

**004**



**CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD**

**Making progress possible. Together.**

**MC 03/02/24**

**MINUTES FOR CONFIRMATION:**

**ORDINARY MEETING: 16 JANUARY 2024**

**MINUTES**

**OF A MEETING OF THE EXECUTIVE MAYOR AND MEMBERS OF THE MAYORAL COMMITTEE OF THE CITY OF CAPE TOWN HELD IN THE RAY ALEXANDER SIMON ROOM, 6<sup>TH</sup> FLOOR, PODIUM BLOCK, CIVIC CENTRE, CAPE TOWN ON TUESDAY, 16 JANUARY 2024 AT 11:12**

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*Note: The starting time of the meeting changed due to Mayco attending to other urgent business.*

**PRESENT**

Ald. E Andrews (Executive Deputy Mayor) (Acting Chairperson)  
Cllr Z Badroodien  
Cllr S Mbandezi  
Cllr C Pophaim  
Cllr R Quintas  
Ald. JP Smith  
Ald. G Twigg  
Ald. T Uys  
Cllr P van der Ross  
Cllr B Van Reenen  
Ald. J Vos

**LEAVE/APOLOGIES**

Ald. G Hill-Lewis (Executive Mayor)

**VISITING COUNCILLORS**

Ald. F Purchase (Speaker)  
Cllr D Visagie (Chief Whip)

**EXECUTIVE MANAGEMENT TEAM**

Mr L Mbandazayo (City Manager)  
Mr V Botto (ED: Safety & Security)  
Ms D Campbell (ED: Urban Mobility)  
Ms R Gelderbloem (ED: Economic Growth)  
Ms N Gqiba (ED: Human Settlements and acting on behalf of the ED: Urban Waste Management)  
Mr K Jacoby (Chief Financial Officer)  
Ms Z Mandlana (ED: Community Services & Health)  
Mr L Manus (ED: Water & Sanitation)  
Mr R McGaffin (ED: Spatial Planning & Environment)  
Mr G Morgan (ED: Future Planning & Resilience)  
Mr K Nassiep (ED: Energy)  
Mr E Sass (ED: Corporate Services)

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

**OTHER OFFICIALS**

Ms E Apollis  
Ms T Davids  
Mr D Esau  
Ms A Fillis  
Mr A Hazell  
Mr Z Hoosain  
Mr A Joseph  
Mr J Liebenberg  
Ms L Mathieson  
Mr N Mkwane  
Ms R Moffitt  
Ms V Ngcobozi  
Ms P Qalazive  
Ms R Sayed  
Ms N Singh  
Mr J Smale  
Ms N Solwandle  
Mr D Valentine  
Ms L Visagie

**PUBLIC AND PRESS**

None

**EXECUTIVE COMMITTEE SERVICES**

Ms M Levendall  
Mr G Josephs  
Mr M Carolus

*Note: Ald. E Andrews chaired the meeting in his capacity as Acting Executive Mayor.*

**MC 01/01/24 OPENING**

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

At this stage, the Acting Chairperson also welcomed the newly appointed ED: Water and Sanitation, Mr Leonardo Manus and wished him well in his new role.

**MC 02/01/24 APOLOGIES/LEAVE OF ABSENCE**

An apology was received for the Executive Mayor, Ald. G Hill-Lewis.

It was further noted that an apology was received for Dr L Mdunyelwa (ED: Urban Waste Management).

**RESOLVED** that leave of absence for this meeting be granted to the Executive Mayor, Ald. G Hill-Lewis.

**ACTION: G JOSEPHS**

**MC 03/01/24 CONFIRMATION OF MINUTES OF MAYCO MEETING HELD ON 21 NOVEMBER 2023**

**RESOLVED** that the minutes of the ordinary Mayoral Committee meeting held on 21 November 2023, be confirmed.

**ACTION: G JOSEPHS**

**MC 04/01/24 MATTERS RECEIVING ATTENTION**

The following comments were made with regard to the list of Matters Receiving Attention (MRA):

- Item MC 11/01/22 - The request for approval of an Informal Trading Plan in terms of the City of Cape Town's Informal Trading By-Law for the area of Subcouncil 2, remains work in progress for follow up with Subcouncil 2 and the Director: Enterprise and Investment.
- Item MC 69/10/23 - The transfer of portions 83, 84 and 85 of Farm no. 544 Cape Farms and Farm no. 1549 Cape Farms from the City of Cape Town to the Provincial Government of Western Cape by invoking the reversionary condition in the deed of alienation, to remain on the MRA for further discussion at the Intergovernmental Committee.

**RESOLVED** that the Mayco Matters Receiving Attention list as at 16 January 2024, be noted.

**ACTION: G JOSEPHS**

**EXECUTIVE MAYOR**

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

**MC 05/01/24 FINANCIAL MONITORING REPORT: OCTOBER 2023**

**RESOLVED** that:

- (a) The Financial Monitoring Report for the period ending 31 October 2023 be noted and referred to Mayco Members and EMT for remedial action, where required.
- (b) It be noted that savings on expenditure items will be set aside to reduce borrowing and to fund the City's capital programme.

**ACTION: C STROUD; K JACOBY**

**MC 06/01/24 FINANCIAL MONITORING REPORT: NOVEMBER 2023**

The Acting Executive Mayor, Ald. E Andrews noted the underspending on the capital budget in view of the reasons set out in the report on the agenda. It was further highlighted that most of the City's Directorates will have more capital expenditure and commitments in order to implement the City's biggest capital budget to date.

**RESOLVED** that:

- (a) The Financial Monitoring Report for the period ending 30 November 2023 be noted and referred to Mayco Members and EMT for remedial action, where required.
- (b) It be noted that savings on expenditure items will be set aside to reduce borrowing and to fund the City's capital programme.

**ACTION: C STROUD; K JACOBY**

**MC 07/01/24 APPROVAL FOR TECHNICAL ASSISTANCE FROM VITAL STRATEGIES THROUGH THE PARTNERSHIP FOR HEALTHY CITIES INITIATIVE**

**RESOLVED** that:

- (a) The proposed donation of technical assistance to the City by Vital Strategies, be approved.
- (b) The Executive Director: Community Services and Health be authorised, as the delegated official, to finalise and sign an agreement with Vital Strategies for the technical assistance.

**ACTION: N BERKOWITZ; P NKURUNZIZA; Z MANDLANA**

**MC 08/01/24 TECHNICAL ASSISTANCE FROM THE WORLD BANK**

**RESOLVED** that:

- (a) The proposed donation of technical assistance to the City from the World Bank, be approved.

- (b) The Executive Director: Energy be authorised, as the delegated official, to finalise and sign an agreement with the World Bank for technical assistance to develop a Smart Grid Implementation Roadmap.

**ACTION: G BROWN; S GQWEDE; L RENCONTRE; K NASSIEP**

**MC 09/01/24 FEEDBACK ON THE INTERNATIONAL/OUTSIDE THE BORDERS OF THE RSA TRIP UNDERTAKEN FROM 6 NOVEMBER TO 9 NOVEMBER 2023 TO ATTEND THE GARTNER GLOBAL IT SYMPOSIUM IN BARCELONA, SPAIN**

**RESOLVED** that the feedback report on the trip undertaken by Alderman Theresa Uys to attend the Gartner Global IT Symposium 2023 in Barcelona, Spain from 6 to 9 November 2023, be noted.

**ACTION: J CROCKER; J VAN AS; D VAN SCHALKWYK**

**MC 10/01/24 FEEDBACK ON THE INTERNATIONAL/OUTSIDE THE BORDERS OF THE RSA TRIP UNDERTAKEN BY CLLR SISEKO MBANDEZI FROM 16 TO 20 OCTOBER 2023 TO ATTEND THE GITEX GLOBAL CONFERENCE 2023 IN THE UNITED ARAB EMIRATES**

**RESOLVED** that the feedback report on the trip undertaken by Cllr Siseko Mbandezi to attend the Gulf Information Technology Exhibition (GITEX) 2023 and the Impact and Future Urbanism event in Dubai from 16 to 20 October 2023, be noted.

**ACTION: P ABBOTT; J VAN AS; D VAN SCHALKWYK**

**MC 11/01/24 CAPE TOWN INTERNATIONAL CONVENTION CENTRE (RF) SOC LTD - ANNUAL GENERAL MEETING: MUNICIPAL REPRESENTATIVE MANDATE**

**RESOLVED** that the municipal representative(s) of the Cape Town International Convention Centre (RF) SOC Limited be authorised to vote in favour of:

- (a) Ordinary resolutions 1, 2 and 3; and
- (b) Special resolutions 1 and 2 as contained in the notice to shareholders attached as Annexure A to the report on the agenda.

**ACTION: L FORTUNE; D VALENTINE; K JACOBY**

***FOR DECISION BY COUNCIL***

**MC 12/01/24 CAPE TOWN STADIUM (RF) SOC LIMITED: ANNUAL GENERAL MEETING FEEDBACK REPORT (LSU P2197)**

It is **RECOMMENDED** that the voting rights of the City, as exercised by the municipal representative at the Annual General Meeting of the Cape Town Stadium (RF) SOC Limited, held on 8 December 2023, be noted in terms of section 93D of the Municipal Systems Act.

**ACTION: N MEISSENHEIMER; L FORTUNE; D VALENTINE; K JACOBY**

**MC 13/01/24    AUDIT COMMITTEE MEMBERSHIP OF THE CITY'S MUNICIPAL ENTITIES (LSU Q2187)**

It is **RECOMMENDED** that:

- (a) The approved Audit Committee structure of the City's municipal entities be amended to include an official of the City of Cape Town and remove the reference to the Portfolio Manager: Probity.
- (b) Ms Lindiwe Ndaba, the former Portfolio Manager: Probity and current Chief: CAR Audits and IT Governance, continue to serve as Audit Committee member of the City's municipal entities up until 31 December 2024.

**ACTION: N MEISSENHEIMER; L FORTUNE; D VALENTINE; K JACOBY**

**MC 14/01/24    QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE CHAIRPERSON FOR THE PERIOD 1 APRIL 2023 TO 30 JUNE 2023 (LSU L4314 & P1081)**

It is **RECOMMENDED** that the quarterly report of the Audit and Performance Audit Committee Chairperson for the period 1 April 2023 to 30 June 2023, be noted.

**ACTION: N MEISSENHEIMER; A MOOLMAN; Z HOOSAIN; L MBANDAZAYO**

**MC 15/01/24    QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE CHAIRPERSON FOR THE PERIOD 1 JULY 2023 TO 30 SEPTEMBER 2023 (LSU L4314 & P1081)**

It is **RECOMMENDED** that the quarterly report of the Audit and Performance Audit Committee Chairperson for the period 1 July 2023 to 30 September 2023, be noted.

**ACTION: N MEISSENHEIMER; A MOOLMAN; Z HOOSAIN; L MBANDAZAYO**

**MC 16/01/24 REPORTING ON MINOR BREACHES OF PROCUREMENT PROCESSES APPROVED BY THE SUPPLY CHAIN MANAGEMENT BID ADJUDICATION COMMITTEE FOR THE PERIOD 1 - 31 OCTOBER 2023 (LSU G0392)**

It is **RECOMMENDED** that the report on the agenda and the list of minor breaches of procurement processes for the period 1 to 31 October 2023 attached as Annexure A, as ratified by the Bid Adjudication Committee, be noted.

**ACTION: N MEISSENHEIMER; B VUMASE; K JACOBY**

**MC 17/01/24 REPORTING ON MINOR BREACHES OF PROCUREMENT PROCESSES APPROVED BY THE SUPPLY CHAIN MANAGEMENT BID ADJUDICATION COMMITTEE FOR THE PERIOD 1 - 30 NOVEMBER 2023 (LSU G0392)**

It is **RECOMMENDED** that the report on the agenda and the list of minor breaches of procurement processes for the period 1 to 30 November 2023 attached as Annexure A, as ratified by the Bid Adjudication Committee, be noted.

**ACTION: N MEISSENHEIMER; B VUMASE; K JACOBY**

**MC 18/01/24 REPORTING ON DEVIATIONS IN TERMS OF THE MANAGEMENT OF CERTAIN OF THE CITY OF CAPE TOWN'S IMMOVABLE PROPERTY POLICY, SECTION 13, FOR THE BI-ANNUAL PERIOD OF 1 JULY 2023 TO 31 DECEMBER 2023 FOR INFORMATION PURPOSES**

It is **RECOMMENDED** that the matters as authorised by the City Manager in terms of the Management of Certain of the City of Cape Town's Immovable Property Policy, section 13, for the bi-annual period 1 July 2023 to 31 December 2023 for the 2023/24 financial year, attached as Annexure A to the report on the agenda, be noted by Council and be disclosed as a note to the Council's Annual Financial Statements.

**ACTION: N MEISSENHEIMER; J LIEBENBERG; R SAYED; L MBANDAZAYO**

**MC 19/01/24 NATIONAL TREASURY MUNICIPAL FINANCE MANAGEMENT ACT CIRCULAR NO. 125 (LSU N3469)**

It is **RECOMMENDED** that the National Treasury MFMA Circular 125, be adopted.

**ACTION: N MEISSENHEIMER; C STROUD; K JACOBY**



**MC 20/01/24 AWARDING OF A CONTRACT, WHICH WILL INCUR FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE: DP7924/2022/23 - ENTERPRISE AGREEMENT WITH MICROSOFT FOR PRODUCTIVITY SOFTWARE LICENSING FOR THE CITY OF CAPE TOWN (LSU Q2016)**

It is **RECOMMENDED** that:

- (a) Council determines that the City of Cape Town will secure a financial benefit from the contract;
- (b) Council approves the entire contract exactly as it is to be executed incurring a financial obligation, not exceeding six financial years, with an estimated value of R1 076 517 070 (excluding VAT but inclusive of VAT apportionment);
- (c) Council authorises the City Manager or his nominee to sign the above contract(s).

**ACTION: N MEISSENHEIMER; J BEUMER; S PARKER; E SASS**

**MC 21/01/24 APPROVAL OF A THREE-YEAR AGREEMENT FOR HOSTING COMIC CON CAPE TOWN DURING THE 2023/24, 2024/25 & 2025/26 FINANCIAL YEARS (LSU Q2010)**

It is **RECOMMENDED** that:

- (a) Council approves a three-year sponsorship agreement with Reed Venue Management (Pty) Ltd for Comic Con Cape Town for the 2023/24, 2024/25 and 2025/26 financial years. The agreement shall commence on 27 April 2024.
- (b) Council approve that an amount of R1 400 000 (15% VAT where applicable) as a cash sponsorship payment be disbursed during the 2023/24 financial year from the Events Budget, cost centre 19060505 (Events), GL 457300 (Sponsorship: Events).
- (c) Council approve that an amount of R1 470 000 (15% VAT where applicable) as a cash sponsorship payment be disbursed during the 2024/25 financial year from the Events Budget, cost centre 19060505 (Events), GL 457300 (Sponsorship: Events).
- (d) Council approve that an amount of R1 543 500 (15% VAT where applicable) as a cash sponsorship payment be disbursed during the 2025/26 financial year from the Events Budget, cost centre 19060505 (Events), GL 457300 (Sponsorship: Events).

**ACTION: N MEISSENHEIMER; L DE SOUZA-ZILWA; V BOTTO**

**MC 22/01/24 FEEDBACK ON THE PROGRESS OF THE PERMANENT  
DESALINATION PROJECT AND REQUIRED APPROVAL TO  
INITIATE A SECTION 78(1) PROCESS (LSU Q2106 & Q2121)**

**RESOLVED** that authorisation be granted for an assessment, in terms of the Section 78(1) process of the Municipal Systems Act, to determine the most suitable mechanism for the implementation and operation of the City of Cape Town's first Permanent Desalination Plant.

It is **RECOMMENDED** that Council notes that Mayco resolved to authorise an assessment, in terms of the Section 78(1) process of the Municipal Systems Act, to determine the most suitable mechanism for the implementation and operation of the City of Cape Town's first Permanent Desalination Plant.

**ACTION: N MEISSENHEIMER; B VIVIER; D ALLPASS; M  
KILLICK; L MANUS**

**EXECUTIVE MAYOR**

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

**MC 23/01/24 2022/23 DOING BUSINESS ANNUAL PROGRESS UPDATE**

**RESOLVED** that the 2022/23 Doing Business Annual Progress Report, be noted.

**ACTION: M JOJA-JOHANNES; L GREYLING; R GELDERBLOEM**

***FOR DECISION BY COUNCIL***

**MC 24/01/24 OFFICE OF THE CITY MANAGER: 2023/24 FIRST QUARTER'S  
PROGRESS REPORT ON THE DIRECTORATE AND  
DEPARTMENTS' PERFORMANCE (LSU Q1749)**

It is **RECOMMENDED** that the 2023/24 first quarter's progress report on the Office of the City Manager Directorate and Departments' performance, be noted.

**ACTION: N MEISSENHEIMER; B MOTHIBI; L MBANDAZAYO**

## ECONOMIC GROWTH PORTFOLIO

*FOR DECISION BY COUNCIL***MC 25/01/24 PROPOSED LEASE OF COUNCIL GARAGE NO. M, BEING PORTION OF ERF 148-RE CLIFTON, OFF VICTORIA ROAD, CLIFTON FOR PARKING PURPOSES: PENELOPE DALAIS (LSU P3298)**

It is **RECOMMENDED** that the lease of Council Garage M, being portion of Erf 148-RE Clifton situated off Victoria Road, Clifton, Cape Town, as shown hatched and lettered "M" on Plan 130009577 attached as Annexure A to the report on the agenda, in extent approximately 24 m<sup>2</sup>, to Penelope Dalais, or her successors-in-title, be approved subject to *inter alia* the following conditions, that:

- (a) A market rental of R3 350.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;
- (b) The monthly rental shall escalate at 6% per annum compounded annually commencing 2 months from date of valuation, i.e. as from 1 March 2023;
- (c) The above recommended rental is effective and payable as from 1 March 2023;
- (d) The lease will endure for a period of 10 (ten) years;
- (e) The property be used for parking purposes only;
- (f) Subject to such further conditions to be imposed by the Director: Property Management in terms of his delegated authority;
- (g) Subject to compliance with any other statutory requirements.

**ACTION: N MEISSENHEIMER; V VANQA; C DAVIS; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 26/01/24 PROPOSED LEASE OF CITY LAND, COUNCIL GARAGE NO. D, BEING PORTION OF ERF 148-RE CLIFTON, THE RIDGE, CLIFTON FOR PARKING PURPOSES: JAROD KOLMAN (LSU P4207)**

It is **RECOMMENDED** that the lease of City Land, Council Garage D, situated on a Portion of Erf 148-RE Clifton at The Ridge, Clifton, Cape Town, as shown hatched and lettered ABCD and numbered "D" on Plan 130009644 attached as Annexure A to the report on the agenda, in extent approximately 24 m<sup>2</sup>, to Jarod Kolman, or his successors-in-title, be approved subject to *inter alia* the following conditions, that:

- (a) A market rental of R3 400.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;
- (b) The monthly rental shall escalate at 6% per annum compounded annually commencing 2 months from date of valuation, i.e. as from 1 May 2023;
- (c) The above recommended rental is effective and payable as from 1 May 2023;
- (d) The lease will endure for a period of 10 (ten) years; subject to a rental review after a period of 5 years;
- (e) The property be used for parking purposes only;
- (f) Subject to such further conditions to be imposed by the Director: Property Management in terms of his delegated authority;
- (g) Subject to compliance with any other statutory requirements.

**ACTION: N MEISSENHEIMER; V VANQA; C DAVIS; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 27/01/24 PROPOSED REVIEW AND AMENDMENT OF RESOLUTION FOR THE CLOSURE AND DISPOSAL OF CITY-OWNED IMMOVABLE PROPERTY: A PORTION OF ERF 148340 CAPE TOWN (PUBLIC STREET) SITUATED ON WALTER SISULU AVENUE, CAPE TOWN: THE CULLINAN HOTEL (PTY) LTD (LSU Q1488)**

It is **RECOMMENDED** that Council review and amend a resolution by the Immoveable Property Adjudication Committee (IPAC), Ref: No. IPAC 06/04/2018 to include the words "or their successor(s) in title" which have been erroneously omitted from the resolution. This amendment will enable the City of Cape Town to contract with the successive owners of the applicant's property, Erf 155451 Cape Town, for reasons set out in the report on the agenda.

**The resolution to now read:**

**RESOLVED THAT** City-owned immovable property being portion of Erf 148340 Cape Town in extent 112 m<sup>2</sup> shown hatched and lettered ABCD on the attached Plan STC 2819 (**Annexure A**), be sold to The Cullinan Hotel (Pty) Ltd, *or their successor(s) in title*, subject to the following conditions:

- (a) A purchase price of R620 000 (excluding VAT and costs);

(b) The purchase price shall escalate by 6% per annum compounded annually commencing from date of valuation, i.e. 1 June 2016;

(c) The subject property's allowable bulk to be restricted to 1,0.

**ACTION: N MEISSENHEIMER; S CAROLUS; C DAVIS; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 28/01/24 PROPOSED LEASE OF CITY LAND, UNREGISTERED STATE LAND, ABUTTING REMAINDER ERF 5454 CAPE TOWN, BARRACK LANE, CAPE TOWN FOR PARKING PURPOSES: SEPIA AND SILK (PTY) LIMITED (LSU P3501)**

It is **RECOMMENDED** that the lease of City Land, Unregistered State Land, abutting Remainder Erf 5454 Cape Town situated at Barrack Lane, Cape Town, as shown hatched and lettered ABCD on Plan 130008577 attached as Annexure A to the report on the agenda, in extent approximately 225 m<sup>2</sup>, to Sepia & Silk (Pty) Ltd, or its successors-in-title, be approved subject to *inter alia* the following conditions, that:

(a) A market rental of R5 100.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;

(b) The monthly rental shall escalate at 6% per annum compounded annually commencing 2 months from date of valuation, i.e. as from 1 January 2023;

(c) The above recommended rental is effective and payable as from 1 January 2023;

(d) The lease will endure for a period of 10 (ten) years; subject to a rental review after a period of 5 years;

(e) The property be used for parking purposes only;

(f) Parking area is to be restricted to 6 (six) parking bays;

(g) Subject to such further conditions to be imposed by the Director: Property Management in terms of his delegated authority;

(h) Subject to compliance with any other statutory requirements.

**ACTION: N MEISSENHEIMER; V VANQA; C DAVIS; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 29/01/24 PROPOSED LEASE OF CITY LAND, PORTION OF PUBLIC PLACE AND PORTION OF PUBLIC STREET, PORTIONS OF ERVEN 2341 AND 2519-RE ORANJEZICHT, GLENCOE AVENUE, ORANJEZICHT, CAPE TOWN FOR DRIVEWAY ACCESS AND GARDENING PURPOSES: MATHILDA MICHELLE JOFFE (LSU P3997)**

It is **RECOMMENDED** that the lease of City Land, portion of Public Place and portion of Public Street, portions of Erven 2341 and 2519-RE Oranjezicht, Glencoe Avenue, Oranjezicht, Cape Town as shown hatched and lettered ABCD and CHJG on Plan STC 3375 attached as Annexure A to the report on the agenda, in extent approximately  $\pm 131 \text{ m}^2$  and  $115 \text{ m}^2$ , to Mathilda Michelle Joffe, or her successors-in-title, be approved subject to *inter alia* the following conditions:

- (a) A market rental of R1 500.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;
- (b) The monthly rental to be adjusted on the basis of 6% per annum compounded annually commencing 6 months from date of valuation. Accordingly, the above recommended rental is effective and payable as from 2020-10-01;
- (c) The proposed lease term is for a period of 10 (ten) years and is to be reviewed after a period of 5 (five) years;
- (d) Beneficial occupation of R1 500.00 per month, escalating at 6% per annum be charged as from 2020-10-01 until such time as the lease agreement is signed;
- (e) The property be used for driveway access and gardening purposes only;
- (f) Subject to such further conditions to be imposed by the Director: Property Management in terms of his delegated authority;
- (g) Subject to compliance with any other statutory requirements;
- (h) No compensation will be payable for any improvement made to the property.

**ACTION: N MEISSENHEIMER; V VANQA; C DAVIS; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 30/01/24 PROPOSED LEASE OF CITY LAND, BEING PORTIONS OF ERVEN 24417 AND 115801-RE CAPE TOWN, CORNER OF BERKLEY AND CAMBRIDGE ROAD, MAITLAND FOR ACCESS, STORAGE AND PARKING PURPOSES: M MANS HOLDINGS (PTY) LTD (LSU P0825)**

The Mayco Member for Economic Growth, Ald. J Vos, indicated that the Transport Infrastructure Planning and Development Branch has advised that the property is required for the Berkley Road Widening Project, and therefore the proposed lease period of 10 (ten) years will not be acceptable.

In view of the above, Ald. J Vos proposed an amendment to recommendation (d) in the report on the agenda in order for it to read as follows:

*(d) The lease will endure for a period of 1 (one) year; with a month-to-month arrangement;*

The above proposal was duly supported.

It is **RECOMMENDED** that the lease of City Land, being portions of Erven 24417 and 115801-RE Cape Town situated at corner Berkley & Cambridge Road, Maitland, Cape Town, as shown hatched and lettered ABCDEF on Plan 130008510 attached as Annexure A to the report on the agenda, in extent approximately 900 m<sup>2</sup>, to M Mans Holdings (Pty) Ltd, or its successors-in-title, be approved subject to *inter alia* the following conditions, that:

- (a) A market rental of R11 400.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;
- (b) The monthly rental shall escalate at 6% per annum compounded annually commencing 2 months from date of valuation, i.e. as from 1 December 2021;
- (c) The above recommended rental is effective and payable from date of occupation;
- (d) *The lease will endure for a period of 1 (one) year; with a month-to-month arrangement;*
- (e) The property be used for access, storage and parking purposes only;
- (f) Subject to such further conditions to be imposed by the Director: Property Management in terms of his delegated authority;
- (g) Subject to compliance with any other statutory requirements.

**ACTION: N MEISSENHEIMER; V VANQA; C DAVIS; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 31/01/24 PROPOSED LEASE OF CITY LAND, A PORTION OF PUBLIC OPEN SPACE, BEING REMAINDER ERF 30369-RE; CAPE TOWN, LINKS DRIVE, PINELANDS, CAPE TOWN FOR ACCESS PURPOSES: HELEN KELLER SOCIETY (LSU P2036)**

It is **RECOMMENDED** that the lease of City Land, a Portion of Public Open Space, being Remainder Erf 30369-RE; Cape Town, as shown hatched and lettered ABCD on Plan 130009081 attached as Annexure A to the report on the agenda, in extent approximately 178 m<sup>2</sup> to Helen Keller Society<sup>2</sup>, or its successor-in-title, be approved subject to *inter alia* the following conditions, that:

- (a) A market rental of R1 350.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;
- (b) The monthly rental shall escalate at 6% per annum compounded annually commencing 6 months from date of the valuation, i.e. as from 1 March 2023;
- (c) The above recommended rental is effective and payable as from 1 March 2023;
- (d) The lease will endure for a period of 10 (ten) years; subject to a rental review after a period of 5 years;
- (e) The property be used for access purposes only;
- (f) Subject to such further conditions to be imposed by the Director: Property Management in terms of his delegated authority;
- (g) Subject to compliance with any other statutory requirements.

**ACTION: N MEISSENHEIMER; V VANQA; C DAVIS; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 32/01/24 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED TRANSFER OF VIABLE CITY-OWNED LAND, BEING A PORTION OF UNREGISTERED ERF 70889 KHAYELITSHA, BEING PORTION OF REGISTERED REMAINDER ERF 70887 KHAYELITSHA: URBAN THINK TANK EMPOWER NPC, FOR COMMUNITY / SOCIAL CARE PURPOSES**

**PROPOSED TRANSFER BY DIRECT TRANSACTION OF VIABLE CITY-OWNED LAND, BEING A PORTION OF UNREGISTERED ERF 70889 KHAYELITSHA, BEING PORTION OF REGISTERED REMAINDER ERF 70887 KHAYELITSHA: URBAN THINK TANK EMPOWER NPC, FOR COMMUNITY / SOCIAL CARE PURPOSES (LSU Q1433)**



It was proposed that the report on the agenda be referred back for further consultation with the Human Settlements Directorate.

The above proposal was duly supported.

**RESOLVED** that the report on the proposed transfer of a portion of unregistered Erf 70889 Khayelitsha, being portion of registered remainder Erf 70887 Khayelitsha at 3 Njongo Avenue, Mxolisi Phetani, Khayelitsha, be referred back for further consultation with the Human Settlements Directorate.

**ACTION: S CARELSE; L EMSLEY; D JOUBERT; R GELDERBLOEM**

**MC 33/01/24 PROPOSED LEASE OF PORTION OF PUBLIC STREET, PORTIONS OF ERF 40554-RE CAPE TOWN, BOUNDED BY WILLIAM ARENDSE ROAD, CHROMITE ROAD AND BELMORE AVENUE, PENLYN ESTATE, ATHLONE FOR PARKING AND MINOR BUILDING ENCROACHMENT PURPOSES: BEDSIM PROPERTIES (PTY) LTD (LSU P2578)**

It is **RECOMMENDED** that the lease of a portion of Public Street, portions of Erf 40554-RE Cape Town bounded by William Arendse Road, Chromite Road and Belmore Avenue, Penlyn Estate, Athlone as shown hatched and lettered ABC and DEFGH on Plan 130000294 attached as Annexure A to the report on the agenda, in extent approximately  $\pm 3 \text{ m}^2$  and  $117 \text{ m}^2$ , to Bedsim Properties (Pty) Ltd, or its successors-in-title, be approved subject to *inter alia* the following conditions:

- (a) A market rental of R4 700.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;
- (b) The monthly rental to be adjusted on the basis of 6% per annum compounded annually commencing 2 months from date of valuation. Accordingly, the above-recommended rental is effective and payable as from 2020-10-01;
- (c) The proposed lease term is for a period of 10 (ten) years and is to be reviewed after a period of 5 (five) years;
- (d) The property be used for parking and minor building encroachment purposes only;
- (e) Subject to such further conditions to be imposed by the Director: Property Management in terms of his delegated authority;
- (f) Subject to compliance with any other statutory requirements;

- (g) No compensation will be payable for any improvement made to the property.

**ACTION: N MEISSENHEIMER; M TAYLOR; C DAVIS; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 34/01/24 PROPOSED CLOSURE OF A PUBLIC PLACE KNOWN AS ERF 1772 GORDON'S BAY**

It is **RECOMMENDED** that:

- (a) In terms of section 4(2)(f) of the City of Cape Town: Immovable Property By-Law, 2015, approval be granted that, by Notice in the Provincial Gazette, Erf 1772 Gordon's Bay, in extent 2 100 m<sup>2</sup>, as depicted on Annexure A to the report on the agenda, be closed.
- (b) For reasons mentioned in the report on the agenda, the objections received against the closure of Erf 1772 Gordon's Bay, not be upheld.

**ACTION: N MEISSENHEIMER; A KLUE; D GEYSMAN; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 35/01/24 PROPOSED SALE OF A PORTION OF ERF 13600-RE STRAND: WESTERN CAPE GOVERNMENT**

It is **RECOMMENDED** that:

- (a) It be resolved that, in terms of regulation 20(1)(f)(i) of the Municipal Asset Transfer Regulations, a portion of Erf 13600-RE Strand, shown lettered ABCDEFGHJKLMNP on Plan 130009633 attached as Annexure A to the report on the agenda is not required for the provision of any minimum level of basic municipal services and is surplus to the requirements of the Municipality.
- (b) The transfer of a portion of Erf 13600-RE Strand, in extent approximately 18 633 m<sup>2</sup> shown lettered ABCDEFGHJKLMNP on Plan 130009633 attached as Annexure A to the report on the agenda to Western Cape Government, or its successor(s)-in-title, be approved, subject to the following conditions, that:
- (i) The discounted purchase price of R235 000, being 10% of the market value, excluding VAT calculated at the rate applicable at the time of transaction, where applicable, be payable;

- (ii) The purchase price is to be adjusted by 5% per annum compounded annually on a pro-rata basis, commencing six months after the date of valuation, i.e. from 01 March 2024 until the date of registration;
- (iii) The valuation is to be reviewed if not implemented within 36 months from date of valuation, i.e. by 31 August 2026;
- (iv) A suitable restrictive condition should be inserted on the title deed that limits the use of the subject property to use for public schooling;
- (v) Rates and municipal charges, if applicable, be levied;
- (vi) Subject to such further conditions to be imposed by the Director: Property Management in terms of his delegated authority, including *inter alia* the following:
  - (aa) that all further statutory and land use requirements be complied with;
  - (bb) that all costs related and incidental to the transaction be borne by the purchaser;
  - (cc) that a courtesy building plan be submitted to the Planning and Building Development Management department;
  - (dd) that the fence along line NM indicated on Plan 130009633 attached as Annexure A to the report on the agenda, should be relocated to the cadastral boundary at the cost of the purchaser;
  - (ee) that an application be submitted to the Planning and Building Development Management department to regularise the existing cell mast on the subject property prior to registration;
  - (ff) that the subject portion of Erf 13600-RE Strand be subdivided off the mother erf and rezoned for educational purposes all at the cost of the purchaser.
- (c) It be confirmed that, when considering the alienation of the land at less than market value, the contents of Regulation 20(1)(f)(ii) of the MATR has been duly taken into consideration.

**ACTION: N MEISSENHEIMER; L ABRAHAMS; D GEYSMAN; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 36/01/24 PROPOSED CLOSURE OF A PUBLIC PLACE, BEING ERF 41853 MITCHELLS PLAIN, SITUATED AT KILIMANJARO STREET, TAFELSIG: PROVINCIAL GOVERNMENT OF THE WESTERN CAPE**

It is **RECOMMENDED** that, in terms of section 4 of the City of Cape Town Immovable Property By-Law, 2015, approval be granted for the closure of the subject property, being a public place, Erf 41853 Mitchells Plain situated at Kilimanjaro Street, Tafelsig, in extent approximately 6,9326 hectares as shown hatched and lettered ABCDEFGHJKLMNPQRSTUWXYZ on Plan LT 847v0 attached as Annexure A to the report on the agenda.

**ACTION: N MEISSENHEIMER; Y MOHAMED; R KOLIA; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 37/01/24 WAIVING OF THE LEASE APPLICATION FEES FOR THE PROPOSED LEASES OF VARIOUS LANES IDENTIFIED FOR CLOSURE, IN MITCHELLS PLAIN, TO THE ABUTTING PROPERTY OWNERS**

It is **RECOMMENDED** that the lease application fee of R2,751.00 (as provided for in the tariff structure approved by Council on 31 May 2023) for 318 lanes be deviated from, in order to waive such lease application fees, in the amount of R874,818.00 (VAT inclusive) for the lease of portions of public street as shown on the spreadsheet attached as Annexure A to the report on the agenda, to the adjacent land owners, or their successors-in-title.

**ACTION: N MEISSENHEIMER; A GOLDING; R KOLIA; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 38/01/24 PROPOSED TRANSFER OF ERF 25037 KHAYELITSHA: WESTERN CAPE GOVERNMENT**

It is **RECOMMENDED** that:

- (a) It be resolved, in terms of regulation 20(1)(f)(i) of the Municipal Asset Transfer Regulations, that Erf 25037 Khayelitsha, shown lettered ABCDEFGHJKLMNP on Plan 130009810 attached as Annexure A to the report on the agenda is not required for the provision of any minimum level of basic municipal services and is surplus to the requirements of the Municipality.
- (b) The transfer of Erf 25037 Khayelitsha, in extent 26 551 m<sup>2</sup> shown lettered ABCDEFGHJKLMNP on Plan 130009810 attached as Annexure A to the report on the agenda, to Western Cape Government, or its successor(s)-in-title, be approved, subject to the following conditions, that:

- (i) A discounted purchase price of R398 000, being 10% of the market value, excluding VAT calculated at the rate applicable at the time of transaction, where applicable, be payable;
- (ii) The selling price shall escalate at 5% per annum compounded annually on a pro-rata basis, commencing six months from the date of valuation, i.e. from 01 February 2024, until the date of registration;
- (iii) The market value is to be re-assessed if the transaction is not approved by the relevant decision making authority of Council within 36 months from date of valuation, i.e. by 31 July 2026;
- (iv) A title deed restriction limiting the use of the subject property to government school and educational purposes to be effected;
- (v) Rates and municipal charges, if applicable, be levied;
- (iv) Subject to such further conditions imposed by the Director: Property Management in terms of his delegated authority, including *inter alia* the following:
  - (aa) that all further statutory and land use requirements be complied with;
  - (bb) that all costs related and incidental to the transaction be borne by the purchaser;
  - (cc) that a courtesy building plan be submitted for the existing and all future structures on the property.
- (c) It be confirmed that, when considering the alienation of the land at less than market value, the contents of regulation 20(1)(f)(ii) of the MATR has been duly taken into consideration.

**ACTION: N MEISSENHEIMER; L ABRAHAMS; D GEYSMAN; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 39/01/24 PROPOSED EXEMPTED TRANSFER OF A PORTION OF ERF 5135 CROSSROADS (KUYAKHANYA PRIMARY SCHOOL) SITUATED AT STULO STREET, CROSSROADS: PROVINCIAL GOVERNMENT OF THE WESTERN CAPE (DEPARTMENT OF EDUCATION)**

It is **RECOMMENDED** that:

- (a) It be resolved, in terms of regulation 20(1)(f)(i) of the Municipal Asset Transfer Regulations, that a portion of Erf 5135 Crossroads, shown lettered ABCDEFGHJ on Plan 130009655 attached as Annexure A to the report on the agenda is not required for the provision of any minimum level of basic municipal services and is surplus to the requirements of the Municipality.
- (b) It be confirmed, in terms of regulation 20(1)(f)(ii) of the Municipal Asset Transfer Regulations, that the property indicated by the figure ABCDEFGHJ on Plan 130009655 attached as Annexure A to the report on the agenda, be transferred for less than fair market value.
- (c) It be confirmed, per the motivation in the report on the agenda, that the consideration factors of regulation 20(1)(f)(ii)(aa) - (jj) of the Municipal Asset Transfer Regulations, which are triggered by the proposed less than market value transfer of the subject property, have been taken into consideration.
- (d) The transfer of a portion of Erf 5135 Crossroads, located at Stulo Street, Crossroads, and shown lettered ABCDEFGHJ on Sketch Plan 130009655 attached as Annexure A to the report on the agenda, in extent approximately 7977 m<sup>2</sup>, to the Provincial Government of the Western Cape (Department of Education), or its successor(s)-in-title, be approved, subject *inter alia* to the following conditions, that:
  - (i) 10% of market-related purchase price being R120 000 (one hundred and twenty thousand rand) excluding VAT calculated at the rate applicable at the time of transaction, where applicable, be payable;
  - (ii) The purchase price is to be adjusted by 5% per annum compounded annually on a pro rata basis, commencing six months after the date of valuation, i.e. from 2024-03-01, until the date of registration;
  - (iii) The market value is to be reviewed if not implemented within 36 months from date of valuation, i.e. by 31 August 2026;
  - (iv) Rates and municipal charges, if applicable, be levied;
  - (v) The City is to ensure that an appropriate reversionary clause is inserted on the title deed that limits the use of the subject property to public schooling purposes;

- (vi) Subject to such further conditions imposed by the Director: Property Management in terms of delegated authority, including *inter alia* the following:
- (aa) that all further statutory and land use requirements be complied with;
  - (bb) that all costs related and incidental to the transaction be borne by the purchaser;
  - (cc) that a servitude be registered over the City services on the property.

**ACTION: N MEISSENHEIMER; Y MOHAMED; R KOLIA; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 40/01/24 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED TRANSFER OF ERF 26348 BRACKENFELL**

**PROPOSED TRANSFER OF ERF 26348 BRACKENFELL TO OWNER OF ADJACENT REMAINDER ERF 308 BRACKENFELL: M7 KONSTRUKSIE (PTY) LTD**

It is **RECOMMENDED** that:

- (a) It be resolved that, in terms of section 14 of the Local Government Municipal Finance Management Act 56 of 2003, the subject property, being Erf 26348 Brackenfell, situated off Kruis Road, in extent 175 m<sup>2</sup> as shown cross-hatched and lettered ABCDEF on Plan 130009993v0 attached as Annexure A to the report on the agenda, is not needed to provide the minimum level of basic municipal services and that the fair market value of the asset and the economic and community value to be received in exchange for the asset have been considered.
- (b) Council grants in-principle approval in terms of regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations for the transfer of Erf 26348 Brackenfell, situated off Kruis Road, in extent 175 m<sup>2</sup> as shown crosshatched and lettered ABCDEF on Plan 130009993v0 attached as Annexure A to the report on the agenda.
- (c) The transfer of Erf 26348 Brackenfell, in extent 175 m<sup>2</sup> as shown crosshatched and lettered ABCDEF on Plan 130009993v0 attached as Annexure A to the report on the agenda, to M7 Konstruksie (Pty) Ltd, or their successor(s)-in-title, be approved, subject to the following conditions, that:
  - (i) A purchase price of R265 000, excluding VAT be payable;

- (ii) The purchase price is to be escalated by 5% per annum compounded annually on a pro-rata basis, commencing 6 months from date of valuation, i.e. from 1 December 2023 until date of registration;
- (iii) An occupational rental of R1 350 per month (excluding VAT) shall be payable commencing 6 months from date of valuation, i.e. from 1 December 2023, escalating at 6% per annum, until date of registration;
- (iv) The valuation is to be reviewed if not approved by the delegated authority of Council within 36 months from date of valuation, i.e. by 31 May 2026;
- (v) Rates and municipal charges, if applicable, be levied;
- (vi) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including *inter alia* the following:
  - (aa) that all further statutory and land use requirements be complied with, including the transfers of the additional road portion and substation site to the City;
  - (bb) that Erf 26348 be consolidated with the purchaser's adjacent Remainder Erf 308 Brackenfell;
  - (cc) that all costs related and incidental to the transaction be borne by the purchaser.

**ACTION: N MEISSENHEIMER; P STRÜMPHER; B MALI-SWELINDAWO; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM**

**MC 41/01/24 PROPOSED APPROVAL FOR THE GRANTING OF RIGHTS TO USE MANAGE OR CONTROL THE COFFEE SHOP AT WITZANDS AQUIFER NATURE RESERVE ON PORTION 1 OF THE CAPE FARM NO 2 WITZANDS, SITUATED AT CORNER R27 WEST COAST ROAD AND R307 DASSENBERG ROAD, ATLANTIS, ZONED AGRICULTURAL WITH CONSENT USE APPROVAL, TO THRILL SEEKERS CAPE (PTY) LTD**

It is **RECOMMENDED** that:

- (a) In terms of Regulation 34 of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, Council approves the granting of rights to use, manage and/or control of the Coffee Shop at Witzands Aquifer Nature Reserve on Portion 1 of the Cape Farm No 2 Witzands, approximately 48m<sup>2</sup> zoned Agricultural with Consent Use approval; to Thrill



Seekers Cape (PTY) LTD in the amount R5 700.00 (Five Thousand Seven Hundred Rand) per month for a period of five (5) years, with an option to renew for a further five (5) years.

- (c) The rental amount be subject to a fixed escalation rate of 6% per annum.
- (c) The rental amount to be reviewed after year five (5).
- (d) The granting of rights to use, manage and/or control of the Coffee Shop at Witzands Aquifer Nature Reserve on Portion 1 of the Cape Farm No 2 Witzands, be subject to further conditions to be imposed by the Director: Property Management in terms of his delegated authority.
- (e) The Coffee Shop at Witzands Aquifer Nature Reserve on Portion 1 of the Cape Farm No 2 Witzands will be made available for lease in its current state and Thrill Seekers Cape (PTY) LTD will be responsible, at own cost and risk, for all maintenance, repairs, upgrades and/or renovations which will be required in respect of the property.
- (f) Thrill Seekers Cape (PTY) LTD will be required to pay a deposit equal to one (1) month's rental (excluding VAT) on signature of the Lease Agreement.
- (g) It be accepted that the monthly rental is inclusive of the cost for electricity, water and rates, excluding cost for internet and other communication.
- (h) Comment provided by Subcouncil 1, be noted;

**ACTION: N MEISSENHEIMER; J KUYLER; J WOOD; L GERRANS; R MCGAFFIN; T LEWIS; D JOUBERT; R GELDERBLOEM**

**EXECUTIVE MAYOR**

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

**MC 42/01/24 THE REAPPOINTMENT OF THE CHAIRPERSON TO THE BOARD OF THE CAPE TOWN INTERNATIONAL CONVENTION CENTRE COMPANY (SOC) LTD (CTICC)**

**RESOLVED** that Mr DA Cloete be reappointed as chairperson of the Cape Town International Convention Centre Company (CTICC) board of directors from 24 January 2024 until 30 June 2024.

**ACTION: L FORTUNE; D VALENTINE; K JACOBY**

**MC 43/01/24 SECTION 116(3) OF THE MFMA: CONTRACT AMENDMENT FOR 459C/2010/11- PROVISION OF PROFESSIONAL SERVICES FOR THE DECOMMISSIONING OF ATHLONE POWER STATION**

**RESOLVED** that the proposed amendment to Contract 459C/2010/11: Provision of Professional Services for the Decommissioning of the Athlone Power Station, by way of an increase in contract period (from 29 March 2024 for period not exceeding 27 months), scope and cost (by R4 659 072,33 (excluding VAT) from R13 557 468.84 to R18 216 541.17 (excluding VAT)), for the reasons provided in the report on the agenda, be noted.

**ACTION: E NGOBENI; B SITHOLE; L RENCONTRE; K NASSIEP**

***FOR DECISION BY COUNCIL***

**MC 44/01/24 BROADBAND INFRASTRUCTURE PROGRAMME (BIP)**

It is **RECOMMENDED** that the progress report on the status of the Broadband Infrastructure Programme (BIP) for the 2022/23 financial year, be noted.

**ACTION: N MEISSENHEIMER; S PARKER; E SASS**

**MC 45/01/24 AWARDING OF CONTRACT WHICH WILL INCUR FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE: TENDER 33C/2020/21: FRAMEWORK TENDER FOR THE PROVISION OF PROFESSIONAL SERVICES IN RESPECT OF INFORMAL SETTLEMENTS WITHIN THE CITY OF CAPE TOWN**

It is **RECOMMENDED** that:

- (a) Council determines that the City of Cape Town will secure a significant financial benefit from the contract.
- (b) Council approves the entire contract exactly as it is to be executed incurring a financial obligation for 7 Financial Years and in the estimated amount of R172 500 000.00 (excluding VAT).
- (c) Council authorises the City Manager or his nominee to sign the above contract(s).

**ACTION: N MEISSENHEIMER; D RANGOLIE; R PRETORIUS; N GQIBA**

**MC 46/01/24 REVIEW AND AMENDMENT OF RESOLUTION MC 74/11/22: TO REVISE THE SECTION 78(1) STUDY IN TERMS OF THE MUNICIPAL SYSTEMS ACT, 32 OF 2000, TO INCLUDE OPTIONS FOR FINANCING AND IMPLEMENTING THE PROPOSED FAURE NEW WATER SCHEME**

**RESOLVED** that:

- (a) For the reasons mentioned in the report on the agenda, the previous Mayco resolution, MC 74/11/22 taken on 15 November 2022, be reviewed and amended to include options for financing and implementing the proposed Faure New Water Scheme, in order for it to read as follows:

*It is **RECOMMENDED** that the stakeholder engagement process and progress with the formation of the Independent Advisory Panel, be noted.*

***FURTHER RESOLVED** that, in terms of the Section 78(1) process of the Municipal Systems Act, 32 of 2000, authorisation be granted for an assessment to **include options for financing, implementation and operation of the proposed Faure New Water Scheme.***

It is **RECOMMENDED** that Council note the report on the review and amendment of Mayco resolution MC 74/11/22 taken on 15 November 2022 to include options for financing and implementing the proposed Faure New Water Scheme.

**ACTION: N MEISSENHEIMER; C FREHSE; M KILLICK; M WEBSTER**

**MC 47/01/24 WITHDRAWALS FROM MUNICIPAL BANK ACCOUNTS FOR THE QUARTER ENDING DECEMBER 2023**

It is **RECOMMENDED** that the report on the withdrawals made from the City's bank accounts for the quarter ending December 2023 be noted.

**ACTION: N MEISSENHEIMER; H ROBBINS; D VALENTINE; K JACOBY**

**MC 48/01/24 PERFORMANCE REPORTS (2022/23) OF THE CITY'S TWO MUNICIPAL ENTITIES: CAPE TOWN INTERNATIONAL CONVENTION CENTRE COMPANY (RF) SOC LTD (CTICC) AND CAPE TOWN STADIUM (RF) SOC LTD**

It is **RECOMMENDED** that:

- (a) The tabled Annual Financial Statements and the Audit Report from the Office of the Auditor-General as contained in the Annual Reports of the Cape Town International Convention Centre (CTICC) and the Cape Town Stadium respectively, for the 2022/23 financial year, be noted.
- (b) The tabled Annual Reports of the CTICC and Cape Town Stadium for the 2022/23 financial year be forwarded to the Municipal Public Accounts Committee (MPAC) for the preparation of the oversight reports.
- (c) The performance reviews of the CTICC and the Cape Town Stadium, for the 2022/23 financial year, be noted.

**ACTION: N MEISSENHEIMER; L FORTUNE; D VALENTINE; K JACOBY; E FRAY**

**MC 49/01/24 APPOINTMENT OF ADVOCATE KESSLER PERUMALSAMY TO REPRESENT THE CITY OF CAPE TOWN ON THE COUNCIL OF THE UNIVERSITY OF CAPE TOWN ("UCT")**

It was proposed that the recommendation in the report on the agenda be amended by including a recommendation (b) to read as follows:

- (b) *Council grants authority to the Mayor to provide a mandate to Adv. Perumalsamy on how to represent the City at relevant meetings of the Council of the University of Cape Town.*

The above proposal was duly supported.

It is **RECOMMENDED** that:

- (a) Advocate Kessler Perumalsamy be appointed as the City of Cape Town's representative on the University of Cape Town's Council.
- (b) Council grants authority to the Mayor to provide a mandate to Adv. Perumalsamy on how to represent the City at relevant meetings of the Council of the University of Cape Town.

**ACTION: N MEISSENHEIMER; S ENGELBRECHT; J STYAN**

**MC 50/01/24 ADJUSTMENTS BUDGET: 2023/24 FINANCIAL YEAR**

A discussion ensued on the contents of the report on the agenda, as well as the following:

- a concern expressed by Mayco with regard to an apparent lack of capacity displayed by a contractor that has been awarded

contracts by five (5) directorates, without due diligence assessments being done as part of the procurement processes that could have contributed to negative impacts (underspending) on the relevant capital budgets.

The Chief Financial Officer expressed concern and indicated that the circumstances that led to the awarding of the contracts to the specific service provider would be unpacked and a report back provided to Mayco.

The City Manager indicated that any attempt to avoid supply chain management processes would have serious consequences.

- a motivation for an increase of R80 million on Overtime within the Safety & Security Directorate in the 2023/24 financial year to avoid incurring over expenditure at financial year-end that could lead to potential unauthorised expenditure.

In view of the above, it was proposed that:

- The January 2024 adjustments budgets be further adjusted by an increase of R80 million on Overtime within the Safety & Security Directorate and a concomitant reduction on Post-Retirement Medical Aid (PRMA) provision within Rates, as indicated in the tables in recommendation (b) below;
- The relevant legislated MBRR Schedule B tables be amended after Council approval but before the submission of the adjustment budget documentation to National Treasury.

The above proposal was duly supported.

It is **RECOMMENDED** that:

- (a) In terms of section 28 of the MFMA, Council adopts the amendments proposed for incorporation into the 2023/24 adjustments budget (January 2024), as contained in Annexure A to the report on the agenda.
- (b) The January 2024 adjustments budgets be further adjusted by an increase of R80 million on Overtime within the Safety & Security Directorate and a concomitant reduction on Post-Retirement Medical Aid (PRMA) provision within Rates, as indicated in the tables below:

**Expenditure - Sender**

<b>Cost Centre</b>	<b>Cost Element</b>	<b>Cost Element Description</b>	<b>Amount (R)</b>
21010001	412165	Contribution to PRMA	80 000 000

**Expenditure - Receiver**

<b>Cost Centre</b>	<b>Cost Element</b>	<b>Cost Element Description</b>	<b>Amount (R)</b>
Various	401500	Non-Structured Overtime	80 000 000

- (c) The relevant legislated MBRR Schedule B tables be amended after Council approval but before the submission of the adjustment budget documentation to National Treasury.

**ACTION: N MEISSENHEIMER; C STROUD; K JACOBY**

**MC 51/01/24 ALTERNATIVE METHODS OF ADVERTISING SUBCOUNCIL MEETINGS**

It is **RECOMMENDED** that:

- (a) Council dispenses with the need to utilise the printed media to advertise Subcouncil meetings.
- (b) Council approves the use of the City's social media platforms only for the advertising of Subcouncil meetings.

**ACTION: N MEISSENHEIMER; A BOSMAN; E SASS**

**THE MEETING ENDED AT 11:42**

**CHAIRPERSON:** \_\_\_\_\_

**DATE:** \_\_\_\_\_