

MC 14/10/21

MINUTES FOR CONFIRMATION:

ORDINARY MEETING: 05 OCTOBER 2021

MINUTES**OF A MEETING OF THE EXECUTIVE MAYOR AND MEMBERS OF THE MAYORAL COMMITTEE OF THE CITY OF CAPE TOWN HELD VIA THE CITY'S VIRTUAL PLATFORM (SKYPE) FROM THE RAY ALEXANDER SIMON ROOM, 6TH FLOOR, PODIUM BLOCK, CIVIC CENTRE, CAPE TOWN ON TUESDAY, 5 OCTOBER 2021 AT 11:00**

Note: Some attendees were present in the venue while others linked in via Skype.

PRESENT

Ald. I Neilson (Executive Deputy Mayor) (Acting Chairperson)
Cllr M Booie
Cllr S Cottle
Ald. X Limberg
Cllr P Maxiti
Ald. M Nieuwoudt
Cllr R Quintas
Ald. JP Smith
Ald. G Twigg
Ald. J Vos

LEAVE/APOLOGIES

Ald. D Plato (Executive Mayor)
Cllr Z Badroodien

VISITING COUNCILLORS

Ald. F Purchase (Speaker)

EXECUTIVE MANAGEMENT TEAM

Note: All officials mentioned below joined the meeting via remote access (Skype).

Mr K Jacoby (Chief Financial Officer) (acting on behalf of the City Manager)
Mr V Botto (Acting ED: Safety & Security)
Ms D Campbell (ED: Transport)
Ms N Gqiba (ED: Human Settlements)
Mr C Kesson (ED: Corporate Services)
Mr K Nassiep (ED: Energy & Climate Change)
Ms E Naudé (Acting ED: Spatial Planning & Environment)
Mr M Webster (ED: Water & Waste Services)

OTHER OFFICIALS

Mr A Arendse
 Mr B Brown
 Dr L Geldenhuys
 Mr Z Hoosain
 Ms G Kenhardt
 Ms C Knott
 Mr J Liebenberg
 Ms O Meyer
 Mr Z Mohamed
 Ms L Ndaba
 Ms V Ngcobozi
 Ms M Noonan
 Ms S Sanders
 Ms R Sayed
 Mr G Wagner

PUBLIC AND PRESS

None

EXECUTIVE COMMITTEE SERVICES

Ms R Razack
 Mr G Josephs
 Mr M Carolus

Note: The Executive Deputy Mayor, Ald. I Neilson chaired the meeting on behalf of the Executive Mayor, who was attending to other official business.

MC 01/10/21 OPENING

The Executive Deputy Mayor, Ald. I Neilson (Acting Chairperson) welcomed all those present to the meeting.

MC 02/10/21 APOLOGIES/LEAVE OF ABSENCE

Apologies were received for the Executive Mayor, Ald. D Plato and Cllr Z Badroodien (Mayco Member: Community Services and Health).

It was noted that apologies were also received for Cllr D Visagie (Chief Whip), Mr L Mbandazayo (City Manager), Mr E Sass (ED: Community Services and Health) and Adv. B Gerber (Acting ED: Urban Management).

RESOLVED that leave of absence for this meeting be granted to the Executive Mayor, Ald. D Plato and Cllr Z Badroodien.

ACTION: G JOSEPHS

MC 03/10/21 CONFIRMATION OF MINUTES OF MAYCO MEETING HELD ON 21 SEPTEMBER 2021

RESOLVED that the minutes of the ordinary Mayoral Committee meeting held on 21 September 2021, be confirmed.

ACTION: G JOSEPHS

EXECUTIVE MAYOR

***FOR DECISION BY THE EXECUTIVE MAYOR
TOGETHER WITH MEMBERS OF MAYCO***

MC 04/10/21 FINANCIAL MONITORING REPORT: AUGUST 2021 (LSU J2797)

The Executive Deputy Mayor, Ald. I Neilson referred to the table on page 88 of the agenda reflecting the City's cash and investments on hand and said that it is a committed cash resource capable of funding the City's reserves with the residual balance used for working capital.

RESOLVED that:

- (a) the Financial Monitoring Report for the period ending 31 August 2021 be noted and referred to the Mayco Members and EMT for remedial action, where required;
- (b) any saving on the various expenditure items will be set aside to address a shortfall on post-retirement medical aid provision, leave provision or other staff benefits, which are dependent on actuarial valuations and need to be topped up as such at year-end.

ACTION: J STEYL; K JACOBY

MC 05/10/21 CITY OF CAPE TOWN CORPORATE RISK REGISTER (LSU M2294)

RESOLVED that the updated City of Cape Town Corporate Risk Register be noted for oversight purposes and referred to EMT for remedial action, where required.

**ACTION: M NOONAN; L GELDENHUYS; L NDABA;
L MBANDAZAYO**

FOR DECISION BY COUNCIL

MC 06/10/21 MEMBERSHIP OF THE INTERNATIONAL OMBUDSMAN INSTITUTE: OFFICE OF THE CITY OMBUDSMAN (LSU N0255)

It is **RECOMMENDED** that:

- (a) Council approve the membership of the Office of the Ombudsman to the International Ombudsman Institute for the 2021/22 financial year and that membership fees be paid accordingly;
- (b) Council approve the membership of the Office of the Ombudsman to the International Ombudsman Institute for the 2022/23 financial year;
- (c) Council approve the membership of the Office of the Ombudsman to the International Ombudsman Institute for the 2023/24 financial year.

**ACTION: N MEISSENHEIMER; H FOUCHÉ; H COUTINHO;
K JACOBY**

MC 07/10/21 PROPOSED REVIEW AND AMENDMENT OF RESOLUTION FOR THE PROPOSED LEASE OF CITY LAND, ERF 31517, CAPE TOWN AT DURBAN ROAD, MOWBRAY FOR PARKING PURPOSES: HOSTPROPS 1117 CC (LSU N0884; N1114)

It is **RECOMMENDED** that, for the reasons set out in the report on the agenda, the resolution of Council taken on 31 March 2021 vide C 23B/03/21, particularly paragraphs 5(a) to 5(g) be reviewed and amended in order for it to read as follows, that:

- (a) a market rental R2 920 per month inclusive of rates and excluding VAT calculated per month for a period of 10 years, the rental to be reviewed after five years;
- (b) the monthly rental to be adjusted on the basis of 6% per annum compounded annually on a pro rata basis commencing from 1 January 2022. Rental to be reviewed after a period of 5 years;
- (c) the establishment cost is applicable for the first five-year lease period only;
- (d) should the number of parking increase from 8 bays, the rental would need to be re-assessed accordingly;
- (e) the lease will endure for a period of ten years;
- (f) the property to be used for parking purposes only;

- (g) subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority;
- (h) subject to compliance with any other statutory requirements;
- (i) no compensation will be payable for any improvement made to the property.

**ACTION: N MEISSENHEIMER; M TAYLOR;
R SCHNACKENBERG; M SIMS; R GELDERBLOEM**

MC 08/10/21 PROPOSED TRANSFER OF ERF 809 SITUATED AT THE CORNER OF PHAKAMANI ROAD AND VATI STREET IN KHAYELITSHA (LSU M4132)

It is **RECOMMENDED** that:

- (a) the proposed sale of Erf 809, situated at the corner of Phakamani Road and Vati Street, Khayelitsha, approximately 5 469 m² in extent, zoned General Industrial 2 and shown on Plan LIS 936v1 attached as Annexure A to the report on the agenda, to Kwa Ace CC for R1 800 000 (One Million and Eight Hundred Thousand Rand) exclusive of VAT, be approved;
- (b) the transfer to Kwa Ace CC of Erf 809, Khayelitsha as described in (a) above for R1 800 000 (excluding VAT), be approved;
- (c) the selling price shall escalate at 5% per annum compounded annually on a pro rata basis commencing 6 months from date of valuation (i.e. from 01/11/2021) until date of registration;
- (d) the market value is to be reassessed if the transaction is not approved by the relevant decision making authority of Council within 36 months from date of valuation (i.e. by 30/04/2024).

**ACTION: N MEISSENHEIMER; T MADIKANE; A HUMAN;
M SIMS; R GELDERBLOEM**

EXECUTIVE MAYOR

***FOR DECISION BY THE EXECUTIVE MAYOR
TOGETHER WITH MEMBERS OF MAYCO***

MC 09/10/21 TRANSPORT DIRECTORATE AND DEPARTMENT AMENDMENTS TO THE SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR 2021/2022 (LSU N1024)

The Mayco Member for Transport, Cllr R Quintas categorised the proposed amendments as follows:

- amendments necessitated by the adjustment budget tabled in Council on 19 August 2021;
- amendments necessitated by the realignment of the Transport Macro structure.

RESOLVED that the amendment of the Transport Directorate and Departmental Service Delivery and Budget Implementation Plans for 2021/22, be approved.

ACTION: T SASS; N PIETERSE; D CAMPBELL;

FOR DECISION BY COUNCIL

MC 10/10/21 DRAFT REVISED ALLOCATION POLICY: HOUSING OPPORTUNITIES - RESPONSE TO MAYCO'S COMMENTS (LSU M3892)

A discussion ensued during which it was proposed as follows:

- the report on the agenda be referred back for further discussion;
- the two legal opinions pertaining to the report on the agenda be made available to the Mayco Members;
- further information be provided on previous provisions made by Human Settlements to address homelessness, i.e. with specific reference to the funding sources used and the policies applied.

The above proposal was duly supported.

It was also agreed that the Mayoral Committee to be appointed in the next term of office should review the amendments to the revised Allocation Policy: Housing Opportunities 2021 for onward submission to Council for consideration.

RESOLVED that the report on the draft revised Allocation Policy: Housing Opportunities - Response to Mayco's Comments be referred back for further discussion.

ACTION: C GABRIEL; T MITI; N GQIBA; G JOSEPHS

ADDITIONAL MATTER:

MC 11/10/21 MATTERS RECEIVING ATTENTION LIST AS AT 5 OCTOBER 2021

In respect of item MC 05/07/21, the Chief Financial Officer reported that the Johannesburg Stock Exchange (JSE) responded to the City's letter of variation, but they insisted that the CV's of the Mayco Members appear within the annual report of the City, which the City

does not support. The City has subsequently written to the JSE and is encouraged by the fact that the JSE is able to make variations for local government considering that this is not their normal market.

RESOLVED that the Mayco Matters Receiving Attention list as at 5 October 2021, be noted.

ACTION: G JOSEPHS

THE MEETING ENDED AT 11:14

CHAIRPERSON: _____

DATE: _____