATE</b>	Community and Protection Services
<b>CONTACT NUMBERS</b>	021 808 8161
<b>E-MAIL ADDRESS</b>	<a href="mailto:Michelle.aalbers@stellenbosch.gov.za">Michelle.aalbers@stellenbosch.gov.za</a>
<b>REPORT DATE</b>	31 August 2020

# **ANNEXURE 1**

**ANNEXURE I**

**From:** Jeanneret Momberg [mailto:give@stellenboschunite.org]  
**Sent:** Sunday, 23 August 2020 20:17  
**To:** Gary Boshoff  
**Cc:** lbvr; 'Marli Goussard'; 'Hannes Van zyl'; 'Johannes Olivier'; Geraldine Mettler  
**Subject:** [EX] Stellenbosch Unite begunstigde stelsel

Beste Gary

Met verwysing na die kennisgewing dat Stellenbosch Unite alle voedselvoorsiening weens die gebrek aan fondse sedert gister, 23 Augustus moes staak, die volgende.

- Sou daar verdere donasies ontvang word, sal dit aangewend word vir sopvoorsiening. Die voedselnood in Stellenbosch is volgens alle aanduiding besig om toe te neem en deur die voorsiening van sop word die basies behoefte van honger gemeenskappe ten minste tot 'n mate aangespreek.
- Ten einde gemeenskappe van sop te voorsien, is dit nie nodig om 'n begunstigde stelsel by te hou nie. Al wat nodig is, is skakeling met die betrokke NGOs en gemeenskapkoördineerders.
- Daar is egter nog fondse beskikbaar wat spesifiek geallokeer is vir die verspreiding van koopbewyse. Teen die huidige tempo sal daar ten minste tot einde September voorgegaan kan word met die verspreiding van koopbewyse.
- Die verspreiding van koopbewyse vind aan die hand van 'n begunstigde stelsel plaas. Die Stellenbosch Unite komitee het voorheen goedkeuring verleen dat die instandhouding van so 'n stelsel uit Stellenbosch Unite fondse betaal kan word.
- Tans is daar nie fondse beskikbaar vir hierdie instandhouding nie. Die maandelikse koste beloop R25 000.
- Ten einde voort te gaan met die verspreiding van koopbewyse, word daar dus versoek dat die Stellenbosch Munisipaliteit dit sal oorweeg om die nodige fondse beskikbaar te stel vir hierdie doel.
- Die behoefte is vir die Augustus sowel as die September fakture. Sou daar fondse beskikbaar wees om na September voort te gaan met die koopbewyse, sou daar 'n verdere behoefte ten opsigte van die stelsel koste wees, waarvoor daar op 'n laterer stadium besluit kan word.

Ek rig dus 'n versoek dat bogenoemde asseblief ernstig oorweeg sal word.

Vriendelike Groete  
Jeanneret

**JEANNERET MOMBERG**  
082 944 3868





# **ANNEXURE 2**



STELLENBOSCH

Municipality

**MEMORANDUM OF UNDERSTANDING**

*Relating to the distribution of food relief to Verified Beneficiaries in the WC024 Municipal Area, in accordance with the DLG Covid-19 Humanitarian Relief Grant allocated to Stellenbosch Municipality*

Between

**Stellenbosch Municipality**

Herein represented by

**GERALDINE LEZETTE METTLER**

In her capacity as

**MUNICIPAL MANAGER**

Hereinafter referred to as "**Stellenbosch Municipality**"

And

**Stellenbosch Units ("SU")**

(Stellenbosch-based civil society humanitarian relief group)

Herein represented by

JLW Oliver – Ranyaka

M Goussard – SCAN

LB Van Rooi – Universiteit van Stellenbosch

JP Van Zyl – Greater Stellenbosch Development Trust

J Momberg – Visit Stellenbosch

LBur

JP Van Zyl  
RW  
ch

**1. Introduction**

- 1.1 As the Covid-19 pandemic started to take its toll on South Africa, and poor communities in particular, Stellenbosch Municipality partnered with Stellenbosch Unite to provide vulnerable communities and families in distress in the WC024 municipal area, with nutritional food parcels
- 1.2 Stellenbosch Unite (SU) was established as a collaborative aid action group to respond to the Covid-19 pandemic by supporting vulnerable community members residing in the Stellenbosch municipal area.
- 1.3 The Department of Local Government: Western Cape (DLG) allocated an amount of R900 000 to Stellenbosch Municipality as part of the Covid-19 Humanitarian Relief project, to provide assistance to poor and vulnerable families in the WC024 municipal area, in the form of nutritional food parcels.
- 1.4 In terms of the allocation received from DLG the distribution of the food relief must adhere to the terms and conditions as set out in the DLG Circular C14 2020, attached hereto as Annexure I.

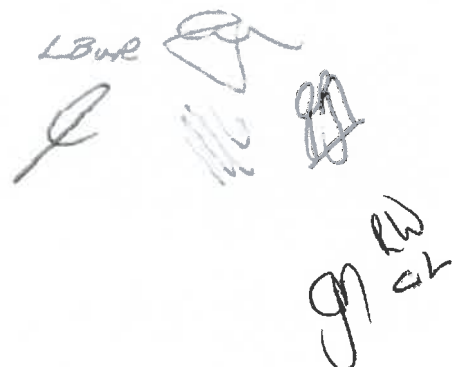
**2 Purpose**

- 2.1 The purpose of the MOU is to:
  - 2.1.1 Acknowledge and confirm the partnership between the Stellenbosch Municipality and Stellenbosch Unite to distribute the R900 000 as food relief to vulnerable families in WC024.
  - 2.1.2 Define the terms and conditions under which the food relief will be allocated and distributed.
  - 2.1.3 Specify the timeline for the distribution of the food relief.
  - 2.1.4 Specify the format in which the food parcels will be distributed.
  - 2.1.5 Specify the food items for the food parcel that qualifying families will receive.

**NOW THEREFORE THE PARTIES AGREE TO THE FOLLOWING TERMS AND CONDITIONS**

**3 Obligations of Stellenbosch Municipality**

- 3.1 Ensure that the implementation of this project is in line with the Covid-19 lockdown regulations as published by the National Minister of Cooperative Governance (COGTA) and with the terms and conditions of the transfer payment agreement effected with the Department of Local Government (DLG).

LBUR  
  
JH RW  
AL

- 3.2. Provided Stellenbosch Unite with the Western Cape Department of Local Government's terms and conditions for the distribution of the allocated funds.
- 3.3. Acknowledge and confirm with the provincial government that Stellenbosch Unite acts as the official operational partner of the Stellenbosch Municipality for the implementation of Covid-19 Humanitarian Relief project.
- 3.4. Provide additional human resource and infrastructure support to Stellenbosch Unite to ensure that all selected beneficiaries are verified to qualify in terms of the criteria set by government, as reflected in DLF Circular C14 2020.
- 3.5. Transfer the full amount of Nine Hundred Thousand Rand (R900 000) into the account of Stellenbosch Unite when this MOU is signed by both parties.
- 3.6. The Municipality and Stellenbosch Unite agrees that section 67(1)(a) of the MFMA does not apply to Stellenbosch Unite or a body serving the poor or used by government as an agency to serve the poor, provided-
- (a) that the transfer does not exceed a prescribed limit; and
  - (b) that the municipal manager as accounting officer-
    - (i) takes all reasonable steps to ensure that the targeted beneficiaries receive the benefit of the transferred funds; and
    - (ii) certifies to the Auditor-General that compliance by Stellenbosch Unite with subsection 1(a) is uneconomical and unreasonable.

#### 4. Obligations of Stellenbosch Unite

- 4.1. *Contract with local food retailers to provide the prescribed nutritional food items at competitive prices, for collection by approved beneficiaries at convenient locations in the WC024 Area*
- 4.2. Ring-fence the R900 000 budget for the implementation of this project in order to regularly report on progress and to provide a detailed close-out report when the project ends.
- 4.2.1 The detailed close-out report must be submitted not later than three weeks after all the funds have been spent.
  - 4.2.2 The close-out report must include detailed proof of expenditure records and a reconciliation between funds received and funds spent.
- 4.3. *Design and implement a voucher system which will allow for the issuing of food vouchers to the value of R400 to each beneficiary, who in turn will exchange it for nutritional food items from the contracted local food retailer.*
- 4.4. Put systems and processes in place to comply with Circular C14 2020, namely:
- 4.4.1 *Put reasonable procedures in place to prevent misuse of the vouchers by beneficiaries, that is, to list the food items eligible for purchase by beneficiaries in alignment with national nutritional guidelines.*

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- 4.4.2 Submit daily distribution statistics to Stellenbosch Municipality to track the distribution of humanitarian relief on the DLG capturing tool (App).
- 4.4.3 Verify the beneficiaries against the available database of recipients of food relief and social grants as provided by SASSA, DSD and other local NGOs, as well as private sector social relief organisations, in order to prevent duplication.

**5. Duration**

This agreement commences on the date that the last party signs and concludes with the submission of the final project report by Stellenbosch Unite to Stellenbosch Municipality.

**6. Nature of Relationship**

This Agreement does not represent an employment relationship between the parties and neither party shall be liable for the debt of the other party before, for the duration and after the conclusion of the contract period. Stellenbosch Unite has no authority or right to bind the municipality to any third party and it shall be fully accountable and liable for any act purporting to bind the municipality to any third party.

**7. Dispute Resolution**

In the event of a dispute between the parties, it will be resolved through the following process:

- 7.1. The Municipality and Stellenbosch Unite will try to resolve the dispute through mutual consultation between the Municipal Manager and a designated representative of Stellenbosch Unite.
- 7.2. If the dispute cannot be resolved through mutual consultation as referenced in paragraph 7.1, the Executive Mayor of Stellenbosch Municipality will appoint a mediator to resolve the dispute.
- 7.3. After consultation with both parties, the resolution and recommendations of the mediator will be final and binding.

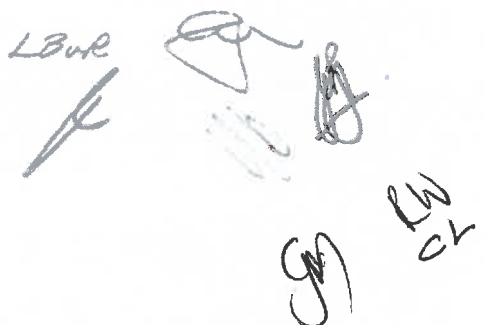
**8. Service of Documents**

The Parties choose the following addresses as their respective addresses for the delivery of any document in connection with this agreement (hereinafter referred to as "service address"):

Stellenbosch Municipality at:

Town House Complex  
Plein Street  
Stellenbosch, 7600

Stellenbosch Unite at:

LBur  


**9. Cession and Assignment**

- 9.1. No party shall cede or assign rights or obligations under this Agreement without the prior written consent of the other party, which consent may not be unreasonably withheld.
- 9.2. Any cession or assignment agreed to by a party will not relieve the other party of any obligations with respect to any covenant, condition, or obligation required to be performed by that party under this agreement.

**10. Intellectual Property Rights**

- 10.1. Intellectual property rights of whatsoever nature belonging to either party, including and without limitation, logos, emblems or any other form of corporate identity, shall remain vested at all times with the applicable Party.
- 10.2. The Parties shall not under any circumstances whatsoever reproduce, copy or use each other's corporate identity or permit the use of the other Party's Intellectual Property by any third party, except with the Owners prior written consent.
- 10.3. The Parties (including its representatives, agents and employees) will not at any time, or in any manner, lower the dignity, standing and reputation of each other or in any way contest the validity of, or prejudice, any of the Intellectual Property rights, of the other Party, including its corporate identity, emblem or log.

**11. Implementation and Good Faith**


- 11.1. The Parties undertake to do all such things and perform all such acts as may be necessary or incidental to give effect to the terms and conditions of this agreement.
- 11.2. The Parties shall at all times observe the principles of good faith towards one another in the performance of their obligations in terms of this agreement.

**12. Whole Agreement**

- 12.1. This document and any annexures thereto constitute the entire record of this agreement between the Parties.
- 12.2. No variation or alteration of this agreement shall be of any force or effect unless it is recorded in writing and signed by or on behalf of all the Parties.

**13. Jurisdiction**

- 13.1. The Parties consent to the jurisdiction of the applicable Magistrates Court and the Western Cape High Court, Cape Town, in respect of all matters arising out of and disputes in connection with or in relation to this agreement.

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14. Signature

14.1. This agreement is signed by the Parties on a date and at the places recorded herein.

14.2. The persons signing this agreement on behalf of the Parties in their respective capacities warrant their authority to do so and further warrant that the proper resolutions (where applicable) have been passed by the Parties authorizing them to do so.

15. Implementation

The Parties agree that the implementation of this Agreement shall be subject to all the necessary approvals.

Signed at Stellenbosch..... on ..... day of ..... 2020.

  
GERALDINE LEZETTE METTLER  
MUNICIPAL MANAGER

AS WITNESSES:

1.   
2. 

Signed at Stellenbosch..... on 11<sup>th</sup> day of August..... 2020

  
E.W. OLIVIER  
STELLENBOSCH UNITE

  
M GOUSSARD  
STELLENBOSCH UNITE

  
JP VAN ZYL  
STELLENBOSCH UNITE

  
LB VAN ROOI  
STELLENBOSCH UNITE

  
J MONBERG  
STELLENBOSCH UNITE

# **ANNEXURE 3**



**From:** Jeanneret Momberg <[give@stellenboschunite.org](mailto:give@stellenboschunite.org)>  
**Sent:** Monday, 17 August 2020 18:54  
**To:** Mayor (Gesie Van Deventer) <[Mayor@stellenbosch.gov.za](mailto:Mayor@stellenbosch.gov.za)>; Geraldine Mettler <[Geraldine.Mettler@stellenbosch.gov.za](mailto:Geraldine.Mettler@stellenbosch.gov.za)>  
**Cc:** 'Hannes Van zyl' <[hannesvzee@gmail.com](mailto:hannesvzee@gmail.com)>; lbvr <[lbvr@sun.ac.za](mailto:lbvr@sun.ac.za)>; 'Marli Goussard' <[marli@ranyaka.co.za](mailto:marli@ranyaka.co.za)>; 'Johannes Olivier' <[johan@ranyaka.co.za](mailto:johan@ranyaka.co.za)>; Gary Boshoff <[Gary.Boshoff@stellenbosch.gov.za](mailto:Gary.Boshoff@stellenbosch.gov.za)>  
**Subject:** [EX] Stellenbosch Unite Funding request

Dear Mayor Gesie and Ms Mettler

With reference to my email of 15 July, herewith an update on Stellenbosch Unite.

We have managed to increase weekly food vouchers to 775. At this rate we will be able to continue supplying vouchers to our beneficiaries until end of September. Vouchers are however only available to those beneficiaries with working cell phones. The current reality is that many of our beneficiaries do not have the means to replace lost or stolen phones, have no airtime available, or electricity to charge their phones. The vouchers are therefore only available to a limited number of beneficiaries.

In addition to the vouchers we are also distributing 9 000L of soup and 370 food parcels per week at a weekly cost of R105 000.

Despite our continued public appeal for donations we only have R160 000 in our bank account and will therefore have to inform our beneficiaries that we will not be able to continue our food relief effort beyond the week of 17- 23 August.

The feedback from our NGO partners (see attached) is in support of our experience that the demand for food relief is deepening. The 30 000 soup portions Stellenbosch Unite is distributing weekly through our own distribution points and those of our NGO partners, ensure that the most vulnerable members of our communities at least have access to some food relief. Withdrawing the soup kitchens from the communities will have a devastating impact on the social landscape of our town with far reaching social and possibly political repercussions.

Stellenbosch Unite was initially aiming to continue food aid until the end of September 2020. The intention was that the aid was going to be phased out gradually. Which in practical terms would include notifying beneficiaries of a cut-off date and allowing them to prepare themselves for the cessation of aid. To achieve this we would need R480 000 for soup and food parcels.

Our fundraising efforts are continuing, and should we be able to raise more money in the coming weeks, we will commence food distribution as long as the funds last. But for now, Saturday, 23 August 2020 will be our last day of food distribution.

I want to appeal to the Stellenbosch Municipality once again to please consider a further donation towards soup and food parcels. If we manage to raise the R480 000 it will allow us to implement our exit strategy.

I trust that you will consider my request favourably and I look forward to a response at your earliest convenience.

Kind regards  
Jeanneret

**JEANNERET MOMBERG**

082 944 3868



<b>8.3</b>	<b>REDUCTION OF MANAGED PARKING FEES</b>
------------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance &amp; Compliance

**1. SUBJECT: REDUCTION OF MANAGED PARKING FEES****2. PURPOSE**

To request approval from Council, to reduce Managed Parking Fees for the rest of the 2020/21 financial year.

**3. DELEGATED AUTHORITY**

Council may approve the reduction of tariffs as provided for in the Municipal Finance Management Act (MFMA) Section 28(6).

**4. EXECUTIVE SUMMARY**

Council introduced a new Parking Management Contract during the 2018/19 financial year with the Contractor commencing with full parking management around June 2019.

During the start of 2019/20 financial year, parking fees were raised by 20%.

As a result of more efficient operations, the public - having to pay on all parking, as well as the raised tariffs, raised concerns for the cost of parking in Stellenbosch. The parking tariffs were subsequently reduced at a Council meeting on the 19 August 2019.

Following an assessments of further complaints from the public, largely due to the impact of the COVID-19 Pandemic, it is proposed that all tariffs be reduced by a further 20%.

**5. RECOMMENDATIONS**

- (a) that Council notes a public participation process, to reduce the tariffs, was followed and that largely positive comments and feedback was received as per **ANNEXURES B and C**;
- (b) that the Parking Fees be reduced by 20% for the remainder of the 2020/21 financial year, as per **ANNEXURE A**.

**6. DISCUSSION / CONTENTS****6.1 Background**

Council introduced a new Parking Management Contract during the 2018/19 financial year with the Contractor commencing with full parking management around June 2019. During the start of 2019/20 financial year, parking fees were raised by 20%.

A spate of unhappy public complained - ensued as a result of the higher tariffs but mainly due to the more effective management of the parking system. (Previously a very large number of motorists did not pay the required parking fee and income to the Municipality increased dramatically). Complaints from the public were severe and it was decided to reduce the parking tariff to the same tariff for the 2019/20 2019 on the Council meeting of 14 August 2019.

## **6.2 Discussion**

At the advent of the COVID-19 virus pandemic, the Contractor was forced to stop all operations with neither the Contractor nor the Municipality obtaining any income as a result of the Lockdown process.

During the tariff review process (May 2020) the parking tariffs was kept the same as it was during the 2018/19 budget. It is however felt that the public will still be dissatisfied with the parking situation due to the economic impacts of the COVID-19 Pandemic and the National Lockdown.

With business also going through financial crisis, it is proposed that the parking tariff should be further reduced for parking to be more affordable to the public and to increase local business activities and encourage economic growth. A reduction in the parking tariffs of 20% is therefore proposed.

## **6.3 Financial Implications**

A reduced income from parking can be expected.

## **6.4 Legal Implications**

## **6.5 Staff Implications**

This report has no staff implications to the Municipality.

## **6.6 Previous / Relevant Council Resolutions**

### **“4.3 PARKING TARIFFS AMENDMENT**

Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: Special Council: 14 August 2019

SPECIAL COUNCIL MEETING: 2019-08-14: ITEM 4.3

RESOLVED (majority vote)

that Council approves the amendments to the parking tariffs, as shown in APPENDIX 1. Cllrs F Adams; DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.”

## **6.7 Risk Implications**

There is a risk of a reduced Parking Income for the Municipality.

**6.8 Comments from Senior Management****6.8.1 Director: Infrastructure Services**

Agree with the recommendations

**6.8.2 Director: Planning and Economic Development**

Agree with the recommendations

**6.8.3 Director: Community and Protection Services**

Agree with the recommendations

**6.8.4 Director: Corporate Services**

Agree with the recommendations

**6.8.5 Chief Financial Officer**

Agree with the recommendations

**6.8.6 Municipal Manager**

Agree with the recommendations

**ANNEXURES**

Annexure A: Reduced Parking Tariffs

Annexure B: Advertisement Notice for Comments

Annexure C: Comments Received

<b>NAME</b>	Deon Louw
<b>POSITION</b>	<b>Director</b>
<b>DIRECTORATE</b>	<b>Infrastructure Services</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8213</b>
<b>E-MAIL ADDRESS</b>	<a href="mailto:Deon.louw@ Stellenbosch.gov.za">Deon.louw@ Stellenbosch.gov.za</a>
<b>REPORT DATE</b>	

# **ANNEXURE A**

## Annexure A

<b>STELLENBOSCH MUNICIPALITY</b>				
<b>PARKING TARIFFS FOR THE PERIOD 1 SEPTEMBER 2020 - 30 JUNE 2021</b>				
Page 1				
DIREKTORAAT GEMEENSKAP DIENSTE: VERKEER DIENSTE				
DIRECTORATE COMMUNITY SERVICES: TRAFFIC SERVICES				
VERKEERSDIENSTE / TRAFFIC SERVICES	Tariff	Amended Tarriff		
	2020/2021 Incl. Vat	2020 /2021 Excl. Vat	Vat	2020/2021 Incl. Vat
<b>Parking Areas Zone 1 (CBD):</b>				
Tol (Eikestad) Parking area				
Stelmark Parking area 1 & 2				
Midmar Parking area				
<b>Operating hours:</b>				
07:00 - 19:00 (Mon - Fri)				
07:00 - 14:00 (Sat)				
Sunday / Public Holiday - Free				
0-30min	0.00	0.00	0.00	0.00
31- 59 min	10.00	6.96	1.04	8.00
1-2 hours	20.00	13.91	2.09	16.00
2-3 hours	25.00	17.39	2.61	20.00
3-4 hours	35.00	24.35	3.65	28.00
4-5 hours	45.00	31.30	4.70	36.00
5-6 hours	55.00	38.26	5.74	44.00
6-7 hours	65.00	45.22	6.78	52.00
7-8 hours	80.00	55.65	8.35	64.00
8-9 hours	85.00	59.13	8.87	68.00
9-12 hours	110.00	76.52	11.48	88.00
12-24 hours	150.00	104.35	15.65	120.00
Lost Ticket	150.00	104.35	15.65	120.00
Maandelikse permit / Month permit	1000.00	695.65	104.35	800.00

<b>PARKING TARIFFS FOR THE PERIOD 1 SEPTEMBER 2020 - 30 JUNE 2021</b>				
Page 2				
<b>DIREKTORAAT GEMEENSKAP DIENSTE: VERKEER DIENSTE</b>				
<b>DIRECTORATE COMMUNITY SERVICES: TRAFFIC SERVICES</b>				
<b>VERKEERSDIENSTE / TRAFFIC SERVICES</b>	<b>Tariff</b>	<b>Amended Tarriff</b>		
	<b>2020/2021 Incl. Vat</b>	<b>2020 /2021 Excl. Vat</b>	<b>Vat</b>	<b>2020/2021 Incl. Vat</b>
0-30min	0.00	0.00	0.00	0.00
31- 59 min	10.00	6.96	1.04	8.00
1-2 hours	20.00	13.91	2.09	16.00
2-3 hours	25.00	17.39	2.61	20.00
3-4 hours	35.00	24.35	3.65	28.00
4-5 hours	45.00	31.30	4.70	36.00
5-6 hours	55.00	38.26	5.74	44.00
6-7 hours	65.00	45.22	6.78	52.00
7-8 hours	80.00	55.65	8.35	64.00
8-9 hours	85.00	59.13	8.87	68.00
9-12 hours	110.00	76.52	11.48	88.00
12-24 hours	150.00	104.35	15.65	120.00
Lost Ticket	150.00	104.35	15.65	120.00
Maandelikse permit / Month permit	1000.00	695.65	104.35	800.00



**PARKING TARIFFS FOR THE PERIOD 1 SEPTEMBER 2020 - 30 JUNE 2021**

Page 3

**DIREKTORAAT GEMEENSKAP DIENSTE: VERKEER DIENSTE**

**DIRECTORATE COMMUNITY SERVICES: TRAFFIC SERVICES**

VERKEERSDIENSTE / TRAFFIC SERVICES	Tariff	Amended Tarriff		
	2020/2021	2020 /2021	Vat	2020/2021
	Incl. Vat	Excl. Vat		Incl. Vat
Plein Street	10.00	6.96	1.04	8.00
Blom Street	10.00	6.96	1.04	8.00
Bird Street (Braak)	10.00	6.96	1.04	8.00
Ryneveldt Street	10.00	6.96	1.04	8.00
Andringa	10.00	6.96	1.04	8.00
Bird	10.00	6.96	1.04	8.00
Alexander Dienspad	10.00	6.96	1.04	8.00
Alexander Street	10.00	6.96	1.04	8.00
Meul (Dorp/Plein)	10.00	6.96	1.04	8.00
Dorp Street (West)	10.00	6.96	1.04	8.00
Crozier Street	10.00	6.96	1.04	8.00
Piet Retief	10.00	6.96	1.04	8.00
Banghoek (Andringa/Bird)	10.00	6.96	1.04	8.00

**PARKING TARIFFS FOR THE PERIOD 1 SEPTEMBER 2020 - 30 JUNE 2021**

Page 4

**DIREKTORAAT GEMEENSAP DIENSTE: VERKEER DIENSTE**

**DIRECTORATE COMMUNITY SERVICES: TRAFFIC SERVICES**

<b>VERKEERSDIENSTE / TRAFFIC SERVICES</b>	<b>Tariff</b>	<b>Amended Tarriff</b>		
	<b>2020/2021 Incl. Vat</b>	<b>2020 /2021 Excl. Vat</b>	<b>Vat</b>	<b>2020/2021 Incl. Vat</b>
<b>Wiel Vasklem / Wheel Clamping</b>				
Vrylatingsfooi / Release fee	200.00	139.13	20.87	160.00
Huur van parkeervakke per dag / Hiring of Parking Bays per day	220.00	153.04	22.96	176.00
Parking Disc - Medical Practitioners per year	210.00	146.09	21.91	168.00
Resident Parking Permit per year	220.00	153.04	22.96	176.00
Temporary Parking Permit per application	165.00	114.78	17.22	132.00
Work Zone Permit per application	220.00	153.04	22.96	176.00
Taxi rank permit (WCO24 area ) per jaar/year	385.00	267.83	40.17	308.00

# **ANNEXURE B**



## NOTICE 36/2020

Kennis geskied hiermee ingevolge Artikels 21 en 42 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet No 32 van 2000) en Artikel 22 van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No 56 van 2003) dat

- **Hersiene Parkeer tariewe 2020/21**

soos beoog deur artikel 17 van die Wet op Munisipale Finansiële Bestuur (Wet 56 van 2003) vir die Stellenbosch Munisipaliteit beskikbaar is vir inspeksie, vertoë deur die publiek insette en kommentaar op die webwerf van die munisipaliteit ([www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)) en in gedrukte formaat by die volgende plekke:

- Munisipale Kantoor, Pleinstraat, Stellenbosch
- Munisipale Kantoor, Hugenoteweg, Franschhoek
- Munisipale Kantoor, Hoofweg, Pniel
- Wykskantore
- Biblioteek, Pleinstraat, Stellenbosch
- Biblioteek, Sonnebloemstraat, Idasvallei, Stellenbosch
- Biblioteek, Langstraat, Cloeteville, Stellenbosch
- Biblioteek, Masithandanestraat, Kayamandi, Stellenbosch
- Biblioteek, Hoofweg, Pniel &
- Biblioteek, Reservoirstraat-Wes, Franschhoek

Kommentaar moet skriftelik wees en moet gerig word aan die Munisipale Bestuurder, Posbus 17, Stellenbosch, 7599, en duidelik aantoon "**Kommentaar: Hersiene Parkeertariewe 2020/21**". Persone wat kommentaar wil lewer op die Konsep Hersiene Parkeer tariewe 2020/21 dokumentasie maar wat nie kan skryf nie, sal gedurende kantoorure by die Begrotings Kantoor op die **Eerste Vloer, Munisipale Kompleks (Neethlinghuis) in Pleinstraat, Stellenbosch (021 808 8512)**, bygestaan word om hom / haar kommentaar neer te skryf.

Vir verder inligting kontak gerus die Begrotings kantoor by **021 808 8222** of [engineering.services@stellenbosch.gov.za](mailto:engineering.services@stellenbosch.gov.za)

Sluitingsdatum vir kommentaar is **27 Augustus 2020 at 12:00**

Geraldine Mettler  
Municipal Manager

Notice is given in terms of Sections 21 and 42 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000) and Section 22 of the Local Government: Municipal Finance Management Act, 2003 (Act No 56 of 2003) that

- **Revised Parking Tariffs 2020/21**

as envisaged by Section 17 of the Municipal Finance Management Act (Act 56 of 2003) for the Stellenbosch Municipality are available for inspection, public representations, inputs and comments on the municipality's website ([www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)) and in hard copy format at the following venues:

- Municipal Office, Plein Street, Stellenbosch
- Municipal Office, Hugenote Way, Franschhoek
- Municipal Office, Hoofweg, Pniel
- Ward Offices
- Library, Plein Street, Stellenbosch
- Library, Sonnebloem Street, Idas Valley, Stellenbosch
- Library, Long Street, Cloeteville, Stellenbosch
- Library, Masithandane Street, Kayamandi, Stellenbosch
- Library, Hoofweg, Pniel &
- Library, Reservoir Street-West, Franschhoek

Comments must be in writing and addressed to the Municipal Manager, PO Box 17, Stellenbosch, 7599, clearly stating "**Comments: Revised 2020/21 Parking Tariffs**". Persons wishing to comment on the Revised Water Leak Tariff documentation but who cannot write will be assisted during office hours at the Budget Office on the **First Floor, Municipal Complex (Neethlinghuis), Plein Street, Stellenbosch (021 808 8512)**, to write down his/her comment.

For further information, kindly contact the Budget Office at **021 808 8222** or [engineering.services@stellenbosch.gov.za](mailto:engineering.services@stellenbosch.gov.za)

Closing date for comments is **27 August 2020 at 12:00**

Geraldine Mettler  
Municipal Manager

# **ANNEXURE C**

**Silvia Pretorius**

---

**From:** Jeanne Schreuder  
**Sent:** Tuesday, 25 August 2020 08:44  
**To:** Silvia Pretorius  
**Subject:** FW: [EX] parking



*Regards*

**Jeanne Schreuder**  
**Customer Care Officer**  
**Infrastructure Services**

---

T: +27 21 808 8343  
71 Plein Street, Ecclesia Building 1<sup>st</sup> Floor  
Stellenbosch, 7599  
[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



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[http://www.stellenbosch.gov.za/main\\_pages/disclaimerpage.htm](http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm)

---

**From:** Engineering Services  
**Sent:** 20 August 2020 09:58 AM  
**To:** Ayanda Royi

Cc: 'engineering.sevices@stellenbosch.gov.za'; Janine Adams; 'colba1@telkomsa.net'

Subject: FW: [EX] parking

Good day

Please find e-mail below for your attention.



*Regards*

**Jeanne Schreuder**  
Customer Care Officer  
Infrastructure Services

---

T: +27 21 808 8343

71 Plein Street, Ecclesia Building 1<sup>st</sup> Floor  
Stellenbosch, 7599

[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



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**From:** DJ van Zyl [<mailto:colba1@telkomsa.net>]

**Sent:** 20 August 2020 09:49 AM

**To:** Engineering Services

**Subject:** [EX] parking

Ons maak ten sterkste beswaar teen die pryse wat ons betaal vir pakering!!! Onmoontlik kan julle dit nie nog verder opjaag nie!!

Diebetaalmet die kredierkaartkoste is ook nog by!!!

Diko en Babsie van Zyl



**Silvia Pretorius**

---

**From:** Jeanne Schreuder  
**Sent:** Tuesday, 25 August 2020 08:44  
**To:** Silvia Pretorius  
**Subject:** FW: [EX] parking



*Regards*

**Jeanne Schreuder**  
**Customer Care Officer**  
**Infrastructure Services**

---

T: +27 21 808 8343  
71 Plein Street, Ecclesia Building 1<sup>st</sup> Floor  
Stellenbosch, 7599  
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---

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**To:** Ayanda Royi

Cc: 'engineering.sevices@stellenbosch.gov.za'; Janine Adams; 'colba1@telkomsa.net'

Subject: FW: [EX] parking

Good day

Please find e-mail below for your attention.



*Regards*

**Jeanne Schreuder**  
Customer Care Officer  
Infrastructure Services

---

T: +27 21 808 8343

71 Plein Street, Ecclesia Building 1<sup>st</sup> Floor  
Stellenbosch, 7599

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---

**From:** DJ van Zyl [mailto:colba1@telkomsa.net]

**Sent:** 20 August 2020 09:49 AM

**To:** Engineering Services

**Subject:** [EX] parking

Ons maak ten sterkste beswaar teen die pryse wat ons betaal vir pakering!!! Onmoontlik kan julle dit nie nog verder opjaag nie!!

Diebetaalmet die kredierkaartkoste is ook nog by!!!

Diko en Babsie van Zyl

**Silvia Pretorius**

---

**From:** HDK Office <office@hdk.co.za>  
**Sent:** Friday, 21 August 2020 12:16  
**To:** S116 Contracts  
**Cc:** Nicolene de Swart  
**Subject:** [EX] "B/SM 4/19: Comments on Notice of amendment to the tender awarded - parking management system for Stellenbosch Municipality"

Good day

I trust this email finds you well.

With reference to the above mentioned Notice we would like to ask for a reduction in parking fees.

Our office is in Plein Street and we don't have any private parking available for our staff or our clients.

As you are aware parking fees are very high and it takes a big cut out of the staff's salaries.

Your consideration in reduction of fees will be greatly appreciated.

Kind regards,

**Karla Louw** Personal Assistant to Directors

[office@hdk.co.za](mailto:office@hdk.co.za)

021 880 2555  
PO Box 1395, Stellenbosch, 7599  
HDK Building, 39 Plein Street, Stellenbosch



[hdk.co.za](http://hdk.co.za)



**Silvia Pretorius**

---

**From:** Jeanne Schreuder  
**Sent:** Tuesday, 25 August 2020 08:44  
**To:** Silvia Pretorius  
**Subject:** FW: [EX] Parking tariffs OBJECTION



*Regards*

**Jeanne Schreuder**  
**Customer Care Officer**  
**Infrastructure Services**

---

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---

**From:** Engineering Services  
**Sent:** 19 August 2020 09:47 AM  
**To:** Ayanda Royi

Cc: Janine Adams; 'engineering.sevices@stellenbosch.gov.za'; 'gerhkuhn@iafrica.com'

Subject: FW: [EX] Parking tariffs OBJECTION

Good day

Please find e-mail below for your attention.



*Regards*

**Jeanne Schreuder**  
Customer Care Officer  
Infrastructure Services

---

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---

**From:** G & M Kühn [<mailto:gerhkuhn@iafrica.com>]

**Sent:** 19 August 2020 08:53 AM

**To:** Engineering Services

**Subject:** [EX] Parking tariffs OBJECTION

Good day

Why do you not scrap parking tariffs for the rest of the financial year? Businesses have closed down. Homes have not had incomes for 5 months. Strand, Somerset West and Franschhoek have scrapped parking tariffs.

How do you propose to stimulate the town economy? **I would rather drive to Somerset Mall and shop there than pay your parking fees and enjoy the beautiful town I live in.** That should tell you something: doing my shopping at Checkers, getting my medicine and having my hair done costs me an average R30!!!! extra and to see my local doctor costs me up to R20 extra after I have paid the R400!!!! consultation fee and up to R1000!!! for the medicine at the Stelkor pharmacy, so then I will NOT support business in Stellenbosch any more. You cater only for the tourist market who pay with foreign currency and NOT for locals who have a single income and children in locals schools. **Why can Stellenbosch residents not get a local parking disk for their cars. We already pay rates and taxes to the municipality why do we need to pay to park our cars in town and do our shopping and business locally?**

Kind regards / Beste sence

Mari-Anna Kühn

Cell 083 391 5904

Fax 011-252 8732

E-mail [gerhkuhn@iafrica.com](mailto:gerhkuhn@iafrica.com)

**Silvia Pretorius**

---

**From:** Engineering Services  
**Sent:** Tuesday, 25 August 2020 08:43  
**To:** Silvia Pretorius  
**Subject:** FW: [EX] Parking Comments - Stellenbosch



*Regards*

**Jeanne Schreuder**  
**Customer Care Officer**  
**Infrastructure Services**

---

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---

**From:** marcus@aandklas.com [mailto:marcus@aandklas.com]  
**Sent:** 24 August 2020 07:09 PM  
**To:** Engineering Services  
**Subject:** [EX] Parking Comments - Stellenbosch



Good Evening  
Date: 24 Aug 2020

I am writing this in response to an invite to comment on the proposed parking tariffs as well as to make some observations that might have an impact on the way that the parking is managed in Stellenbosch.

I am in support of parking payment systems. I do however feel that there are some opportunities that might be missed to make parking more affordable.

What are the pros and cons of NO PARKING FEES (I know you might know all of this)?:

#### Pros

1. It will stimulate the taxi industry in Stellenbosch like Commuter Taxis, Uber, meter taxis and Bolt (to name a few)
2. It might lead to more frequent visits to businesses street side
3. If you have a long lasting appointment, it won't cost you an arm and a leg.
4. It might lead to more time spent in the CBD that could lead to a higher spend for the businesses.

#### Cons

1. By not paying for parking people will leave their cars for an entire day in a parking area that might be designated for shoppers/visitors to businesses and services in the CBD of Stellenbosch.
2. Not having a parking attendant/advisor there are certain opportunity for unwanted crimes like vehicle break in might happen.
3. Not having a parking attendant/advisor the tourist might not have a real live source of information at their door (questions like where is the nearest bank/hotel/restaurant).
4. Limited parking will lead to illegal parking that might lead to safety risks.
5. Limited parking may lead to customers seeking other opportunities to do their shopping like malls where the parking is free, outside of Stellenbosch.

These are a few that I can mention off the top of my head. I do feel the Cons outweigh the Pros in the debate about free parking and paid parking.

Possible additional solutions to the current pay parking might be the following:

1. Free parking for the first 45min and R10 for every 30min thereafter. I have tried to stop at Checkers in Dorp street and raced through shopping and 9 out of 10 times I end up paying for parking. 30 min is not enough to do even the smallest of tasks in the CBD.
2. Monthly parking permits at R600 with designated parking areas. The parking next to ABSA in Plein street served as such a parking area before the municipality claimed the parking for their use only.
3. Increase the parking areas buy using municipal areas like the property next to Van Der Stel Sport Grounds (Merriman Avenue side) with shuttles running between the CBD and the parking area. This can be done at many other open areas that can not be developed in Stellenbosch.

4. Parking validation via a QR code of businesses in a specific area. If you send money at a business in the CBD, you can add a QR code to the till slip that will give you a free parking allocation for a specific time. So lets say a tourist parks and does shopping for two hours in the CBD, he can use the slip/slips for a reduction in parking paid. This way the municipality can assist the businesses by incentivising people to buy products/services.
5. Parking areas like the parking area next to the Taxi-Rank is a cost centre for the Municipality. This parking area is not bringing in enough to pay the individuals working there thus the parking in the CBD needs to compensate for that. The businesses in that area can be approach to run the parking in a joint venture (JV) with the municipality. I have a proposal for that if you are interested in that.
6. There are many parking areas that can be earmarked as profitable. These parking areas must be the responsibility of the Municipality and not a third party. They become collecting agencies with no interest in the clients and locals and in many cases employ people from outside of Stellenbosch.

There are inherit problems in most parking areas in Stellenbosch and this needs your attention urgently.

1. Ablution (Toilets) – The parking areas of Stellenbosch has become the toilets of Stellenbosch due to the lack of ablution facilities in town. At the hight of summer you can smell the urine smell by just walking in the parking areas.
2. Loitering – The parking areas has become a safe haven for people loitering and eventually drinking in public. By having paid parking and no accountability or responsibility for parking areas is not feasible. This contributes to the above mentioned point.
3. After hours security – many of the businesses in Stellenbosch, especially the restaurant, bar and hotel trade does not stop trading at 17h00/18h00. Safety in parking areas and street parking is pivotal to the tourist industry. There has been amazing progress with combined efforts of SAPS, Law Enforcement and the private security firms but we need sustainable plans in place.
4. Damage of property – Car breaking is one of the major crimes in Stellenbosch and car in parking areas and street parking are prime targets.
5. Infrastructure – Cameras, visible policing stations in the parking areas and Law Enforcement on foot is very important. A suggestion might be dedicated personnel to certain areas.

One of the possible opportunities is to fence some of the parking areas in Stellenbosch. This might help with many of the issues mentioned above.

I do understand that parking is a headache for the municipality and by using parking fees to pay for some of the upgrade is certainly one avenue to go. I have mentioned to various parties in the municipality in the past that the private sector is more than willing to help. I am especially willing to come to a workable solution for the Parking area next to Aandklas that will benefit all parties involved.

Please feel free to contact me if there are any questions.

Regards,

Marcus

Marcus Oosthuizen

Cell: 0736431801



**Silvia Pretorius**

---

**From:** Jeanne Schreuder  
**Sent:** Tuesday, 25 August 2020 08:43  
**To:** Silvia Pretorius  
**Subject:** FW: [EX] Duur parkering



*Regards*

**Jeanne Schreuder**  
**Customer Care Officer**  
**Infrastructure Services**

---

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---

**From:** Engineering Services  
**Sent:** 21 August 2020 10:33 AM  
**To:** Ayanda Royi

**Cc:** Janine Adams; 'engineering.sevices@stellenbosch.gov.za'; 'martiecoffee@gmail.com'

**Subject:** FW: [EX] Duur parkering

Good day

Please find complaint below for your attention.



*Regards*

**Jeanne Schreuder**  
Customer Care Officer  
Infrastructure Services

---

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**From:** Martie Manley [mailto:martiecoffee@gmail.com]

**Sent:** 21 August 2020 10:11 AM

**To:** Engineering Services

**Subject:** [EX] Duur parkering

Geagte Mnr/Me

Ons parkering is baie duur en ek weet baie mense vermy die laaste maande die besighede in die dorp. Selfs Saterdagmiddae was die laaste tyd nie meer gratis nie. Maar wat my nog die meeste pla is dat gestremdes nie meer gratis mag parkeer nie. Het u al daaraan gedink hoeveel tyd dit mense in rolstoele neem om in en uit hulle motors te kom en dan ook stadiger as ander mense deur die besighede beweeg. Ek het opgemerk dat daardie parkeerplekke die laaste tye (voor Covid) omtrent altyd leeg was. Ek self het ook 'n gestremde kaart maar ek kan darem vinniger beweeg. Maar ek bly maar weg uit die dorp. En dan staan mens nog in 'n tou om te betaal. Hierdie tyd wat jy in tou staan is dikwels die verskil tussen twee parkeer tye en moet jy duurder betaal.

Hoop u kan aandag gee hieraan veral aan die mense met gestremde kaarte.

Vriendelik groete

Mev. M. Manley

**Silvia Pretorius**

---

**From:** Nanine Bekker <naninebekker@gmail.com>  
**Sent:** Saturday, 22 August 2020 09:01  
**To:** S116 Contracts  
**Subject:** [EX] Parking fees

Goodday,

I would like to state that a reduction in parking fees or preferably free parking in Stellenbosch will be welcomed. As a resident of Stellenbosch, I make a point of not going to town for shopping or any errands because of the ridiculously high parking fees. I rather plan to go to other shopping areas where parking is free of charge. I can state that many friends and family members do the same.

Preventing residents to shop in their own town is not only insensitive towards us as taxpayers but also not too clever when the city lose all the income from our spending.

As a mom I go to town and have to stop in several different areas for different errands, and paying up to R30 or more a day is just not affordable.

Kind regards,

Nanine Bekker  
0795217456

**Silvia Pretorius**

---

**From:** Jeanne Schreuder  
**Sent:** Tuesday, 25 August 2020 08:45  
**To:** Silvia Pretorius  
**Subject:** FW: [EX] Parkeersituasie in Stellenbosch



*Regards*

**Jeanne Schreuder**  
**Customer Care Officer**  
**Infrastructure Services**

---

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---

**From:** Engineering Services  
**Sent:** 19 August 2020 08:29 AM  
**To:** Ayanda Royi



**Cc:** Janine Adams; Engineering Services; 'aeschoonees@gmail.com'

**Subject:** FW: [EX] Parkeersituasie in Stellenbosch

Good day

Please find e-mail below for your attention.



*Regards*

**Jeanne Schreuder**  
Customer Care Officer  
Infrastructure Services

---

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---

**From:** aeschoonees [<mailto:aeschoonees@gmail.com>]

**Sent:** 19 August 2020 08:26 AM

**To:** Engineering Services

**Subject:** [EX] Parkeersituasie in Stellenbosch

Baie dankie vir jul reaksie op my brief. Ons waardeer dit baie dat jul vir ons die geleentheid gee om ons sê te sê.

Ek het ongelukkig ook vergeet om te praat oor die gestremde parkering. Waar gestremdes vroeër gratis kon parkeer op gestremde parkeerplekke, het jul dit verander. Ek wil ook vra of jul dit weer kan verander asb. Die gestremde mense het reeds n erge probleem in die lewe, en hul sukkel om oor die weg te kom. Dit sal regtig waardeer word as hul weer gratis mag parkeer. Daarmee saam se ek dat mense wat onwettig op gestremde parkerings stop, se wiele geklamp moet word en hul swaar boetes opgelê moet word.

Weer eens baie dankie vir die geleentheid.

Groete  
Anelene Schoonees

Sent from my Samsung Galaxy smartphone.

**Silvia Pretorius**

---

**From:** Jeanne Schreuder  
**Sent:** Tuesday, 25 August 2020 08:43  
**To:** Silvia Pretorius  
**Subject:** FW: [EX] Parking tariffs

---

**From:** Engineering Services  
**Sent:** 24 August 2020 08:31 AM  
**To:** Ayanda Royi  
**Cc:** 'engineering.sevices@stellenbosch.gov.za'; Janine Adams  
**Subject:** FW: [EX] Parking tariffs

Good day

Please find e-mail below for your attention.



**Jeanne Schreuder**  
Customer Care Officer  
Infrastructure Services

---

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**From:** Eugene Soobramoney [<mailto:eugene.soob@gmail.com>]

**Sent:** 23 August 2020 09:23 PM

**To:** Engineering Services

**Subject:** [EX] Parking tariffs

Hi and thanks for the opportunity to comment.

As a resident of Stellenbosch I have for a long time felt aggrieved when having to pay the exorbitant parking fees in the CBD.

I find it offensive to and inconsiderate of the lower income locals who simply can't afford it. The proposed reduction would be welcomed by all.

Regards

Eugene Soobramoney

**Silvia Pretorius**

---

**From:** Tattoolya <tattoolya@gmail.com>  
**Sent:** Sunday, 23 August 2020 11:38  
**To:** S116 Contracts  
**Subject:** [EX] Lower parking rates

Good day

I am in favour of lower parking rates.

Especially now with so many people with lower income, it will allow for more visitors to come to Stellenbosch and not have to spend a lot of money on parking.

Marisa Noordergraaf  
Shop owner  
Tattoolya  
10 Mill st, Stellenbosch

<b>8.4</b>	<b>AMENDMENT TO CONTRACT B/SM 4/19 - PARKING MANAGEMENT SYSTEM FOR STELLENBOSCH MUNICIPALITY</b>
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Collaborator No:

IDP KPA Ref No:

Good Governance & Compliance

Meeting Date:

**1. SUBJECT: AMENDMENT TO CONTRACT B/SM 4/19 - PARKING MANAGEMENT SYSTEM FOR STELLENBOSCH MUNICIPALITY**

**2. PURPOSE**

To request approval from Council to amend the Parking Contractor's portion of the Parking Tariff within the Contract of Tender B/SM 04/19.

**3. DELEGATED AUTHORITY**

Council.

**4. EXECUTIVE SUMMARY**

Tender B/SM 04/19 Parking Management System for Stellenbosch Municipality was awarded to Street Parking Solutions on 14 December 2018, the tender expires on the 30 June 2021.

Following a review of the parking tariffs and an assessment of the complaints received, tariffs were reduced in August 2019, and further reductions in parking tariff reductions are being proposed.

Previous and proposed reductions in Parking Tariffs, were not anticipated at time of tender and these reductions have a material financial impact on the Parking Service Provider.

The Tender is based on percentage distribution of the parking tariffs collected, the tender conditions stipulates a 50/50 (50%) split between the Service Provider and the Council. The proposed change in the contract allows for the Contractor to still get paid what he would have been paid (had there not been any reductions), and that the Council reduces its portion of the income.

**5. RECOMMENDATIONS**

- a) that Council note in terms of MFMA Section 116(3) the reasons for the change of tender scope and pricing.
- b) that Council notes that a public participation process was followed and that 1 objection was received, which had been adequately addressed.
- c) that the Tender Contract B/SM 04/19, conditions based on reductions of public parking tariffs, be altered to allow the Contractor to utilise up to 76.9% of the Parking Fee for own use and the balance of not less than 23.1% be paid over to the Municipality.

---

**6. DISCUSSION / CONTENTS****6.1 Background**

The Tender was awarded on 28 January 2019 after the appeal period expired. This tender provided for a company to render a parking management service to the Municipality on both on-street parking and off-street parking areas. The company Tender required that the municipality be paid 40% of the income received from parking tariffs and therefore was allowed to retain 60% for provision of this service. The Tender was concluded with a 50%/50% split between the Contractor and the Municipality.

The parking Tariffs were raised by 20% from 1 July 2019.

A spate of unhappy public complained - ensued as a result of the higher tariffs but mainly due to the more effective management of the parking system. (Previously a very large number of motorists did not pay the required parking fee and income to the Municipality increased dramatically). Complaints from the public were severe and it was decided to reduce the parking tariff to the same tariff that it was before July 2019 on the Council meeting of 14 August 2019.

**6.2 Discussion**

The tariffs remained a bone of contention as the Contractor refused to lower the asking rate for tariffs. This matter is currently taken up in a mediation process with the Contractor.

At the advent of the COVID-19 virus pandemic, the Contractor was forced to stop all operations with neither the Contractor nor the Municipality obtaining any income as a result of the Lockdown.

During the tariff process of May 2020 the parking tariffs have again been kept the same as it was in the 2018/19 budget. It is however felt that the public is still not very happy with parking situation and has just come out of the COVID-19 Lockdown process. The business fraternity has gone through a big financial suffering and it is felt that the parking tariff should be reduced to encourage the public to increase their business with local commerce.

Since the Parking tariff, also provides income to the Parking Contractor, the lowering of the tariff will also be detrimental to the Contractor. It is therefore proposed to reduce the parking tariff by about 25%. In order to ensure that the Contractor can still receive a market related income, it is proposed that the municipality reduces its portion of the parking income such that the Contractor will receive an income proportional to the CPIX index.

The Contract provides for an income split of 60% to Contractor and 40% to the Municipality. The Tenderer offered to split on a 50%: 50% basis. The original tariffs at the beginning of the 2019/20 Financial year was R10.00 (including VAT) per unit of parking. This meant that the contractor would receive 50% or R5.00 (incl VAT) and the Municipality would receive R5.00 (incl VAT).

A proposal to reduce tariffs by 25% or R7.50 (incl VAT) was assessed. In order to provide the Contractor an amount that would allow for an inflationary increase, which is 4% at July 2019 and 2.43% at July 2020. The tariff that the Contractor should therefore get at 1 July 2019 is R6.00 which is what the original tariff of R5.00 is, escalated by 4% for June 2019 and 2.43 % for July 2020, which equals to R5.3264 or rounded upwards to R5.33(Incl VAT). The Municipal portion will therefore drop to R7.50 minus R5.33 equals to R2.17 (incl VAT).

This is not seen as an effective income for the municipality as the administration cost would exceed the income. The following matrix provides further examples of tariff reductions (Note that for ease of explanation a unit of 1-hour parking fee is used):

Nr	Tariff (incl VAT)	Budget Year	Inflation 12 months at July	Tariff altered by (%)	Contractor split to equal inflation	Municipal Income per unit	Contract % of Income	Munic % of Income
Tder	R10.00	2018/19	0%	Start	R5.00	R5.00	50%	50%
1	R12.00	2019/20	As per tariff increase of 20%	+20%	R5.20 (inf) or R6.00(Tariff Increase)	R6.00	50%	40%
2	R10.00	2019/20	4%	0%	R5.20 (inf) R6.00 Increase	R4.00	60%	40%
3	R10.00	2020/21	2.43%	0%	R6.15	R3.85	61.5%	38.5%
4	R9.00	2020/21	2.43%	-10%	R6.15	R2.85	68.3%	31.7%
5	R8.50	2020/21	2.43%	-15%	R6.15	R2.35	72.4%	27.6%
6	R8.00	2020/21	2.43%	-20%	R6.15	R1.85	76.9%	23.1%
7	R7.50	2020/21	2.43%	-25%	R6.15	R1.35	82%	18%
8	R7.00	2020/21	2.43%	-30%	R6.15	R0.87	87.9 %	12.1%

It is therefore proposed that a reduction of **20%** be used, providing the Contractor with R6.15 per parking unit and the municipality with R1.85 per unit

In terms of this reduction percentage it is therefore proposed that the Tender Contract be altered to provide for the following income share:

- a. The Contractor to be awarded 76.9% of all parking income
- b. The Municipality to be awarded 23.1% of all parking income.

It is therefore proposed that the new Parking tariff list be altered by a 20% reduction, to the tariffs as depicted in **ANNEXURE A**.

It is also proposed that the wording of the tender document on page 62 which currently reads "The Municipality has capped the total remuneration on 60% as total compensation for all obligations in terms of this contract." to "The Municipality has capped the total remuneration on **76.9%** as total compensation for all obligations in terms of this contract."

On the same page the following should be changed from: "Should the number of parking bays in the "Site" be rented for the use of film shoots, advertisements, parades or any other activity approved by the Municipality, the service provider will be compensated in terms of the following formula: **60%** per parking bay based on



approved annual Council Tariff for “Hiring of parking Bays”. to “Should the number of parking bays in the “Site” be rented for the use of film shoots, advertisements, parades or any other activity approved by the Municipality, the service provider will be compensated in terms of the following formula: **76.9%** per parking bay based on approved annual Council Tariff for “Hiring of parking Bays”.  
Finally on page 83 the following:

“PRICING SCHEDULE:

Please note: The percentage for service provider must not exceed **60%**”

Must be changed to:

PRICING SCHEDULE:

Please note: The percentage for service provider must not exceed **76.9%**”

#### **6.4 Legal Implications**

The recommendations in this report comply with Council’s policies and all applicable legislation.

#### **6.5 Staff Implications**

This report has no staff implications to the Municipality.

#### **6.6 Previous / Relevant Council Resolutions**

Not applicable

#### **6.7 Risk Implications**

The provision of a managed

#### **6.8 Comments from Senior Management**

In order

##### **6.8.1 Chief Financial Officer**

##### **6.8.2 Municipal Manager**

#### ANNEXURES

Annexure A: Extract of Tender Specification

Annexure B: Advertisement for S116

Annexure C: Objections received

#### FOR FURTHER DETAILS CONTACT:

<b>NAME</b>	Deon Louw
<b>POSITION</b>	<i>Director</i>
<b>DIRECTORATE</b>	<i>Infrastructure Services</i>
<b>CONTACT NUMBERS</b>	<i>021 808 8213</i>
<b>E-MAIL ADDRESS</b>	<a href="mailto:Deon.louw@stellenbosch.gov.za">Deon.louw@stellenbosch.gov.za</a>
<b>REPORT DATE</b>	<i>27 August 2020</i>

# **ANNEXURE A**



**STELLENBOSCH**  
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- Units that are offline due to maintenance must be replaced within 24 hours. The average income per hour per unit based on lost revenue will be applied for units that are not reinstated within the prescribed 24 hour time period.
- Non-compliance of staff and uniform requirements must be corrected within 24 hours.
- Non-compliance of identification cards must be corrected within 24 hours.
- Breakdown of reporting and back-office equipment must be corrected within 24 hours. Failure to do so will result in a penalty of 30% of monthly income.

Non-compliance of the contract will be viewed in a serious light and a pattern of regular incidences of non-compliance will serve as grounds for termination of the contract.

**2.15 Compensation**

This request for proposal calls is for the complete financing, provision, installation, operation and maintenance of a municipal off-street and on-street parking management system, including related signage and road markings within the Greater Stellenbosch Municipal area (WC 024). Compensation to the service provider will be based on performance in terms of Sec 51 of the Supply Chain Management Regulations upon achieving set measurable in terms of all obligations as stipulated in this contract. The Municipality has capped the total remuneration on 60% as total compensation for all obligations in terms of this contract. The Tenderer shall tender a set percentage of the gross turnover covering all obligations in terms of this contract.

The Tenderer must provide a detailed monthly report on parking income and rate of payment evasion to the Municipality. This report must correlate income and parking data and serve as back-up to any invoicing. Remuneration will not be effected without this back-up information. The format of the monthly reporting and invoice will need to be approved by the client. Bank statements of the parking income and expenditure account should be submitted on a monthly basis with a report reflecting detailed employee expenses and parking income.

Should a number of parking bays in the "Site" be reduced or removed whatsoever, or in the event of the Municipality requiring any parking bays in the "Site" for their exclusive use, such that no parking revenue is generated by these removed bays, then for the period that no parking revenue is generated from the removed bays, the service provider will not be remunerated. Should the number of parking bays in the "Site" be rented for the use of film shoots, advertisements, parades or any other activity approved by the Municipality, the service provider will be compensated in terms of the following formula: 60% per parking bay based on approved annual Council Tariff for "Hiring of parking Bays". Payment for revenue derived from permits and/or bay closures are due by the Municipality to the Service Provider within 30 days after receipt of invoice.

The Municipality shall solely be responsible for issue of official parking permits and for the hiring of parking bays for example, film shoots, advertisements, parades or any other activity/event approved by the Municipality. Whilst the council will provide the necessary general regulation traffic signage, all other signage pertaining to any system and the successful operation thereof will be for the account of the service provider. The appointed service provider with commencement of the contract will be

PRINT NAME:			
CAPACITY:		Name of firm	
SIGNATURE:		DATE:	

# **ANNEXURE B**



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## NOTICE 35/2020

**NOTICE IN TERMS OF SECTION 116(3) OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT 56 OF 2003) FOR THE AMENDMENT TO THE TENDER AWARDED TO SPS PTY LTD, (B/SM 4/19) - PARKING MANAGEMENT SYSTEM FOR STELLENBOSCH MUNICIPALITY**

Notice is hereby given in terms of Section 116 (3) (a) and (b) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) that it is the intention of Stellenbosch Municipality to amend the existing contract:

**Number:** B/SM 4/19

**Description:** AMENDMENT TO THE TENDER AWARDED - PARKING MANAGEMENT SYSTEM FOR STELLENBOSCH MUNICIPALITY

**Service Provider:** SPS PTY LTD

**Reasons for the proposed amendment:** To amend the current contract conditions based on a 20% reduction of public parking tariffs, to allow the service provider to utilise up to 76.9% of the Parking Fee for own use and the balance of not less than 23.1% be paid over to the Municipality.

The original approved conditions will be amended.

Notice is hereby further given in terms of Section 21 and 21A of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) that the local community and interested/affected parties are invited to submit comments or representations to the Municipality in respect of the above, such comments or representations must be received within 14 days of advertisement via electronic mail to the e-mail address provided below, or be delivered to the undersigned to the mailing address provided hereunder. Persons who are physically disabled or who cannot read or write but wish to participate in the process, may come during office hours to the Mu-nicipal Offices, Supply Chain Department, Plein Street, Stellenbosch where a staff member will assist that person to transcribe that person's comments or representations.

Comments and/or representations must be submitted to the following e-mail address: [s116.contracts@stellenbosch.gov.za](mailto:s116.contracts@stellenbosch.gov.za), with the subject line entitled "B/SM 4/19: COMMENTS ON NOTICE OF AMENDMENT TO THE TENDER AWARDED - PARKING MANAGEMENT SYSTEM FOR STELLENBOSCH MUNICIPALITY"

The closing date and time for the submission of representations and/or comments must be received by **27 August 2020 @ 12:00**. Any comments or representations received after this time and date will not be considered.

All enquiries regarding this intent can be directed to the following official:

Name & Surname : Deon Louw  
 Telephone Number : E-mail enquiries only  
 E-mail address : [deon.louw@stellenbosch.gov.za](mailto:deon.louw@stellenbosch.gov.za)  
 Physical address : Stellenbosch Municipality  
 Department: Infrastructure Services  
 Ecclesia building  
 1st Floor  
 Plein Street  
 Stellenbosch  
 7600

**Geraldine Mettler**  
 Municipal Manager

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# **ANNEXURE C**

**Silvia Pretorius**

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**From:** Jane Sampson <janesampson01@gmail.com>  
**Sent:** Wednesday, 26 August 2020 17:54  
**To:** S116 Contracts  
**Subject:** [EX] B/SM 4/19: COMMENTS ON NOTICE OF AMENDMENT TO THE TENDER AWARDED - PARKING MANAGEMENT SYSTEM FOR STELLENBOSCH MUNICIPALITY

Dear Sir/Madam

The notice published in the Eikestadnuus of 13 August 2020 has reference.

Comments are as follows:

- (a) The amendment to the contract on amount of change is unconstitutional
- (b) In terms of the Constitution of South Africa s217(1), price must be in accordance with a system which is fair, equitable, transparent, competitive and cost-effective
- (c) It is contrary to the General Contract Conditions paragraphs 1.3 and 17
- (d) According the the Pricing Schedule in the Tender document, the NOTE read as follows: "the percentage for service provider must not exceed 60%
- (e) In terms of the Municipal Systems Act (Act 32 of 2000) s84(1) no such action has taken place as stipulated.

In view of the above the municipality has already entered into a service delivery agreement and therefore cannot do the amendment.

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Kind regards

Jane Sampson

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9.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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(SEE IN-COMMITTEE AGENDA)

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***THE AGENDA HAS BEEN DISCUSSED WITH THE SPEAKER,  
CLLR N JINDELA, AND HE AGREES WITH THE CONTENT.***

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