



**MINUTES OF A SPECIAL COUNCIL MEETING OF THE EMFULENI LOCAL MUNICIPALITY HELD IN THE MAYOR'S PARLOUR, VANDERBIJLPARK ON TUESDAY, 10 NOVEMBER 2009 AT 16:00**

**ATTENDANCE – COUNCILLORS:**

|                         |   |                 |
|-------------------------|---|-----------------|
| HLONGWANE N G           | (Speaker)   |                 |
| MSHUDULU S A            | (Executive Mayor)   |                 |
| KUNENE M T              | (Chief Whip)  |                 |
| PITSO S E               | (Housing)   |                 |
| LETSOENYO M R           | (Public Safety)   |                 |
| MALISA D M              | (Administration – including Corporate Services, Human Resources, IT and Legal)                  |                 |
| MOEPADIRA T S           | (Sports, Recreation, Arts and Culture)  |                 |
| MUIR M P                | (Member of the Mayoral Committee: Local Economic Development, Tourism and Development Planning) |                 |
| RANAKE K J M            | (Finance)   |                 |
| RONYUZA M T             | (Public Transport, Roads and Public Works)  |                 |
| THABANE T J S           | (Infrastructure, Electricity, Water and Sanitation)   |                 |
| THULO N R               | (Waste Management, Refuse and Landfill)   |                 |
| VUNDISA F N             | (Health and Social Development)   |                 |
| BIKITSHA B M            |   | MASODISA M D M  |
| BRITZ N D               |   | MATSEI N P      |
| COERTZE Y               |   | MNCUBE B        |
| DE WEERD S H            |   | MOFOKENG P L    |
| GQELOSHA M P            |   | MOKALE B A      |
| GROENEWALD R H          |   | MOKONO S H      |
| HLANYANE S J            |   | MOLEKO A        |
| HOFFMAN D C J           |   | MOLLO D S       |
| JANSEN VAN RENSBURG N M |   | MOOI N J        |
| KARSTEN A S J           |   | MOQOBANE N N    |
| KGOTLENG M G            |   | MOROLONG A M    |
| KHOMOEASERA M L         |   | MOSIA A N       |
| KOLISANG M S            |   | MOTSIRI T S     |
| LAMBAT A                |   | MUIR L A        |
| LEBURU M M              |   | MXUNYA P S      |
| LEHLAKE R J             |   | NAKEDI M E      |
| MADUNA A B              |   | NGUBANE L S     |
| MAHAO J M               |   | NKHI T E        |
| MAHOMED C               |   | NQUBA T S       |
| MAQUTYANA M             |   | NTLELE C P      |
| MASEKO B P              |   | NTOMBELA K      |
| MASHABELA M S           |   | NXONGO P N G    |
|                         |   | PHEKO M B       |
|                         |   | PLAATJIE D J    |
|                         |   | POOE N S        |
|                         |   | QUPE D C        |
|                         |   | RADEBE A M      |
|                         |   | RAIKANE M D     |
|                         |   | RAMASHAMOLE M T |
|                         |   | RAPHUTI P       |
|                         |   | RUELE M N E     |
|                         |   | SALE M C        |
|                         |   | SEEMELO H D     |
|                         |   | SENEKAL G M     |
|                         |   | SKELM P C       |
|                         |   | TSHABALALA D E  |
|                         |   | TSOARI J J      |
|                         |   | TSOTETSI M J    |
|                         |   | TSUNKE J N      |
|                         |   | VENTER M        |
|                         |   | ZONDO P         |
|                         |   | ZWANE G M       |

## **OFFICIALS**

|                 |  |
|-----------------|--|
| Mr T W Moeti    | - Acting Municipal Manager   |
| Mr A Lambat     | - Chief Financial Officer  |
| Ms L Mahlangu   | - Deputy Municipal Manager: Corporate Services                             |
| Mr T Ntho       | - Acting Chief Audit Executive   |
| Mr B Manzi      | - Acting Deputy Municipal Manager: Public Safety and Community Development |
| Mr Y Mgudlwa    | - Acting Deputy Municipal Manager: Basic Services                          |
| Ms C Lerata     | - Acting Manager: Secretariat and Admin Support                            |
| Mr J Mkhwane    | - Office of the Chief Whip   |
| Ms C L Lerata   | - Acting Manager: Secretariat and Admin Support                            |
| Mr M P Mazibuko | - Secretariat  |

### **A. OPENING AND WELCOME**

At the request of the Speaker, Councillor N G Hlongwane, Councillor S H Mokono opened the meeting with a prayer, whereafter the Acting Manager: Secretariat and Administrative Support, Ms M C Lerata read the notice convening the Meeting.

### **B. APPLICATION FOR LEAVE OF ABSENCE**

#### **RESOLVED THAT**

1. application for leave of absence be granted to Councillors:

Malhou M L  
Mnguni F M A  
Rabie C  
Xaba J N

2. it be noted that the following Councillors were absent without apologies:

Godoli V M  
Louw P J  
Maduna L J  
Mogotsi K A  
Williams F V

### **C. OFFICIAL ANNOUNCEMENTS**

The Speaker, Councillor N G Hlongwane made the following announcements/ comments:

- She informed members that Councillor M T Kunene has resigned both as a Councillor and Chief Whip with effect from the 10 November 2009.
- She also informed members that a Policy Workshop on Basic Services would be held on 11 November 2009, at Riverside Hotel, starting at 09:00.
- She further informed members that the Speaker's Office would undertake a visit to Buffalo City Municipality in the Eastern Cape as part of Inter-governmental Relations.

- Lastly she informed members that the People's Assembly would be held on 21 November 2009 at Vanderbijlpark.

**D. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE CHAIRPERSON**

- The Speaker, Councillor NG Hlongwane expressed her condolences to the Manamela family for the passing away of Mr M R Manamela.
- The Speaker also wished Mr K Pooe a speedy recovery after being shot at his business premises.

**E. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER MEMBERS**

- Councillor S E Pitso expressed his condolences to the Manamela family for the passing away of Mr M R Manamela who was a stalwart of the Civic Movement in Sedibeng Region.
- Councillor A M Radebe expressed his condolences to the Magagula family for the passing away of Mr Magagula who was a stalwart of the Pan Africanist Congress.

**F. REPORTS OF THE MAYORAL COMMITTEE**

--- The Executive Mayor, Councillor S A Mshudulu in presenting the reports of the Mayoral Committee for consideration by Council, addressed Council. (Speech attached as **Annexure (pages 31 - 34)**).

**REPORTS OF THE MAYORAL COMMITTEE ON MATTERS WHICH MUST BE CONSIDERED BY COUNCIL ON 10 NOVEMBER 2009**

**ITEM A1193**

**TERMS OF REFERENCE OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)** **1/4/76**

**the report be withdrawn from the agenda.**

**ITEM A1194**

**SUMMARY OF THE ACHIEVEMENTS FOR THE 1<sup>ST</sup> QUARTER OF THE 2009/10 FINANCIAL YEAR (SDBIPS), FOR NOTING (MC 03-11-09)**

**RESOLVED THAT**

1. Council takes note that the SDBIPs must be submitted, as per agreement, on a monthly basis to the different Section 80 Committees of Council for monitoring and evaluation;

2. Council adopts the submitted SDBIPs for the 1st Quarter of the 2009/10 Financial Year (July 2009 – September 2009) as attached to the report under separate cover;
3. the SDBIPs of the 1st Quarter once noted by Council be submitted to the Office of the MEC, Provincial Department of Local Government and Housing, Gauteng;
4. the 1st Quarter SDBIPs also be submitted to the relevant National Departments as required by the Acts;
5. the 1st Quarter SDBIPs be placed on the Emfuleni Local Municipality's website as required by the MFMA (Act 56 of 2003) section 75 (1) (k) and
6. **the report be delegated to the Mayoral Committee and Senior Management for cleaning up before submission to National Departments as mentioned in 4 above.**

**ITEM A1195**

**MUNICIPAL SERVICES : ARREARS OF COUNCIL OFFICIALS  
(R:MM/AA6/CS/DP09.01(AA1/DMMs 17-08-2009)  
(SECTION 80 ADMIN 30-10-09)  
(MC 03-11-09)**

**18/14/7**

**RESOLVED THAT**

the issue be considered in the following manner:

1. Inform all Council Officials that arrear debt is to be vigorously pursued based on the Council resolution and requirements in terms of the Local Government: Municipal Finance Management Act as well as the Local Government: Municipal Systems Act;
2. the Credit Control, Debt Collection and Customer Care policy and procedures will be applied;
3. Council officials will have until the 10th of **November** 2009 to pay their arrear municipal accounts or to make the necessary arrangements to settle their arrears;
4. Council officials who fail to make proper arrangement may have up to 25% of their gross income being deducted toward payment of arrears in terms of the Credit Control, Debt Collection and Customer Care Policy of Council;
5. the implementation will commence with effect from the pay period for November 2009 and
6. **a comprehensive report in the first Council meeting of 2010 indicating how many officials have made arrangement and how many who have not and steps to be taken against those who have not arranged.**

**ITEM A1196**  
**QUARTERLY STOCKTAKE REPORT FOR THE QUARTER ENDED 30**  
**SEPTEMBER 2009**  
**R/MM/AA6/FINANCE/819**  
**(SECTION 80 FINANCE 22-10-09)**  
**(MC 03-11-09)** **8/13/2/2**

**RESOLVED THAT**

the report be withdrawn from the Agenda to be authenticated by the Internal Audit Division.

**ITEM A1197**  
**EMFULENI LOCAL MUNICIPALITY QUARTERLY FINANCIAL REPORT FROM THE**  
**MUNICIPAL MANAGER FOR THE PERIOD ENDED 30 SEPTEMBER 2009**  
**R/MM/AA6/FINANCE/821**  
**(SECTION 80 FINANCE 22-10-09)**  
**(MC 03-11-09)** **8/13/2/2**

**RESOLVED THAT**

1. the contents of the report be noted and
2. in future reasons for under and over-expenditure be attached to the report.

**ITEM A1198**  
**QUARTERLY REPORT ON TENDERS FOR THE QUARTER ENDED 30**  
**SEPTEMBER 2009**  
**(MC 03-11-09)**

**RESOLVED THAT**

the contents of the report be noted.

**ITEM A1199**  
**QUARTERLY REPORT ON DEVIATIONS FOR THE QUARTER ENDED 30**  
**SEPTEMBER 2009**  
**(MC 03-11-09)**

**RESOLVED THAT**

the contents of the report be noted.

**ITEM A1200**  
**CLOSURE OF OFFICES BETWEEN CHRISTMAS AND NEW YEARS DAY**  
**(DMM's 19-10-09) (SPEC MC 06-11-09)**

**RESOLVED THAT**

1. the offices of Emfuleni Local Municipality close on Friday, 18 December 2009 at 12:00 and will resume business on Monday, 04 January 2010;

2. employees should take compulsory leave from 21 December 2009 to 31 December 2009 (inclusive of both days), except for Emergency and Essential Services employees;
3. the first leave credits of those employees who do not have sufficient leave for the days in question be used towards the leave taken between Christmas and New Year;
4. the public be informed that the Municipal Offices will be closed except for emergency services;
5. Labour Unions be informed that it is an operational requirement that the offices be closed between Christmas and New Year and therefore leave must be taken and
6. pay-day for the month of December be 18 December 2009.

**ITEM A1201**

**EMFULENI LOCAL MUNICIPALITY QUARTERLY STAFF COST REPORT FROM THE MUNICIPAL MANAGER FOR THE PERIOD ENDED 30 SEPTEMBER 2009**

**820**

**R/MM/AA6/FINANCE**

**(SECTION 80 FINANCE 22-10-09)**

**(MC 03-11-09)**

**8/13/2/2**

**RESOLVED THAT**

1. the contents of the report be noted and
2. Council adopt the report in terms of section 66 of the Municipal Finance Management Act of 2003.

**ITEM A1202**

**AMENDMENTS TO THE FUNCTIONAL ORGANIZATIONAL STRUCTURE: OFFICE OF THE EXECUTIVE MAYOR**

**(SPEC MC 06-11-09)**

**RESOLVED THAT**

1. the above-mentioned amendments to the Organizational Structure in the Office of the Executive Mayor be approved;
2. the critical positions be prioritised and filled over the next three (3) year Financial Cycle and
3. **a report on cost implication of posts to be filled during the current financial year be submitted at the first Council Meeting in 2010.**

*It be noted that the Democratic Alliance and Freedom Front Plus voted against item A1202.*

**G. CLOSURE**

The Meeting closed at 18:55

CERTIFIED AS CORRECT

**COUNCILLOR N G HLONGWANE  
SPEAKER**

Date: .....



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