



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2020-09-11

MINUTES

SPECIAL MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2020-09-11 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
SPECIAL MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2020-09-11

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	OPENING AND WELCOME	
2.	MAYORAL ADDRESS	
3.	COMMUNICATION BY THE SPEAKER	
4.	COMMUNICATION BY THE MUNICIPAL MANAGER	
5.	DISCLOSURE OF INTEREST	
6.	APPLICATIONS FOR LEAVE OF ABSENCE	
7.	STATUTORY MATTERS	
7.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 2020	3
8.	MATTERS SUBMITTED BY THE MUNICIPAL MANAGER	
8.1	WITHDRAWAL OF COUNCIL DELEGATIONS TO THE EXECUTIVE MAYOR	4
8.2	ALLOCATION OF FUNDS TO ORGANISATIONS PROVIDING FOOD TO THE HOMELESS DURING THE COVID-19 LOCKDOWN PERIOD	5
8.3	REDUCTION OF MANAGED PARKING FEES	8
8.4	AMENDMENT TO CONTRACT B/SM 4/19 - PARKING MANAGEMENT SYSTEM FOR STELLENBOSCH MUNICIPALITY	9
9.	MATTERS TO BE CONSIDERED IN-COMMITTEE	
	(See IN-COMMITTEE Agenda)	

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	LK Horsband (Ms)
FT Bangani-Menziwa (Ms)	MC Johnson
Ald PW Biscombe	C Manuel
G Cele (Ms)	XL Mdemka (Ms)
PR Crawley (Ms)	C Moses (Ms)
A Crombie (Ms)	N Olayi
Z Dalling (Ms)	SA Peters
R Du Toit (Ms)	MM Pietersen
J Fasser	SR Schäfer
A Florence	Ald JP Serdyn (Ms)
AR Frazenburg	N Sinkinya (Ms)
T Gosa	P Sitshoti (Ms)
E Groenewald (Ms)	Q Smit
JG Hamilton	LL Stander
AJ Hanekom	E Vermeulen (Ms)
JK Hendriks	

Officials

Municipal Manager (G Mettler (Ms))
 Chief Financial Officer (K Carolus)
 Director: Community and Protection Services (G Boshoff)
 Director: Corporate Services (A De Beer (Ms))
 Director: Infrastructure Services (D Louw)
 Director: Planning and Economic Development (AP Barnes)
 Senior Manager: Governance (S de Visser (Ms))
 Manager: Secretariat (EJ Potts)
 Senior Administration Officer (T Samuels (Ms))

1. OPENING AND WELCOME

The Speaker, Cllr N Jindela, welcomed everyone present at the Special Council meeting, which was hosted via Livestream.

2. MAYORAL ADDRESS

None (i.e. Special Council meeting)

3. COMMUNICATION BY THE SPEAKER

None (i.e. Special Council meeting)

4. COMMUNICATION BY THE MUNICIPAL MANAGER

None (i.e. Special Council meeting)

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 and Order By-law of Council:-

Cllr F Adams	– 11 September 2020
Cllr E Fredericks	– 11 September 2020
Cllr DD Joubert	– 11 September 2020
Cllr NE Mcombring (Ms)	– 11 September 2020
Cllr RS Nalumango (Ms)	– 11 September 2020
Cllr WF Pietersen	– 11 September 2020

6.2 ABSENT:

Cllr DA Hendrickse	– 11 September 2020
Cllr N Mananga-Gugushe (Ms)	– 11 September 2020
Cllr MD Oliphant	– 11 September 2020

7.	STATUTORY MATTERS
----	--------------------------

7.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 2020
-----	--

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.

SPECIAL COUNCIL MEETING: 2020-09-11 ITEM 7.1

NOTED

the deviations as listed for the month of August 2020.

FOR FURTHER DETAILS CONTACT:

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

8.	MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
----	---

8.1	WITHDRAWAL OF COUNCIL DELEGATIONS TO THE EXECUTIVE MAYOR
-----	---

Collaborator No:
IDP KPA Ref No: Good governance and compliance
Meeting Date: 11 September 2020

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.

SPECIAL COUNCIL MEETING: 2020-09-11 ITEM 8.1

RESOLVED (nem con)

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

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	07 September 2020

8.2	ALLOCATION OF FUNDS TO ORGANISATIONS PROVIDING FOOD TO THE HOMELESS DURING THE COVID-19 LOCKDOWN PERIOD
-----	--

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.

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 there 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 on 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 legal donations to the Stellenbosch Unite Initiative.

SPECIAL COUNCIL MEETING: 2020-09-11 ITEM 8.2**RESOLVED** (majority vote)

- (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”; and
- (d) that Council notes 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.

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

Cllrs FT Bangani-Menziwa (Ms); C Moses (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	Michelle Aalbers
POSITION	Manager: Community Development
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8161
E-MAIL ADDRESS	Michelle.aalbers@ Stellenbosch.gov.za
REPORT DATE	31 August 2020

8.3	REDUCTION OF MANAGED PARKING FEES
------------	--

Collaborator No:

IDP KPA Ref No:

Good Governance & Compliance

Meeting Date:

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%.

SPECIAL COUNCIL MEETING: 2020-09-11 ITEM 8.3**RESOLVED** (nem con)

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

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	<i>Director</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8213</i>
E-MAIL ADDRESS	Deon.louw@stellenbosch.gov.za
REPORT DATE	<i>02 November 2017</i>

8.4	AMENDMENT TO CONTRACT B/SM 4/19 - PARKING MANAGEMENT SYSTEM FOR STELLENBOSCH MUNICIPALITY
------------	--

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.

SPECIAL COUNCIL MEETING: 2020-09-11 ITEM 8.4

RESOLVED (nem con)

- a) that Council notes, 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; and
- 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.

FOR FURTHER DETAILS CONTACT:

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

9.	MATTERS TO BE CONSIDERED IN-COMMITTEE
----	---------------------------------------

(SEE IN-COMMITTEE AGENDA)

The meeting adjourned at 12:05.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**