



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2020-03-25

MINUTES

URGENT MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2020-03-25 AT 10:00

Detailed account of the meeting proceedings is available on audio recording, which is obtainable from The Municipal Manager's Office per Request for Information (RFI)

MINUTES
URGENT MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2020-03-25
TABLE OF CONTENTS

1.	OPENING AND WELCOME	
2.	MAYORAL ADDRESS	
3.	COMMUNICATION BY THE SPEAKER	
4.	COMMUNICATION BY THE MUNICIPAL MANAGER	
5.	DISCLOSURE OF INTERESTS	
6.	APPLICATIONS FOR LEAVE OF ABSENCE	
7.	APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING	
	NONE	
8.	STATUTORY MATTERS	
8.1	APPROVAL OF THE DRAFT THIRD REVIEW OF THE FOURTH GENERATION IDP 2017 – 2022	5
8.2	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2020/2021-2022/2023	6
8.3	TABLING OF DRAFT REVISED CAPITAL EXPENDITURE FRAMEWORK 2020 AS PART OF THE INTEGRATED URBAN DEVELOPMENT GRANT	9
9.	REPORT/S BY THE MUNICIPAL MANAGER	
9.1	DELEGATION TO THE EXECUTIVE MAYOR AND EMERGENCY ASSISTANCE TO CITIZENS IN LIGHT OF COVID-19	10
10.	MATTERS TO BE CONSIDERED IN-COMMITTEE	
10.1	(see pink documentation)	

MINUTES OF AN URGENT MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2020-03-25 AT 10:00 IN THE TOWN HALL, PLEIN STREET, STELLENBOSCH

PRESENT	The Speaker, Cllr N Jindela [Chairperson] The Executive Mayor, Ald G Van Deventer (Ms) The Deputy Executive Mayor, Cllr WC Petersen (Ms)	
COUNCILLORS	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) AJ Hanekom DA Hendrickse JK Hendriks LK Horsband (Ms)	MC Johnson N Mananga-Gugushe (Ms) C Manuel NE Mcombring (Ms) XL Mdemka (Ms) C Moses (Ms) N Olayi SA Peters MM Pietersen WF Pietersen SR Schäfer Ald JP Serdyn (Ms) N Sinkinya (Ms) P Sitshoti (Ms) Q Smit LL Stander E Vermeulen

1.	OPENING AND WELCOME
-----------	----------------------------

The Speaker, Cllr N Jindela, welcomed everyone present at the 34th Council meeting. Cllr G Cele (Ms) opened the meeting with a scripture reading and prayer.

2.	MAYORAL ADDRESS
-----------	------------------------

“Honourable Speaker,
Deputy Mayor,
Municipal Manager,
Mayco Members
Portfolio Chairpersons,
Councillors,
Directors,
Senior Staff members,
Secretariat,

Good Morning, Goeie more, Molweni, As salaam Alaikum

- It is an honour to have the Council meeting in the Town Hall.
- National state of disaster declared by President on Sunday evening because of COVID-19 virus
- We welcomed the announcement by President Cyril Ramaphosa on Sunday and will work to ensure that service delivery continues while the well-being of residents and staff is protected.
- Continue to work with our National and Provincial partners to ensure that measures are in place to curb the spread of the virus.
- Key to achieving this, is to minimise physical contact between people and to limit any fears and anxieties that our residents may have.
- The Stellenbosch Municipality will be taking the following steps
 - The Joint Operations Centre (JOC) with various public and private stakeholders in the health, safety and disaster management environments has been activated and an internal JOC consisting of representatives from municipal departments is also being established.
 - Effective immediately, Community and Protection Services will cancel all event and gathering applications where 100 people or more are expected.
 - The Jonkershoek picnic site will be closed to members of the public from today, 16 March 2020 until further notice.
- Effective immediately, all non-essential travel for all spheres of government to areas outside of the Republic is stopped and domestic travel is restricted.
 - Residents are being encouraged to phone, email or WhatsApp to engage the Municipality or their local councillor instead of visiting a municipal office in person, to limit direct physical contact.
 - The municipality will provide hand sanitizers or wipes at building entrances to be used to disinfect hands when entering facilities.
 - Public meetings that were scheduled to begin next month, have been cancelled. Electronic, written and telephonic submissions will be encouraged. We are also currently exploring alternative electronic platforms for public participation.
- Please be aware of scammers posing as health practitioners to gain access to properties. There have been several reports of criminals approaching residents at their homes pretending to conduct home testing for COVID-19.
- We encourage residents to please pay attention to official announcements, and follow the instructions being given.
- Fake or inaccurate information remains a challenge. We urge all residents not to participate in the distribution of inaccurate, unverified or false information. By working together we can limit the spread of this virus.
- These decisions were taken in the interest of PUBLIC HEALTH AND SAFETY

- For official COVID-19 advice, updates and queries use the following numbers:
 - National Hotline 0800 029 999
 - WhatsApp 0600 123 456
 - Provincial Hotline 021 9284102

3.	COMMUNICATION BY THE SPEAKER
-----------	-------------------------------------

Speaker's Communications- 25 March 2020

"Good morning to:

- The Executive Mayor, Advocate Gesie Van Deventer
- The Municipal Manager, Ms. Geraldine Mettler
- All other Aldermen and Alderwomen
- All Councillors
- All Directors and Staff members present
- Members of the Public and other dignitaries.

Allow me to welcome you all to the URGENT Meeting of Council:

The reason for the Urgency is as follows:

1. The Approval of the Council's Budget 2020/2021 has surely all of our interest at heart – as a responsible Council we need to approve the draft IDP and Budget for Community inputs. I am extremely thankful that you have come in your numbers to approve the draft IDP and budget.
2. The President's report to the Nation and the Premier's stance on the Corona Virus (COVID19), have reference.
 - Up until today the number of people affected in RSA is 554 and the total in WC is 100, while the total in the Cape Winelands District is 7 people affected. Surely, looking at the figure of 7 in our district needs to be a worrying factor for our broader town off Stellenbosch and its inhabitants.
 - Fellow Members of Council – It is important that we as the Stellenbosch Council support the National directive of Stopping the Spread – based on that my office informs you hereby that:
 1. All Ward offices are being closed to avoid any public gatherings as of Thursday night 26 March 2020 until further notice.
 2. All meetings of Ward Committees to take place at the different premises have been suspended until further notice.
 3. The Council meeting scheduled for April 2020 has provisionally been cancelled – as part of the President's Lockdown declaration.
 4. Ward Councilors are requested to stay home but be visible in their respective wards during this time and not to allow any unnecessary gatherings in the wards.

Councillors, this is extremely detrimental to our effort to stop the spread – stay home, please stay home, and by doing so we can limit contact with others and spreading the virus. For any information regarding the above you can contact myself (Speaker Jindela) at 078 020 2412 or JC Anthony at 079 3388 451.

Birthdays

For the month of **April** 2020 - Cllrs. A. Florence-1/04, G Cele 9/04, E. Groenewald-18/04, P Crawley-19/04 and N. Mcombring-24/04, will be celebrating their birthdays. Allow me to congratulate them on their birthdays and may they enjoy this special day with their families.

We now move to the items on the Agenda / Ons beweeg nou na die items op die Agenda".

It is noted that before deliberations on the items on the Agenda, the ANC requested a caucus, which the Speaker allowed.

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
-----------	---

The Municipal Manager, Ms G Mettler, urged everyone to adhere to the following during the lockdown in order to prevent the virus from spreading:

- Stay at home, because this virus is spreading at alarming rates and our health care system is struggling to cope. Only essential services will be operational;
- Do not go to a hospital or doctor, but call the helpline, they will instruct you what to do. There is a shortage of test kits; follow protocols at all times;
- A link for covid-19 was created on the municipal website which is updated on a daily basis;
- An action plan is in place. The municipality works closely with National, Provincial and District and a Corona Risk Committee meets daily. The Executive Mayor is also updated on a regular basis;
- The Municipal Manager urged all Councillors to please follow protocol and not contact officials, as she will not tolerate any interference lightly.
- This covid-19 has a major implication on our projects and capex, and thus on our income, which will result in major budget cuts.

5.	DISCLOSURE OF INTEREST
-----------	-------------------------------

NONE

6.	APPLICATIONS FOR LEAVE OF ABSENCE
-----------	--

6.1 The following applications for leave of absence were approved in terms of the Rules of Order By-law of Council:-

Cllr F Adams	– 25 March 2020
Cllr DD Joubert	– 25 March 2020
Cllr RS Nalumango (Ms)	– 25 March 2020

6.3 ABSENT

Cllr MD Oliphant
Cllr JG Hamilton

7.	APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS
-----------	---

NONE

8.	STATUTORY MATTERS
8.1	APPROVAL OF THE DRAFT THIRD REVIEW OF THE FOURTH GENERATION IDP 2017 – 2022

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

20 March 2020

1. SUBJECT: APPROVAL OF THE DRAFT THIRD REVIEW OF THE FOURTH GENERATION IDP 2017 – 2022

2. PURPOSE

To submit the following to Mayco and Council for consideration:

- (a) The Draft Third Review of the Fourth Generation IDP 2017 – 2022.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Integrated Development Plan is a 5-year Strategic Plan that is reviewed annually to accommodate changes in the municipal environment, including community priorities. It also informs the budget of the Municipality. The Draft Third Review of the Fourth Generation IDP 2017 - 2022 details the Municipality's actions to address the needs of the community.

The Municipal IDP must be reviewed every year to ensure that:

- Municipalities and communities keep track of progress in implementing development projects and spending the municipal budget; and
- Communities are provided with an opportunity to review their needs and make possible revisions to the priorities listed in the municipal IDP.

URGENT COUNCIL: 2020-03-25: ITEM 8.1

Before deliberations on the matter, the ANC requested a caucus, which the Speaker allowed.

When the meeting resumed, it was

RESOLVED (majority vote with abstentions)

- (a) that the Draft Third Review of the Fourth Generation IDP (2017 –2022) of the Stellenbosch Municipality be tabled in terms of section 34 of the MSA for the purposes of obtaining public inputs and comments;
- (b) that an advertisement be placed on the official website of the Municipality, municipal notice boards and in the local newspapers notifying the public that the draft Third Review of the Fourth Generation IDP (2017 – 2022) is open for public inputs and comments during April 2020; and
- (c) that the draft Third Review of the Fourth Generation IDP (2017 – 2022) be submitted to the Department of Local Government, Provincial Treasury, National Treasury and the Cape Winelands District Municipality.

Councillors DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.

8.2	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2020/2021-2022/2023
------------	--

Collaborator No: 682431
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 20 March 2020

1. SUBJECT: MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2020/2021-2022/2023

2. PURPOSE

The purpose of this report is as follows:

- a) The Executive Mayor to table the Medium Term Revenue and Expenditure Framework (inclusive of property rates charges and taxes, tariffs and service charges), annexures and proposed amendments to the budget related policies and other policies to Council for approval in terms of Section 16(2) of the Municipal Finance Management Act, (Act 56 of 2003).
- b) That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the tune of R 400 million of which over the MTREF R160 million will be required in year 1, R120 million in year 2 and R120 million in year 3 (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirms draft approval of same in order for the Chief Financial Officer to attend to the necessary legislative requirements.
- c) That Council specifically note and consider the applications for extension of the Jonkershoek and Techstel Special Rating Areas (SRA), that is in terms of paragraph 15(a) of the SRA By-Law.

3. DELEGATED AUTHORITY

FOR APPROVAL BY MUNICIPAL COUNCIL

EXECUTIVE SUMMARY

Attached as **APPENDIX 1** is an executive summary by the Accounting Officer.

SPECIAL RATINGS AREAS – NEXT FIVE YEAR TERM

The Jonkershoek and Techstel Special Rating Areas (SRA) were first established in 2015 and have been successfully operating for the past five years. The respective management bodies have now applied for their SRAs to be extended for a further period of five years, ending 30 June 2025.

There are no financial implications for the municipality. SRAs are community driven initiatives and are financed by the property owners within the boundaries of the SRA. The municipality pays the approved budget over to the relevant management body in twelve equal, monthly instalments and recovers the money from property owners via the monthly consumer accounts. Normal credit control and debt collection processes are followed in instances of non-payment and retention is also withheld from the budget to offset any potential losses of the municipality. In the first five years of the SRAs being in operation, this measure has not been necessary.

Applications for extension of the terms are done in compliance with paragraph 15(a) of the SRA By-Law. Such council approval can only be given in terms of Chapter 1 of the By-Law. For good reason, the council may exempt the management body of the SRA from compliance with Chapter 1, which mainly deals with the process to be followed when first establishing a SRA. Such exemption is being requested by the management body of the SRA.

Full reports of both SRAs are attached hereto as Annexures 32 and 33. Sub Annexures A – D include the Application Letters, Business Plans, 5 Year Budgets and AGM Minutes.

URGENT COUNCIL MEETING: 2020-03-25: ITEM 8.2

The Speaker afforded the Executive Mayor the opportunity to deliver her Budget Speech (attached as an **APPENDIX**).

RESOLVED (majority vote)

- (a) that the Draft High Level Budget Summary, as set out in APPENDIX 1 – PART 1 – SECTION C; be approved for public release;
- (b) that the Draft Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in APPENDIX 1 – PART 1 – SECTION D, be approved for public release;
- (c) that the proposed Grants-In-Aid allocations as set out in APPENDIX 1 – PART 2 – SECTION J, be approved for public release;
- (d) that the three year Capital Budget for 2020/2021, 2021/2022 and 2022/2023, as set out in APPENDIX 1 – PART 2 – SECTION N, be approved for public release;
- (e) that the proposed draft rates on properties in WCO24, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in APPENDIX 3, be approved for public release;
- (f) that the proposed amendments to existing budget related policies and other policies as set out in APPENDICES 4 - 29, be approved for public release;
- (g) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the tune of R400 million of which R160 million will be required in year 1, R120 million in year 2 and R120 million in year 3 (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirm approval of same;
- (h) that Council specifically take note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially;
- (i) that Council takes note of MFMA circulars 98 and 99 that was published to guide the MTREF for 2020/2021 to 2022/2023 as set out in APPENDICES 30 – 31;
- (j) that Council notes the Jonkershoek and Techstel SRA applications for the extension of the SRAs for a further period of five years and exempts both management bodies in terms of paragraph 15(a) of the SRA By-Law, from compliance with the provisions of Chapter 1 of the SRA By-Law;

-
- (k) that proposed extension of the Jonkershoek and Techstel SRAs for a further period of five years beginning 1 July 2020 and ending 30 June 2025 be approved for public release; and
- (l) that the proposed five year budgets with a combined total of R30 943 773.35 (VAT included) for Jonkershoek SRA and R15 713 218.21 (VAT included) for Techstel SRA as detailed in Annexures 32 (c) and 33 (c) be approved for public release.

Councillors DA Hendrickse and LK Horsband requested that their votes of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	KEVIN CAROLUS
POSITION	DIRECTOR: FINANCIAL MANAGEMENT SERVICES
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	kevin.carolus@stellenbosch.gov.za
REPORT DATE	30 March 2020

8.3	TABLING OF DRAFT REVISED CAPITAL EXPENDITURE FRAMEWORK 2020 AS PART OF THE INTEGRATED URBAN DEVELOPMENT GRANT
-----	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

GOOD GOVERNANCE& COMPLIANCE

20 March 2020

1. SUBJECT: TABLING OF DRAFT REVISED CAPITAL EXPENDITURE FRAMEWORK 2020 AS PART OF THE INTEGRATED URBAN DEVELOPMENT GRANT

2. PURPOSE

To obtain Council's approval for submission of the Draft Revised Capital Expenditure Framework (CEF) to the National Department of Cooperative Government and Traditional Affairs (CoGTA) as part of the Integrated Urban Development Grant.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

According to section 21(n) of the Spatial Planning and Land Use Management Act (SPLUMA), Act No. 16 of 2013, the content of a municipal spatial development framework must determine a Capital Expenditure Framework (CEF) for the municipality's development programmes. This means that the CEF is informed by the Spatial Development Framework i.e. stating the spatial vision of the municipality where the CEF states the financial vision of the municipality.

The Integrated Urban Development Framework (IUDF) was approved by Cabinet in April 2016, which led to the Integrated Urban Development Grant that was introduced in the 2019/2020 Division of Revenue Act as a Consolidated Grant for Intermediate City Municipalities (ICM's). Stellenbosch Municipality was identified as one of the municipalities to benefit from this new grant, subject to specified criteria. The purpose of the ICMs support strategy is to help translate IUDF policy into practical programmes of action in the ICMs.

The business plan for the IUDG is a three-year capital programme that is aligned with a long-term CEF (10-year plan). The draft Revised Capital Expenditure Framework must be submitted to the Department of Cooperative Governance (DCoG), by 31 March 2020.

URGENT COUNCIL MEETING: 2020-03-25: ITEM 8.3

RESOLVED (majority vote with abstentions)

that the Draft Revised Capital Expenditure Framework be approved for submission to CoGTA by 31 March 2020.

Councillors DA Hendrickse and LK Horsband requested that their votes of dissent be minuted.

NAME	Shireen De Visser
POSITION	Snr Manager: Governance
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8035
E-MAIL ADDRESS	shireen.devisser@stellenbosch.gov.za
REPORT DATE	12 March 2020

9.	REPORT BY THE MUNICIPAL MANAGER
----	--

9.1	DELEGATION TO THE EXECUTIVE MAYOR AND EMERGENCY ASSISTANCE TO CITIZENS IN LIGHT OF COVID-19
-----	--

Collaborator No:

IDP KPA Ref No:

Good governance and compliance

Meeting Date:

25 March 2020

1. DELEGATION TO THE EXECUTIVE MAYOR AND EMERGENCY ASSISTANCE TO CITIZENS IN LIGHT OF COVID-19

2. PURPOSE OF REPORT

- (a) To obtain approval from Council to confer all Council powers and functions upon the Executive Mayor with the exception of the non-delegated powers as per section 160 (2) of the Constitution; and
- (b) To approve the emergency assistance to citizens in light of the COVID-19 pandemic.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The President of South Africa on 15 March 2020 declared the Coronavirus (COVID-19) pandemic a national disaster in terms of Section 23(1) (b) of the Disaster Management Act 2002. In his address, President Cyril Ramaphosa, in order to enable the development of an integrated and coordinated disaster management mechanism to focus on the prevention and reduction of the COVID-19 outbreak, has put specific measures in place.

Several regulations in this regard have been Gazetted during the past week that need urgent decision-making. It is not practical to call a Council meeting every time a decision must be made in the case of an emergency. Council therefore grants permission to the Executive Mayor to exercise power of the council during the national disaster with the exception of powers in section 160(2) of the Constitution.

Moreover, it is anticipated that the COVID-19 will have adverse effects on the economy and especially on the most vulnerable and the poorest of the poor. It is for this reason that as a responsible and caring government emergency assistance is proposed to alleviate the impact on our communities.

URGENT COUNCIL MEETING: 2020-03-25: ITEM 9.1

With reference to recommendation (e), Councillor DA Hendrickse requested that it be minuted that he objects to the Executive Mayor using delegated powers during this lockdown period to approve matters not specifically relating to COVID-19.

RESOLVED (majority vote)

- (a) that a payment reprieve be granted to citizens on application and when the criteria as set out in 6.2 are met;
- (b) that, should this agreement as referred to in 6.2 not be honoured, the full outstanding debt will become payable immediately;
- (c) that the free basic water allocation to registered indigents be increased from 6 kilo litres to 10 kilo litres from 1 April 2020 until 30 June 2020;
- (d) that credit control measures and procedures be suspended until the end of April 2020 or to such time that lockdown might be extended;
- (e) that permission be granted to confer all Council powers and functions upon the Executive Mayor with the exception of the non-delegated powers as per section 160 (2) of the Constitution until the disaster is lifted by the President; and
- (f) that the Municipal Manager be mandated to investigate and approve any further debt relief as needed.

The following Councillors requested that their votes of dissent be minuted:

Cllrs Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); C Moses (Ms); N Mananga-Gugushe (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	municipal.manager@stellenbosch.gov.za
REPORT DATE	25 March 2020

The meeting adjourned at 11:30.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**