



NOTULES VAN DIE / MINUTES OF THE

**VIRTUELE RAADSVERGADERING VAN DIE CEDERBERG MUNISIPALITEIT SOOS
GEHOU OP**

25 JANUARIE / JANUARY 2021

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VIRTUAL COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY, HELD ON

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**MINUTES OF THE VIRTUAL COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY
HELD ON 25 JANUARY 2021**

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CIRCULATED AGAIN.**

PRESENT AND IN ATTENDANCE:

As per the attendance registers copied into the minutes after the final item:

- Cllr. P Strauss
- Cllr. N Qunta
- Cllr. L Scheepers
- Cllr. F Kamfer
- Cllr. M Heins
- Cllr. E Majikijela
- Cllr. W Farmer
- Cllr. R Witbooi
- Cllr. F Sokuyeka

- Mr. H Slimmert
- Mr. M Memani
- Mr. A Titus
- Mr. J Kotze
- Mr. B Blaauw
- Mr. N Mercuur
- Mr. A Mlata
- Mr. R Meyers
- Miss J Maarman
- Miss J Cloete

ABSENT WITHOUT APOLOGY:

Geen / None

1. OPENING

- The Chairperson welcomed all present and Cllr. F Kamfer opened the meeting with a prayer.

2. ELECTION OF (ACTING) SPEAKER, IF NECESSARY

N/A

3. APPLICATIONS FOR LEAVE OF ABSENCE

Rules of Order for Internal Arrangement

Part 3

7. Leave of absence

- 7.1 Leave of absence may be obtained from Municipal Council by a member who wishes to absent himself or herself from meetings. Should a member be prevented from obtaining leave of absence based on special circumstances, the Speaker has the discretion to on grant such leave.
- 7.2 A written application for leave of absence from a meeting of the Municipal Council or a Committee must be addressed to the Speaker by the Member applying for leave.
- 7.3 Written applications include emails sent to the Speaker.
- 7.4 In certain instances, the granting of applications for leave is deemed. These instance include:
 - 7.4.1 the Member is acting on behalf of the Municipal Council on other matters elsewhere based on instructions of Council or the Mayor.
 - 7.4.2 the Member is required to remove himself/herself from a meeting by the Municipal Council, Mayor or Committee in circumstances envisaged in item 3(b) of Schedule 1 to the Systems Act, or the member recuses him/herself.
- 7.5 The Speaker may also grant leave of absence to a member for the following reasons:
 - 7.5.1 illness or any other valid reasonable reason making it impossible for the member to attend;
 - 7.5.2 business, personal commitments, or personal circumstances of the member.
 - 7.5.3 The failure to deliver notice of a meeting or the delivery of notice less than 72 hours prior to commencement provided that this does not relate to an ordinary meeting of the Council or Committees or changes of addresses of members.
 - 7.5.4 The lack of informing the Municipal Manager of a revised address for the service of documentation at least 7 days before the relevant meeting;
 - 7.5.5 Where circumstances envisaged in item 3(b) of the Code of Conduct for Councillors in Schedule 1 to the Systems Act occur which prevent the Member from attendance;
 - 7.5.6 Other circumstances where the member is prevented from attending the meeting.

- Cllr. R Pretorius

3.1 A blank Application for Leave of Absence form is enclosed

3.2 The Attendance Registers will be available at the meeting

Rules of Order for Internal Arrangement

Part 3

6. Attendance at meetings

- 6.1 An attendance register must be kept in relation to all meetings. Such register is to be signed by every member that attends the meeting/s.
- 6.2 Instances when a member may be absent from a meeting include the following:
 - 6.2.1 upon leave of absence being granted in terms of rule 7; and
 - 6.2.2 upon withdrawal on the basis of a legal requirement.

4. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS

Rules of Order for Internal Arrangement

Part 6

6. Deputations

Should deputations seek an interview with council, the municipal manager must be provided with ten working days written notice of the intent of the deputation with details of the representations that are to be made as well as its source. The notice must be submitted to the Speaker by the Municipal Manager with recommendations and comments. The Speaker has the discretion to then grant the interview and instate conditions.

Geen / None

5. CONFIRMATION OF MINUTES

Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)

Part Four

1. Minutes

- 1.1 Minutes of the proceedings of meetings must be recorded in writing in a minute book;
- 1.2 Such minutes shall be compiled in printed form and be confirmed by the council at the following meeting of Municipal Council and signed by the speaker.
- 1.3 The minutes shall be deemed to have been read for the purpose of confirmation provided a copy thereof was sent to each member within a reasonable period prior to the following meeting.
- 1.4 Discussions or motions in relation to the accuracy of minutes shall be entertained. No further discussion or motions in relation to any other matters forming part of the minutes shall occur.
- 1.5 Minutes shall consist of recordings of all business discussed as well as the names of members that were in attendance, absent, and granted leave of absence.
- 1.6 Should any member have requested that there dissent, abstention or support be recorded during voting, these are to be recorded in the minutes.
- 1.7 Audio recordings of all meetings of Municipal Council must be kept for a period of three years for administrative purposes.

1) That Council approved the following minutes:

- a) Virtual Council Meeting held on 21 December 2020;
- b) Virtual Special Council Meeting held on 23 December 2020; and
- c) Virtual Special Council Meeting held on 20 January 2021.

Proposed: Cllr. M Heins

Seconded: Cllr. L Scheepers

6. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

- Geen / None

7. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR

- Geen / None

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

- N/A

9. MATTERS FOR CONSIDERATION

Rules of Order for Internal Arrangement

Part Four:

2. DECISIONS AND VOTING

- 2.1 In the event that the Speaker enquires from the attendees at a meeting if they are in agreement with recommendation/s and there is no opposition by any member present, recommendations are adopted.
- 2.2 The Speaker must put every apposed motion to the vote by calling upon the members to indicate by a raising of hands unless otherwise prescribed by law, whether they are in favour of or against such motion. The result of the vote must thereafter be declared by the Speaker.
- 2.3 The number of members voting in favour of or against an item, is to be recorded in the minutes. Members may abstain from voting without leaving the meeting and may request that his/her abstention be recorded in the minutes of that meeting. Consequently, subsequent to the speaker's declaration of the result, a member may demand that his or her opposition or support of a decision be recorded in the minutes and the Municipal Manager must accordingly arrange for the same.
- 2.4 All decisions must be taken by a supporting vote of the majority of the members present at any meeting of the Council.
- 2.5 The Municipal Council must reconsider a decision taken if the majority of members lodge a request in writing with the Municipal Manager. This shall apply unless such reconsideration adversely affects existing rights. Motions for the reconsideration of decision must be submitted in terms of Rule 5 of the Rules of Order.
- 2.6 Notwithstanding the provision of this Rule, the Council may at any time following a recommendation by the Mayor, rescind or amend any resolution passed by it.

Part 5

4. Councillor to address chair

A member who speaks at a meeting must address the chair.

Part 5

16. Order of priority

- 16.1 The Speaker must ensure that there is maintenance of order. To this end, the Speaker may, if he / she deems it necessary, at any time in a meeting direct an officer to remove or cause the removal of any person, excluding a member, from the Council Chamber. The Speaker may also direct that the public gallery be vacated.
- 16.2 The removal of any person or persons who refuse to carry out any reasonable instruction given by the Speaker or obstructs the carrying out of such instruction may be ordered by the Speaker.

Part 5

3. Precedence of the Speaker

Silence must be observed by all present in meeting when the Speaker addresses meetings in order for the Speaker to be heard without interruption. Whenever the speaker addresses the meeting, all members must be silent so that the speaker may be heard without any interruption. Council must be addressed by members through the Speaker.

13. Relevance

Speeches by members must address the subject or matter under discussion or to an explanation or to a point of order. In this regard, no discussion shall be tolerated in relation to the anticipation of any matter on the agenda or in respect of any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of inquiry, whether instituted in terms of legislation or not, is pending, provided that such matter may be considered with the permission of Council.

Part 5

5. Right to speak

A member is provided with an opportunity to speak with the permission of the Speaker only once for no longer than 5 (five) minutes on a matter before the meeting unless authorised by the Chairperson.

A member is entitled to speak once on any recommendation, motion or proposal, provided that the Mayor or Member may reply to conclude a debate and shall restrict himself/herself to answering previous speakers rather than the introduction of new matters.

Prior to the consideration of any item contained in the report of the mayor in reply to a specific question or during discussion of the same, the Speaker shall permit the Mayor, MMC or Chairperson of the Committee in terms of section 79 and 80 of the Local Government Municipal Structures Act 117 of 1998 who made the proposal in terms of rule 9 or rule 14 of part 5 of these Rules to make and explanatory statement.

6. Length of speeches

- 6.1 A member may (unless authorised otherwise by the Speaker) only speak once to-
 - 6.1.1 the matter and any amendments to that matter that is before the council;
 - 6.1.2 any motion before the council;
 - 6.1.3 to a matter or an amendment proposed or be proposed by himself or herself;
 - 6.1.4 a point of order or a question of privilege, unless authorised by the speaker or as provided for in terms of these rules.
- 6.2 No new matters may be introduced by a mover that speaks to a motion and replies to previous speakers in a debate. The right of reply shall not extend to the mover of an amendment which, having been carried, has become substantive motion.

9.1 Items submitted by Officials of Council

MONTHLY BUDGET STATEMENT: DECEMBER 2020
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RB9.1.1/25-01-2021

25 JANUARY 2021

REPORT FROM THE ACTING CHIEF FINANCIAL OFFICER

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To Submit to Council the Monthly Budget Statement (section 71 report) for the month of December 2020.

AGTERGROND / BACKGROUND

In terms of Chapter 8, Section 71 of the Local Government Municipal Finance Management Act, 2003 (MFMA):

- (1) The accounting officer of a municipality must by no later than 10 working days after the end of each month submit to the mayor of the municipality and the relevant provincial treasury a statement in the prescribed format on the state of the municipality's budget reflecting the following particulars for that month and for the financial year up to the end of that month:
 - (a) Actual revenue, per revenue source;
 - (b) Actual borrowings;
 - (c) Actual expenditure, per vote;
 - (d) Actual capital expenditure, per vote;
 - (e) The amount of any allocations received;
 - (f) Actual expenditure on those allocations, excluding expenditure on—
 - (i) Its share of the local government equitable share; and
 - (ii) Allocations exempted by the annual Division of Revenue Act from compliance with this paragraph; and

- (g) When necessary, an explanation of—
 - (i) Any material variances from the municipality's projected revenue by source, and from the municipality's expenditure projections per vote;
 - (ii) Any material variances from the service delivery and budget implementation plan; and
 - (iii) Any remedial or corrective steps taken or to be taken to ensure that projected revenue and expenditure remain within the municipality's approved budget.
- (2) The statement must include—
 - (a) A projection of the relevant municipality's revenue and expenditure for the rest of the financial year, and any revisions from initial projections; and
 - (b) The prescribed information relating to the state of the budget of each municipal entity as provided to the municipality in terms of section 87(10).
- (3) The amounts reflected in the statement must in each case be compared with the corresponding amounts budgeted for in the municipality's approved budget.
- (4) The statement to the provincial treasury must be in the format of a signed document and in electronic format.
- (5) The accounting officer of a municipality which has received an allocation referred to in subsection (1)(e) during any particular month must, by no later than 10 working days after the end of that month, submit that part of the statement reflecting the particulars referred to in subsection (1)(e) and (f) to the national or provincial organ of state or municipality which transferred the allocation.
- (6) The provincial treasury must by no later than 22 working days after the end of each month submit to the National Treasury a consolidated statement in the prescribed format on the state of the municipalities' budgets, per municipality and per municipal entity.
- (7) The provincial treasury must, within 30 days after the end of each quarter, make public as may be prescribed, a consolidated statement in the prescribed format on the state of municipalities' budgets per municipality and per municipal entity. The MEC for finance must submit such consolidated statement to the provincial legislature no later than 45 days after the end of each quarter.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Contained in the C Scheduled submitted as part of the section 71 report.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

Chapter 8, Section 71 of the Local Government Municipal Finance Management Act.

COMMENTS: MUNICIPAL MANAGER

The item is supported.

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

The item is supported.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

RECOMMENDATION

It is recommended that:

1. Council takes note of the Monthly Budget Statement for the month December 2020.

APPENDIX/AANHANGSELS/ ISIHLOMELO

Monthly Budget Statement for the month of December 2020.

MONTHLY BUDGET STATEMENT: DECEMBER 2020

RESOLVED:

1. Council takes note of the Monthly Budget Statement for the month December 2020.

**QUARTERLY BUDGET, SUPPLY CHAIN MANAGEMENT AND TOP LAYER
SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN (SDBIP) REPORTS:
OCTOBER 2020 – DECEMBER 2020**

RB9.1.2/25-01-2021

25 JANUARY 2021

REPORT FROM THE ACTING CHIEF FINANCIAL OFFICER

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To submit to Council the Quarterly Budget, Supply Chain Management and Top Layer Service Delivery Budget Implementation Plan (SDBIP) Reports for the 2nd Quarter of the 2020/2021 Financial Year.

AGTERGROND / BACKGROUND

In terms of Chapter 7 Section 52 of the Local Government Municipal Finance Management Act, 2003 (MFMA):

The mayor of a municipality—

- (a) must provide general political guidance over the fiscal and financial affairs of the municipality;
- (b) in providing such general political guidance, may monitor and, to the extent provided in this Act, oversee the exercise of responsibilities assigned in terms of this Act to the accounting officer and the chief financial officer, but may not interfere in the exercise of those responsibilities;
- (c) must take all reasonable steps to ensure that the municipality performs its constitutional and statutory functions within the limits of the municipality's approved budget;
- (d) must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality; and

(e) must exercise the other powers and perform the other duties assigned to the mayor in terms of this Act or delegated by the council to the mayor.

According to the Municipal Supply Chain Management Regulations (2005), paragraph 6(3) – Oversight role of council of municipality or board of directors of the municipal entity:

“The accounting officer must within 10 days of the end of each quarter, submit a report on the implementation of the supply chain management policy to the mayor of the municipality or the board of directors of the municipal entity, as the case may be.”

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Contained in detail in the annexure to this report.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

Chapter 7, Section 52 of the Local Government Municipal Finance Management Act, 2003.

Municipal Supply Chain Management Regulations (2005).

COMMENTS: MUNICIPAL MANAGER

The item is supported.

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

The item is supported.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

RECOMMENDATION

- a) That Council; takes note of the:
- 1 Take note of the Quarterly Budget Statement,
 2. Take note of the Virements Report for the second Quarter,
 3. Take note of the Supply Chain Management Report for the second Quarter,
and
 4. Top Layer SDBIP for the second Quarter, October 2020 – December 2020.

APPENDIX/AANHANGSELS/ ISIHLOMELO

1. Quarterly Budget Statement: October 2020 – December 2020.
2. Virements Report: October 2020 – December 2020.
3. Supply Chain Management Implementation Report: October 2020 – December 2020.
4. Top Layer SDBIP: October 2020 – December 2020.

RESOLVED:

- a) That Council; takes note of the:
1. Take note of the Quarterly Budget Statement,
 2. Take note of the Virements Report for the second Quarter,
 3. Take note of the Supply Chain Management Report for the second Quarter,
and
 4. Top Layer SDBIP for the second Quarter, October 2020 – December 2020.

CONSIDERATION FOR THE EXTENTION OF OVERDRAFT FACILITY

RB9.1.3/25-01-2021

25 JANUARY 2021

REPORT FROM THE ACTING CHIEF FINANCIAL OFFICER

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To obtain Council's approval for the increase and extension of the Overdraft Facility of R 9 000 000.00 as follow:

Overdraft Facility of R 9 000 000.00 from 01 January 2021 till 13 March 2021.

AGTERGROND / BACKGROUND

During the annual review of the municipality facilities, Standard Bank advised that financial products have been approved as set out below:

The approved financial products are as follow:

- (i) Overdraft Facility: R 6 000 000.00 (Six million Rand)

Management wants to increase the facility as follow:

- (i) R 3 000 000.00 (Three million Rand) increase on 01 January 2021.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Application fee of R 77 400.00 will be charged and interest of 8.65% from the financial institution.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

Chapter 6 of the Municipal Finance Management Act No.56 of 2003:

Short-term debt

45. (1) A municipality may incur short-term debt only in accordance with and subject to the provisions of this Act and only when necessary to bridge –
- (a) shortfalls within a financial year during which the debt is incurred, in expectation of specific and realistic anticipated income to be received within that financial year; or
 - (b) capital needs within a financial year, to be repaid from specific funds to be received from enforceable allocation or long-term debt commitments.
- (2) A municipality may incur short-term debt only if –
- (a) a resolution of the municipal council, signed by the mayor, has approved the debt agreement; and
 - (b) the accounting officer has signed the agreement or other document which creates or acknowledge debt.
- (3) For the purpose of subsection (2)(a), a municipal council may –
- (a) approve a short-term debt transaction individually; or
 - (b) approve an agreement with a lender for a short-term credit facility to be accessed as and when required, including a line of credit bank overdraft facility, provided that –
 - (i) the credit limit must be specified in the resolution of the council;
 - (ii) the terms of the agreement, including the credit limit, may be changed only by a resolution of council; and
 - (i) if the council approves a credit facility that is limited to emergency use, the accounting officer must notify the council in writing as soon as practical of the amount, duration and cost of any debt incurred in terms of such a credit facility, as well as options for repaying such debt.
- (4) A municipality –
- (a) must pay off short-term debt within the financial year; and
 - (b) may not renew or refinance short-term debt, whether its own debt or that any other entity, where such renewal or refinancing will have the effect of extending the short-term debt into a new financial year.

(5) (a) No lender may wilfully extends credit to a municipality for the purpose of renewing or refinancing short-term debt that must be paid off in terms of subsection (4)(a).

(b) If a lender wilfully extends credit to a municipality in contravention of paragraph (a), the municipality is not bound to repay the loan or interest on the loan.

(6) Subsection (5)(b) does not apply if the lender –

(a) relied in good faith on written representations of the municipality as to the purpose of the borrowing; and

(b) did not know and had no reason to believe that the borrowing was for the purpose of renewing or refinancing short-term debt.

COMMENTS: MUNICIPAL MANAGER

The item is supported.

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

The item is supported. Due to cash flow challenges experienced by the municipality it is advisable to extend the overdraft facility for a longer period.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

COMMENTS: MANAGER LEGAL SERVICES

The item is supported.

RECOMMENDATION

It is recommended that:

1. Council, in terms of section 45 of the MFMA, consider and approve the increase and extension to the following:
 - (i) Overdraft Facility of R 9 000 000.00 as set out as follow:
 - (a) Overdraft facility of R 9 000 000.00 till 13 March 2021.
2. The Municipal Manager, Mr Henry George Slimmert, ID: 610408 5151 086 be mandated to sign all relevant documents with Standard Bank.
3. Overdraft will be reduced to zero on receipt of Equitable Share payment on 13 March 2021.
4. Certified Council Resolution signed by the Mayor, confirming the limit required, the purpose of the facility and confirmation that the facility will be settled on 13 March 2021 upon receipt of equitable share to be sent to Standard Bank.
5. Written request from Municipal Manager, confirming the requested amount, the purpose and the date of repayment to be sent to Standard Bank.
6. Banking Facilities Agreement to be provided by Standard Bank and to be signed by the Municipal Manager.

APPENDIX/AANHANGSELS/ ISIHLOMELO

Previous Council resolution approving Overdraft Facility.

RESOLVED:

1. Council, in terms of section 45 of the MFMA, consider and approve the increase and extension to the following:
 - (i) Overdraft Facility of R 9 000 000.00 as set out as follow:
 - a) Overdraft facility of R 9 000 000.00 till 13 March 2021.

2. The Municipal Manager, Mr Henry George Slimmert, ID: 610408 5151 086 be mandated to sign all relevant documents with Standard Bank.
3. Overdraft will be reduced to zero on receipt of Equitable Share payment on 13 March 2021.
4. Certified Council Resolution signed by the Mayor, confirming the limit required, the purpose of the facility and confirmation that the facility will be settled on 13 March 2021 upon receipt of equitable share to be sent to Standard Bank.
5. Written request from Municipal Manager, confirming the requested amount, the purpose and the date of repayment to be sent to Standard Bank.
6. Banking Facilities Agreement to be provided by Standard Bank and to be signed by the Municipal Manager.

Proposed: Cllr. M Heins

Secondant: Cllr. L Scheepers

**OUTCOME OF THE ROLL-OVER APPLICATION PROCESS TO PROVINCIAL-
AND NATIONAL TREASURY FOR THE FINANCIAL YEAR ENDING JUNE 2020**

RB9.1.4/25-01-2021

25 JANUARY 2021

REPORT FROM THE ACTING CHIEF FINANCIAL OFFICER

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To submit to Council the outcome of the roll-over application process to Provincial- and National Treasury for the Financial Year ending June 2020.

AGTERGROND / BACKGROUND

At the end of June 2020 the municipality had several grants which were not fully spent by the end of the financial year.

An application was submitted to Provincial- and National Treasury to have the unspent conditional grants rolled over to the 2020-2021 financial year. The following roll-overs were submitted:

Provincial Treasury Conditional Grants:

- Human Settlement Development Grant: R 1 076 642
- Library Services MRF: R 4 568
- Internship Grant: R 156 859
- Drought Relief Grant: R 105 486
- Financial Management Capacity Building Grant: R 613 781
- Municipal Service Delivery and Capacity Building Grant: R 264 500
- Thusong Services Centre Grant: R 179 543

The following grants were not approved (see attached outcome of unspent conditional grants for the 2019/20 financial year letter, dated 10 November 2020) for roll over by Provincial Treasury and the amount of R 498 781 must be repaid to Provincial Treasury.

- R 360 000 for 2018/19 Western Cape Financial Management Capacity Building Grant; and
- R 138 781 for 2017/18 Western Cape Financial Management Capacity Building Grant.

The municipality did not apply for the roll-over of the following grants and indicated the amount of R 130 149 will be paid back to Provincial Treasury:

- R 5 176 for the CDW Support Grant; and
- R 124 973 for the Financial Management Support Grant.

National Treasury Conditional Grants:

- | | |
|--|--------------|
| • Municipal Disaster Grant: | R 77 000 |
| • Water Services Infrastructure Grant: | R 25 900 000 |

Initially the full amount of R 25 900 000 was rejected (See attached finalization of unspent conditional grants for the 2019/20 financial year letter from National Treasury, dated 16 November 2020), however the Acting CFO and the finance team submitted further motivation to National Treasury to reconsider its position to approve the roll-over grant. Towards the end of November 2020 and December 2020 there has been an interaction between the Acting CFO and National Treasury regarding this motivation of the roll-over. Then, on the 08th of January 2021, we received a letter from National Treasury that the amount of R 16 500 000 was approved to be rolled over. However, not the full amount applied for was approved. The letter indicates an amount of R 9 500 000 must be repaid to National Treasury. (See attached finalization of unspent conditional grants for the 2019/20 financial year letter from National Treasury, dated 08 January 2021).

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

The amount of R 628 930 must be repaid to Provincial Treasury.

The amount of R 9 500 000 must be repaid to National Treasury.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

Section 10(2) of the Western Cape Appropriation Act (WCAA) 2019, (Act No. 4 of 2019).

Circular No. 99 of the Municipal Finance Management Act, 2003 (Act No.56 of 2003)

Section 28 of the Financial Management Act, 2003 (Act No. 56 of 2003).

CONCLUSION

The municipality cannot afford to pay back this money to National Treasury as indicated in our letter submitted to National Treasury. The project is already ongoing and cannot be stopped. There are both financial and legal implications for cancellation of the project.

Should National Treasury not agree, it means the municipality has to finance the difference of R 9 500 000 from its own funding, which the municipality does not have. The matter should be escalated for intergovernmental relations.

COMMENTS: MUNICIPAL MANAGER

The item is supported.

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

The item is supported.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

RECOMMENDATION

1. Council takes note of the roll-over application outcome.
2. Council delegates the Executive Mayor and the Acting Chief Financial Officer to further engage with National Treasury both at Political and Administrative level.

APPENDIX/AANHANGSELS/ ISIHLOMELO

- Outcome for Roll-Over of Unspent Provincial Conditional Grants for the 2019/20 Financial Year, dated 10 November 2020.
- Finalisation of Unspent Conditional Grants for the 2019/20 Financial Year, dated 16 November 2020.
- Finalisation of Unspent Conditional Grants for the 2019/20 Financial Year, dated 08 January 2021.

RESOLVED:

1. Council takes note of the roll-over application outcome.
2. Council delegates the Executive Mayor and the Acting Chief Financial Officer to further engage with National Treasury both at Political and Administrative level.

It was further resolved that:

3. That a more detailed report, pertaining the grant funding not spend and projects associated with it, be discussed at the next Council Meeting.

Proposed: Cllr. M Heins
Secondant: Cllr. L Scheepers

ITEM: DEVIATION FROM AND RATIFICATION OF MINOR BREACHES
OF, PROCUREMENT PROCESSES

RB9.1.5/25-01-2021

25 JANUARY 2021

REPORT FROM THE ACTING CHIEF FINANCIAL OFFICER

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

The purpose of the report is to inform Council on the deviations from the Supply Chain Management Policy for the months October 2020, November 2020 and December 2020 for notification.

AGTERGROND / BACKGROUND

(1) The accounting officer may-

- (a) Dispense with the official procurement processes and to procure any required goods or services through any convenient process in terms of Section 36 of the SCM Regulations.

Discussion:

In terms of Government Notice no 27636 dated 30 May 2005 the Supply Chain Management Regulations states the following to section 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.
- (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.
- (3) Sub regulation (2) does not apply to the procurement of goods and services contemplated in regulation 11(2).

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

The attached transaction amounts were processed for the month of October 2020, November 2020 and December 2020, and are therefore tabled in terms of Sec .36 (2) of SCM policy before Council for information.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

The Municipal Supply Chain Management Regulations (2005) and Cederberg Municipality's Supply Chain Management Policy.

COMMENTS: MUNICIPAL MANAGER

The item is supported.

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

The item is supported.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

COMMENTS: MANAGER LEGAL SERVICES

The item is supported.

RECOMMENDATION

It is recommended that:

- a) Council, in terms of Section 36 of the Supply Chain Management regulations, takes cognizance of the transactions for the month of October 2020, November 2020 and December 2020.

RESOLVED:

- a) Council, in terms of Section 36 of the Supply Chain Management regulations, takes cognizance of the transactions for the month of October 2020, November 2020 and December 2020.

FUTURE MANAGEMENT MECHANISMS: RESORTS

RB9.1.6/25-01-2021

25 JANUARY 2021

REPORT FROM THE ACTING DIRECTOR COMMUNITY AND PROTECTIVE SERVICES

BACKGROUND:

Cederberg Municipality have been identified as one of the poorest municipalities in the West Coast. Most of the job creation opportunities are seasonal based and on the farming areas which earn the Sectorial Determination wage for farmworkers. Given the financial challenges we experiences to provide basic services to our communities we have the look at measures to ensure we became financial sustainable but also address the debt we inherited over the years. The impact of COVID-19 also creates challenges with the revenue collections of the municipality.

It is therefore important that municipalities looked at measures to ensure they focus on the financial sustainability of the providing of the municipal services to the communities. Municipal services refers to water supply, sewage collection and disposal, electricity supply, municipal roads and storm water, refuse removal, street lights and municipal parks and recreation. We cannot afford to focus on assets that became a liability for the municipality and do not contribute to financial sustainability of the council.

PURPOSE OF THE ITEM:

In the past years council considered the sale of the resorts in the open market and contemplated private ownership for various reasons. Given our financial challenges and our limited resources we cannot allow further capital investment in non-core community facilities and the repair and maintenance required. The purpose of the item is to get council permission to sell the Elandsbay and Lamertsbay resorts through council supply management policy.

RELEVANT LEGISLATIVE FRAMEWORK:

According to section 14 of the Local Government Municipal Finance Management Act and Regulations Act 56 of 2003 Disposal of capital assets it states

- (1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic services
- (2) A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public-
 - a. has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and
 - b. has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.
- (3) A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of
- (4) A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection (2)(a) and (b) in respect of movable capital assets below a value determined by the council.
- (5) Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111
- (6) This section does not apply to the transfer of a capital asset to another municipality or to a municipal entity or to a national or provincial organ of state in circumstances and in respect of categories of assets approved by the National Treasury, provided that such transfers are in accordance with prescribed framework.

Regulation 40 of the Municipal Supply Chain Management Regulations Disposal Management

- (1) A supply chain management policy must provide for an effective system of disposal of management for the disposal or letting of assets, including unserviceable, redundant or obsolete assets, subject to sections 14 and 90 of the Act.
- (2) A supply chain management policy must-

- a) specify the ways in which assets may be disposed of including by-
 - (i) transferring the asset to another organ of state in terms of a provision the Act enabling the transfer of assets;
 - (ii) transferring the asset to another organ of state at market related value or, when appropriate, free of charge
 - (iii) selling of asset; or
 - (iv) destroying the asset;
- (b) stipulate that-
 - (i) immovable property may be sold only at market related process except when the public interest of the plight of the poor demands otherwise;
 - (ii) moveable assets may be sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous to the municipality or municipal entity;
 - (iii) in the case of the free disposal of computer equipment, the provincial department of education must first be approached to indicate within 30 days whether any of the local schools are interested in the equipment ; and
 - (iv) in the case of the disposal of firearms, the National Conventional Arms Control Committee has approved any sale or donation of firearms to any person or institution within or outside the Republic
- (c) provide that-
 - (i) immovable property is let at market related rates except when the public interest of the plight of the poor demands otherwise; and
 - (ii) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are annually reviewed; and
- (d) ensure that where assets are trade in for other assets, the highest possible trade-in price is negotiated.

DISCUSSION:

Lamertsbay Resort:

This resort is situated on 33865m² land in Lamertsbay have a camping site, and a park for the children.

Elandsbay Resort:

This resort is situated on a 12000m² land in Elandsbay and is totally under-developed and not well maintained.

Water supply, sewage collection and disposal, refuse removal, municipal roads and storm water drainage, street lights, municipal parks and recreation and electricity supply are the services that needed to provide the minimum level of basic services. The legislative framework indicates that the assets are not needed to provide the basic services.

Given our current financial challenges council should consider the fair market value of the assets and the economic and community value to be received in exchange for the asset. A fair market value should be determined to ensure that we adheres to the legislative framework.

COMMENTS BY THE MUNICIPAL MANAGER

Supported

COMMENTS BY THE ACTING CFO

Supported

COMMENTS BY THE ACTING DIRECTOR TECHNICAL SERVICES

Supported

COMMENTS BY THE ACTING DIRECTOR CORPORATIVE AND COMMUNITY SERVICES

Supported

RECOMMENDATION:

It is recommended

- a) That council give the administration permission to proceed with the disposal of Lamertsbay and Elandsbay Resorts in terms of the Supply Chain Management Policy.
- b) That council acknowledge that the Lamertsbay and Elandsbay Resorts are not needed to provide the minimum level of basic services
- c) That the fair market value of the Lamertsbay and Elandsbay resorts be determined as per the Municipal Council policy

- d) That the administration proceed with consultations with the staff members of the Lamertsbay and Elandsbay resort regarding the disposal
- e) That public comments be sourced through proper mechanism (advert) for community to make their comments
- f) The Municipal Manager give feedback to the Mayor about the process

RESOLVED:

- a) That council give the administration permission to proceed with the disposal of Lamertsbay and Elandsbay Resorts in terms of the Supply Chain Management Policy.
- b) That council acknowledge that the Lamertsbay and Elandsbay Resorts are not needed to provide the minimum level of basic services
- c) That the fair market value of the Lamertsbay and Elandsbay resorts be determined as per the Municipal Council policy
- d) That the administration proceed with consultations with the staff members of the Lamertsbay and Elandsbay resort regarding the disposal
- e) That public comments be sourced through proper mechanism (advert) for community to make their comments
- f) The Municipal Manager give feedback to the Mayor about the process

Proposed: Cllr. M Heins
Secondant: Cllr. L Scheepers
Counter Proposal: Cllr. W Farmer
 (Not sufficient detail made available)
Seconded: Cllr. F Sokuyeka

VOTE

FOR	AGAINST	ABSTAIN
6 - ANC	3 – DA 1 - ADC	-

DEPARTMENT ADMINISTRATION

**Report to Council on Alienation of Golf Courses owned by
Cederberg Municipality**

RB9.1.7/25-01-2021

Acting Director: Corporate Services: A Titus

Report compiled by: N Mercur

Purpose

The purpose of this report is to inform the Council about the current status of the lease agreements regarding the golf courses owned by Cederberg Municipality and to obtain a resolution from council regarding the future utilisation of these golf courses.

Background

There are currently 2 golf courses that are operated on council-owned property. These courses are situated in Clanwilliam and Lambert's Bay. The Citrusdal Golf Course does not form part of this report as it is privately owned. It has come to the attention of council that some of the golf clubs have expressed interest in purchasing the land on which the golf courses are situated. Furthermore, the lease agreements on which these golf clubs are currently leasing the golf courses are due to lapse within the next 2 years. The Cederberg Municipality therefore has to consider options in respect of the future management of these land parcels, taking into account the needs of the municipality and the public interest.

Clanwilliam Golf Course

A lease agreement was entered into between the erstwhile Clanwilliam Municipality and Clanwilliam Golf Club in 1993 for a period of 15 years after which it was renewed for another 15 years. The lease agreement therefore expires in 2023. The size of the golf course is approximately 13.9 hectares.

Lambert's Bay Golf Course

The Lambert's Bay Golf Course has been leased to the Lambert's Bay Golf Club since 1975 by the Erstwhile Lambert's Bay Municipality. The exact size of the golf course is not known at this stage.

Financial Implications

The lease agreements that were concluded many years ago did not offer any economic or financial benefit to the municipality. Both lease agreements above was for R1 per year, which is not market related or in line with the prescripts of the Local Government: Municipal Finance Management Act.

Personnel Implications

None.

Legal Implications and Compliance Issues

According to section 14 of the Local Government Municipal Finance Management Act and Regulations Act 56 of 2003 Disposal of capital assets:

- (1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic services
- (2) A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection(1), but only after the municipal council, in a meeting open to the public-
 - a. has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and
 - b. has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.
- (3) A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of
- (4) A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection (2)(a) and (b) in respect of movable capital assets below a value determined by the council.
- (5) Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111
- (6) This section does not apply to the transfer of a capital asset to another municipality or to a municipal entity or to a national or provincial organ of state in circumstances

and in respect of categories of assets approved by the National Treasury, provided that such transfers are in accordance with prescribed framework.

Regulation 40 of the Municipal Supply Chain Management Regulations Disposal Management

- (1) A supply chain management policy must provide for an effective system of disposal of management for the disposal or letting of assets, including unserviceable, redundant or obsolete assets, subject to sections 14 and 90 of the Act.
- (2) A supply chain management policy must-
 - a) specify the ways in which assets may be disposed of including by-
 - (i) transferring the asset to another organ of state in terms of a provision the Act enabling the transfer of assets;
 - (ii) transferring the asset to another organ of state at market related value or, when appropriate, free of charge
 - (iii) selling of asset; or
 - (iv) destroying the asset;
 - (b) stipulate that-
 - (i) immovable property may be sold only at market related process except when the public interest or the plight of the poor demands otherwise;
 - (ii) moveable assets may be sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous to the municipality or municipal entity;
 - (iii) in the case of the free disposal of computer equipment, the provincial department of education must first be approached to indicate within 30 days whether any of the local schools are interested in the equipment ; and
 - (iv) in the case of the disposal of firearms, the National Conventional Arms Control Committee has approved any sale or donation of firearms to any person or institution within or outside the Republic
 - (c) provide that-
 - (i) immovable property is let at market related rates except when the public interest of the plight of the poor demands otherwise; and
 - (ii) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are annually reviewed; and
 - (d) ensure that where assets are trade in for other assets, the highest possible trade-in price is negotiated.

Comments by the Director: Community Services / Corporate Services

The recommendations are supported.

Comments by the CFO

Supported

Comments by the Municipal Manager

The report and recommendations are supported.

Recommendations

that in respect of the

Report to Council on Alienation of Golf Courses owned by Cederberg Municipality,
discussed by the Council at the Council Meeting held on 25 January 2021:

1. Council takes cognisance of the report;
2. Council recognises that the golf clubs offer no financial benefit to the municipality at present;
3. The municipal manager is mandated to investigate the possibility of the alienation of the Clanwilliam and Lambert's Bay Golf Course
4. A detailed report with options in respect of each golf course must be submitted to council within 30 days of this resolution.

RESOLVED:

1. Council takes cognisance of the report;
2. Council recognises that the golf clubs offer no financial benefit to the municipality at present;
3. A detailed report with options in respect of each golf course must be submitted to council within 30 days of this resolution.

Proposed: Cllr. M Heins

Secondant: Cllr. F Kamfer

25 JANUARY 2021

ITEM: MID-YEAR BUDGET & PERFORMANCE REPORT (SECTION 72)

2020/2021

RB9.1.8-25-01-2021

25 JANUARIE/ JANUARY 2021

REPORT FROM MANAGER: ACTING MANAGER STRATEGIC SERVICES

PURPOSE OF THE REPORT/DOEL VAN VERSLAG

To submit the Mid-year Budget and Performance (Section 72) report in accordance with the MFMA. According to the MFMA the Accounting Officer of the municipality must assess the performance of the municipality for the first six months and submit such assessment to the Council.

BACKGROUND

The performance for the first semester/ first half of the year must be assessed by the accounting officer by January each year. This is to report to Council on the service delivery performance during the first half of the financial year. The report account for the service delivery targets and performance indicators set in the service delivery budget implementation plan.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

None

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- Local Government Municipal Finance Management Act, 2003. Section 72.

“(1) the accounting officer of a municipality must by 25 January of each year –

(a) Assess the performance of the municipality during the first half of the financial year, taking into account-

- (i) The monthly statements referred to in section 71 for the first half of the financial year;
 - (ii) The municipality's services delivery performance during the first half of the financial year, and the service delivery targets and performance indicators set in the service delivery and budget implementation plan;
 - (iii) The past year's annual report, and progress on resolving problems identified in the annual report; and
 - (iv) The performance of every municipal entity under the sole or shared control of the municipality, taking into account reports in terms of section 88 from any such entities; and
- (b) Submit a report on such assessment to-
- (i) The mayor of the municipality;
 - (ii) The National Treasury; and
 - (iii) The relevant provincial treasury.
- (2) The statement referred to in section 71 (1) for the sixth month of a financial year may be incorporated into the report referred to in subsection (1) (b) of this section.
- (3) The accounting officer must, as part of the review-
- a) Make recommendations as to whether an adjustments budget is necessary; and
 - b) Recommend revised projections for revenue and expenditure to the extent that this may be necessary."
- o Municipal Budget and Reporting Regulations (GG 32141 of 17 April 2009)
- Regulation 34 (1): Within five working days of 25 January each year, the municipal manager must make the mid-year budget and performance assessment public by placing it on the municipal website.
- Regulation 34 (2): The municipal manager must make public any other information that the municipal council considers appropriate to facilitate public awareness of the mid-year budget and performance assessment, including-
- a) Summaries in alternate languages predominant in the community; and
 - b) Information relevant to each ward in the municipality.
- Regulation 35: The municipal manager must submit to the National Treasury and the relevant provincial treasury, in both printed and electronic form-
- a) The mid-year budget and performance assessment by 25 January of each year; and

- b) Any other information relating to the mid-year budget and performance assessment as may be required by the National Treasury.
- o On the adjustment budget:
Regulation 23 (1) An adjustment budget referred to in section 28 (2) (b), (d) and (f) of the Act may be tabled in the municipal council at any time after the mid-year budget and performance assessment has been tabled in the council, but no later than 28 February of the current year.

COMMENTS: MUNICIPAL MANAGER

Item supported

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

Item supported

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

Item supported

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

Item supported

COMMENTS: MANAGER LEGAL SERVICES

Item supported

EXECUTIVE SUMMARY

The MFMA assigns clear roles and responsibilities to the various role-players involved in municipal financial management, and set out to achieve and maintain public accountability, transparency, good governance and financial sustainability. It is a powerful tool that sets the framework for municipal financial reforms. The MFMA is based on five principles:

- Promoting sound financial governance by clarifying the roles and responsibilities of council and officials
- Ensuring a strategic approach to budgeting
- Modernising financial management
- Promoting cooperative and consultative governance

- Promoting sustainable local government. Adherence to these principles will lay a basis for accelerated service delivery.

Councils are also involved in oversight through the consideration of in-year reports, which mayors are required to table. The oversight afforded by the mid-year assessment plays a key role in subsequent budget deliberations

In terms of section 72(1)(a) and 52 (d) of the local government municipal finance management act (MFMA) no. 56 of 2003 the accounting officer must by 25 January of each year assess the performance of the municipality during the first half of the financial year. A report on such assessment must in terms of section 72(1)(b) of the MFMA be submitted to council by 31 January in terms of section 54(1)(f) of the MFMA.

RECOMMENDATION

It is recommended that:

1. That the Council takes note of the contents in the In-year monthly report for December 2020 as set out in the schedules contained in Section 4 (In-year budget statement tables) as well as the supporting documentation in Section 6 to 13.
2. Council approve the: Section 72 Mid-Year budget and performance report for the first half of the 2020/2021 financial year;
3. That the Municipal Manager and Executive Management compiles an adjustment budget for 2020/2021.
4. That the 2020/2021 Adjustment Budget be tabled to the Council by not later than 28 February 2021.
5. That copies of the Mid-Year Budget and Performance Report be made available on the Municipal Website
6. Copies be sent to Provincial Treasury, National Treasury and Department of Local Government within 7 days after approval of this item.

APPENDIX

- **MID-YEAR BUDGET & PERFORMANCE REPORT (SECTION 72) 2020/2021**

RESOLVED:

1. That the Council takes note of the contents in the In-year monthly report for December 2020 as set out in the schedules contained in Section 4 (In-year budget statement tables) as well as the supporting documentation in Section 6 to 13.
2. Council approve the: Section 72 Mid-Year budget and performance report for the first half of the 2020/2021 financial year;
3. That the Municipal Manager and Executive Management compiles an adjustment budget for 2020/2021.
4. That the 2020/2021 Adjustment Budget be tabled to the Council by not later than 28 February 2021.
5. That copies of the Mid-Year Budget and Performance Report be made available on the Municipal Website
6. Copies be sent to Provincial Treasury, National Treasury and Department of Local Government within 7 days after approval of this item.

Proposed: Cllr. F Kamfer

Secondant: Cllr. L Scheepers

25 JANUARY 2021

PROGRESS REPORT ON THE REVISED BUDGET FUNDING PLAN

RB9.1.9/25-01-2021

25 JANUARY 2021

REPORT FROM ACTING CHIEF FINANCIAL OFFICER

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To submit progress report on the Revised Budget Funding Plan to Council for consideration and approval.

AGTERGROND / BACKGROUND

The municipal Council approved a 2020/2021 MTREF Budget before the start of the financial year subsequent to that, an adjustment Budget was tabled and approved by Council on 30 September 2020.

In line with their mandate, Provincial Treasury and National Treasury assessed Cederberg Municipality's approved budget and found the budget to be unfunded.

When tabling an approved budget it is a requirement that the budget must be credible and funded.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Contained in detail in the Section 72 Report.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- Municipal Finance Management Act No.56 of 2003
- MFMA Circular No 98

COMMENTS: MUNICIPAL MANAGER

The item is supported.

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

The item is supported.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

COMMENTS: MANAGER LEGAL SERVICES

The item is supported.

DISCUSSION

The plan is an on-going monitoring tool until such time that the municipality has fully recovered financially. Monthly Reports will be submitted to Council.

CONCLUSION

The item is submitted in order to comply with the requirements from National Treasury. The credible Budget Funding Plan should not be read in isolation from the Financial and Revenue Improvement Plan.

RECOMMENDATION

It is recommended that:

1. Council take note of the progress on the Revised Budget Funding Plan.
2. Council adopt and approve the Revised Budget Funding Plan.

3. That monthly report is submitted to Council, Provincial Treasury on the implementation and monitoring of the plan.

APPENDIX/AANHANGSELS/ ISIHLOMELO

1. Implementation Plan towards a Funded Budget

RESOLVED:

1. Council take note of the progress on the Revised Budget Funding Plan.
2. Council adopt and approve the Revised Budget Funding Plan.
3. That monthly report is submitted to Council, Provincial Treasury on the implementation and monitoring of the plan.

Proposed: Cllr. L Scheepers

Secondant: Cllr. M Heins

**RB9.1.10 REPORT TO COUNCIL PERTAINING PROGRESS ON
THE IMPLEMENTATION OF COUNCIL RESOLUTIONS FOR
THE PERIOD 01 JULY 2020 UNTIL 31 DECEMBER 2020**

RESOLVED:

- a) That Council takes cognizance of the progress report pertaining the implementation of Council Resolutions.

9.2 Urgent matters submitted by the Municipal Manager

- Geen / None

9.3 Matters for notification

- Geen / None

9.4 Consideration of notices of questions

Rules of Order for internal Arrangement

Part 4

3. Notice of question

Unless contained otherwise in these Rules, written notice must be provided of intention by a member to introduce a question. Such notice shall be effected at least six working days before the date of the meeting on which it is intended to be introduced. It shall incorporate a motivation, signature and date.

10. CLOSURE

- Meeting adjourned at 12h20

VOORSITTER / CHAIRPERSON

DATUM / DATE