

**MPAC 04/10/24**

**- MINUTES -**

**OF THE ORDINARY MEETING OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE HELD (HYBRID) IN MEETING ROOM A ON TUESDAY, 10 SEPTEMBER 2024 AT 10:00**

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**PRESENT**

**COMMITTEE MEMBERS**

**CAPE MUSLIM CONGRESS (CMC)**

Cllr Y Adams (Chairperson)

**DEMOCRATIC ALLIANCE (DA)**

Cllr A Van Zyl (Deputy Chairperson)

Ald J van der Merwe

Cllr S Booysen

Cllr C Mes

Cllr A Moses

Cllr K Southgate

Cllr J Witbooi

**AFRICAN NATIONAL CONGRESS (ANC)**

Cllr B Majingo

Cllr L Phakade

**ECONOMIC FREEDOM FIGHTERS (EFF)**

None

**GOOD**

Cllr C Davids

**FREEDOM FRONT PLUS (VF+)**

Cllr E Botha-Rossouw (via Skype)

**ABSENT WITHOUT APOLOGY**

Cllr L Ntshuntshe

**OFFICIALS**

D Valentine : Finance (Treasury Services) (via Skype)

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A Vorster	: Office of the Speaker
G Postings	: Office of the City Manager
C Towsen	: Finance (via Skype)
F Arendse	: Office of the City Manager (Internal Audit)
Z Hoosain	: Office of the City Manager (Internal Audit) (via Skype)
A Moolman	: Office of the City Manager (Internal Audit)
B Lufundo	: Office of the City Manager (Legal Services)
Z Mehtar	: Office of the City Manager (Legal Services)
S Oosthuizen	: Office of the City Manager (Legal Services)
M Natesan	: Office of the City Manager (Forensic Services)
S Thomas	: Office of the City Manager (Forensic Services)
R McGaffin	: ED: Spatial Planning and Environment
K Wiseman	: Spatial Planning and Environment
F Singh	: Water and Sanitation (Finance) (via Skype)
E Fray	: Corporate Services (Executive Committee Services)
J van Zyl	: Corporate Services (Executive Committee Services)

**AGSA**

T Narkedien (Auditor-General South Africa (AG – Western Cape Representative) (via Skype)

**APOLOGIES FROM OFFICIALS**

L Mbandazayo	: City Manager
K Jacoby	: CFO
V Botto	: ED – Safety and Security
D Campbell	: ED – Urban Mobility
R Gelderbloem	: ED – Economic Growth
N Gqiba	: ED – Human Settlements
Z Mandlana	: ED – Community Services and Health
L Manus	: ED – Water and Sanitation
P Mayisela	: ED – Urban Waste Management
G Morgan	: ED – Future Planning and Resilience
K Nassiep	: ED – Energy.
E Sass	: ED – Corporate Services

**MPAC 01/09/24 OPENING**

The Chairperson, Cllr Y Adams, welcomed everyone to the meeting whereafter a moment of silence was observed.

The Chairperson welcomed Cllr C Davids as a newly appointed MPAC member.

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**MPAC 02/09/24      APOLOGIES / LEAVE OF ABSENCE**

**RESOLVED** that it be noted that no leave of absence for the meeting had been granted for Councillors via the Office of the Chief Whip.

Apologies for not being able to attend the meeting were received from Messrs L Mbandazayo, V Botto, K Jacoby, L Manus, G Morgan, K Nassiep, E Sass, C Maurer, D Valentine and Mesdames D Campbell, R Gelderbloem, N Gqiba, Z Mandlana, P Mayisela and R Razack.

It was further noted that Ald J van der Merwe and Cllr A Moses requested to be excused from the MPAC meeting at 11:00 should the meeting still be in session at that time.

**ACTION: E FRAY, J VAN ZYL**

**MPAC 03/09/24      DECLARATION OF INTEREST**

It was **NOTED** that Ms G Postings was involved with the City Manager’s Unauthorised, Irregular and Fruitless and Wasteful (UIFW) expenditure register and the deviation process and that Mr A Vorster was the Chairperson of the Supply Chain Management Bid Adjudication Committee (SCMBAC).

**MPAC 04/09/24      CONFIRMATION OF THE MINUTES OF THE ORDINARY MPAC MEETING HELD ON 13 AUGUST 2024**

**RESOLVED** that the minutes of the ordinary MPAC meeting held on 13 August 2024, be confirmed subject to the following amendment:

- 1) Page 5, under the heading **MPAC 04/08/24 - CONFIRMATION OF THE MINUTES OF THE ORDINARY MPAC MEETING HELD ON 16 JULY 2024**

the wording in the preamble being amended by the deletion of the following words:

“indicated that she”

**ACTION: E FRAY; J VAN ZYL**

**MATTERS ARISING FROM THE MINUTES**

None

**MPAC 05/09/24      MATTERS RECEIVING ATTENTION**

**PART 1: MATTERS FOR INVESTIGATION 2024 CALENDAR YEAR**

- (1) REFERRAL TO THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) FOR IRREGULAR EXPENDITURE INCURRED, RELATING TO THE EMPLOYMENT OF TEMPORARY LABOUR WITHIN COLLECTION SERVICES USING TRANSVERSAL CONTRACT 160S/2019/20 (MPACIC 04/06/24)**

It was noted that a MPAC Task Team meeting was held on 21 August 2024 and that a follow-up MPAC Task Team meeting consisting of Cllrs A Moses, S Booysen, B Majingo, S van Nelson and F Botha-Rossouw would be scheduled to be held on 1 October 2024.

**RESOLVED** that the follow-up MPAC Task Team meeting consisting of Cllrs A Moses, S Booysen, B Majingo and F Botha-Rossouw be scheduled for 1 October 2024.

**ACTION: J VAN ZYL, E FRAY**

- (2) IRREGULAR EXPENDITURE (CONTRAVENTION OF THE CITY'S SUPPLY CHAIN MANAGEMENT POLICY) RELATING TO THE APPOINTMENT OF A SERVICE PROVIDER – ELECTRICAL REPAIRS AT GOODWOOD SWIMMING POOL (MPACIC 06/06/24)**

It was noted that a MPAC Task Team meeting was held on 6 August 2024 and that a follow-up MPAC Task Team meeting consisting of Cllrs A Moses, S Booysen, B Majingo and F Botha-Rossouw would be scheduled for 17 September 2024.

**RESOLVED** that the follow-up MPAC Task Team meeting consisting of Ald. J van der Merwe and Cllrs A Moses, L Phakade and F Botha-Rossouw was scheduled for 17 September 2024.

**ACTION: J VAN ZYL, E FRAY**

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- (3) **INVESTIGATION IN TERMS OF SECTION 32(2) OF THE MFMA: RELATING TO PROCUREMENT ON TRANSVERSAL CONTRACT 003G/2022/23 FOR THE SUPPLY AND DELIVERY OF VARIOUS OPERATIONAL DECALS FOR THE CITY OF CAPE TOWN (MPACIC 09/07/24)**

It was noted that a MPAC Task Team meeting was held on 27 August 2024 and that a follow-up MPAC Task Team meeting consisting of Cllrs K Southgate, S Booysen, B Majingo, and F Botha-Rossouw would be scheduled to be held on 1 October 2024.

**RESOLVED** that the follow-up MPAC Task Team meeting consisting of Cllrs K Southgate, S Booysen, B Majingo and Botha-Rossouw would be scheduled for 1 October 2024.

**ACTION: J VAN ZYL, E FRAY**

- (4) **REFERRAL TO THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE BY COUNCIL – 363Q/2020/21 FRAMEWORK TENDER APPROVAL FOR PAYMENT OF INTEREST DUE TO CONTRACTOR FOR FW DE KLERK BOULEVARD (MPACIC 04/08/24)**

It was noted that a MPAC Task Team meeting was held on 3 September 2024 and that a follow-up MPAC Task Team meeting consisting of Cllrs A van Zyl, C Mes, L Phakade, and F Botha-Rossouw would be scheduled to be held on 15 October 2024.

**RESOLVED** that the follow-up MPAC Task Team meeting consisting of Cllrs A van Zyl, C Mes, L Phakade, and F Botha-Rossouw would be scheduled for 15 October 2024.

**ACTION: J VAN ZYL, E FRAY**

**PART 2: GENERAL ITEMS:**

- (5) **REGISTER OF UNAUTHORISED, IRREGULAR OR FRUITLESS AND WASTEFUL EXPENDITURE**

**RESOLVED** that it be noted that the next report was due in February 2025.

**ACTION: G POSTINGS, J VAN ZYL, E FRAY**

**(6) SCHEDULE OF MONIES RECOVERED**

**RESOLVED** that it be noted that the next report was due in February 2025.

**ACTION: G POSTINGS, J VAN ZYL, E FRAY**

**(7) REVISION OF THE MPAC TERMS OF REFERENCE**

At the MPAC meeting held 13 August 2024 it was resolved that consideration of the revised Terms of Reference for MPAC be adjourned for further discussions at the MPAC monthly meeting scheduled for 8 October 2024.

**RESOLVED** that the revised Terms of Reference for MPAC be adjourned for further discussions at the MPAC meeting schedule for 8 October 2024.

**ACTION: F ARENDSE, A MOOLMAN, E FRAY, J VAN ZYL**

**PART 3: INVESTIGATIONS COMPLETED AND REPORTS TO BE SUBMITTED TO MPAC:**

**(8 - 12) COMPLETED INVESTIGATIONS BY MPAC**

The schedule of completed investigations was **NOTED**.

**RESOLVED** that the progress with regard to the items on the MPAC Matters Receiving Attention List as at 6 August 2024, be **NOTED**.

**ACTION: A VORSTER; Z HOOSAIN, A MOOLMAN**

**NOTE:** At this stage the following concerns were raised regarding the submission of reports to MPAC Task Team meetings for investigation:

- The poor quality of reports from the Line directorates / departments.
- The insufficient preparedness of officials during investigations.
- Insufficient information contained in the reports.
- The openness and transparency of information.
- The lack of adequate response by officials.

It was noted that a report template for matters to be submitted to MPAC was available on the City's website / intranet site.

**RESOLVED** that the following concerns raised by MPAC members be escalated to the

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City Manager and the Executive Management Team for attention:

- The poor quality of reports from the Line directorates / departments.
- The insufficient preparedness of officials during investigations.
- Insufficient information contained in the reports.
- The openness and transparency of information.
- The lack of adequate response by officials.

**THE MEETING ENDED AT 10:10 FOLLOWED BY THE CONFIDENTIAL MEETING.**

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**CHAIRPERSON: CLLR Y ADAMS**

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**DATE**