

SPECIAL COUNCIL MINUTES: 31 MAY 2022

MINUTES

OF THE SPECIAL MEETING OF THE COUNCIL OF THE CITY OF CAPE TOWN HELD ON TUESDAY, 31 MAY 2022 IN THE COUNCIL CHAMBER, 6th FLOOR, PODIUM, CIVIC CENTRE, CAPE TOWN AT 10H00.

MEMBERS PRESENT:

Cllr M F Achmat (AJ)	Cllr S S Duka (ANC)	Cllr M Kleinsmith (DA)
Cllr F Adams (CCC)	Cllr A Z M I Elyas (DA)	Cllr C Kobeni (DA)
Cllr Y Adams (CMC)	Cllr C J Esau (DA)	Cllr N F Kopman (ANC)
Cllr A Adams (DA)	Cllr F Essack (DA)	Cllr A E Kuhl (DA)
Cllr R Adams (DA)	Ald G Fourie (DA)	Cllr E Langenhoven (DA)
Cllr M Adonis (DA)	Cllr P Francke (DA)	Cllr A Lansdowne (DA)
Cllr N R Adonis (DA)	Cllr C V Franklin (DA)	Cllr U F Lasiti (DA)
Cllr W Akim (DA)	Cllr S Frenchman (CCC)	Cllr T A Le Goff (DA)
Ald E Andrews (DA)	Cllr A Gabuza (ANC)	Cllr S Liell-Cock (DA)
Cllr E Anstey (DA)	Cllr M Gadeni (ANC)	Cllr A G Lightburn (DA)
Cllr S F August (GOOD)	Cllr T M Geoghegan (DA)	Ald X T Limberg (DA)
Cllr D Badela (ANC)	Cllr G E Gordon (DA)	Cllr E Linde (DA)
Cllr Z A Badroodien (DA)	Cllr T Gqada (DA)	Cllr S A Little (GOOD)
Cllr U M Barends (DA)	Cllr A J Griesel (DA)	Cllr F P Lombard (DA)
Cllr A M Benadie (DA)	Cllr N E Grose (DA)	Cllr N Lombi (ANC)
Cllr R Beneke (DA)	Cllr L A Gungxe (ANC)	Cllr A C Louw (GOOD)
Cllr M Booi (DA)	Cllr K W Gxasheka (ANC)	Cllr M Mabungani (ACDP)
Cllr P N Booi (EFF)	Cllr B Hansen (DA)	Cllr E M Madikane (ANC)
Cllr S S Booyesen (DA)	Cllr W Harris (DA)	Cllr B M Masingo (ANC)
Cllr E Botha-Rossouw (FF Plus)	Cllr G Haskin (ACDP)	Cllr N Makasi (ANC)
Cllr N A Botya (EFF)	Cllr P G Helfrich (DA)	Cllr M S Makuwa (ANC)
Cllr R C Cameron (DA)	Cllr A Hendricks (AJ)	Cllr M Manuel (DA)
Cllr R W Cannon (DA)	Cllr P Hendricks (PA)	Cllr M Manuel (CCC)
Cllr K R Carls (DA)	Cllr P C Heynes (ANC)	Cllr B B Maqungwana (UDM)
Cllr H Carstens (DA)	Cllr F Higham (DA)	Cllr G P Marais (FF Plus)
Cllr A Cassiem (EFF)	Executive Mayor G G Hill-Lewis (DA)	Cllr S G Markgraff (GOOD)
Cllr M N Chitha (ANC)	Cllr T Jackson (DA)	Cllr P I Marman (GOOD)
Cllr M Christians (ACDP)	Cllr M R Jacobs (ARA)	Cllr M J Marr (DA)
Cllr D Christians (DA)	Cllr B M Jacobs (DA)	Cllr L Martin (ANC)
Cllr K A Christie (DA)	Cllr H W Jacobs (DA)	Cllr J Martlow (DA)
Cllr B Clarke (DA)	Cllr D G Jacobs (CCC)	Cllr D Z Masiu (DA)
Cllr G J Classen (ARA)	Cllr P S Jacobson (FF Plus)	Cllr N Matutu (Luthango) (ANC)
Cllr D G Cottee(ANC)	Ald W D Jafftha (DA)	Cllr L H Max (FF Plus)
Cllr J Cupido (GOOD)	Cllr C Janse van Rensburg (DA)	Cllr P Maxiti (DA)
Cllr M Dambuza (EFF)	Cllr E Jansen (DA)	Cllr L Mazwi (EFF)
Cllr A Davids (CCC)	Cllr G V Joachims (GOOD)	Cllr S Mbandezi (DA)
Cllr R Davids (DA)	Cllr M Joseph (GOOD)	Cllr L N Mbiza (ANC)
Cllr A C De Beer (UIM)	Cllr N Jowell (DA)	Cllr N W McFarlane (DA)
Cllr D C De Vos (ACDP)	Ald C R Justus (DA)	
Cllr P W De Vos (DA)	Cllr K Kama (ANC)	Cllr A P McKenzie (DA)
Cllr X D Diniso (ANC)	Cllr A Kay (CIP)	Cllr I P McMahon (DA)
	Cllr M R Kleinschmidt (DA)	Cllr B Mei (EFF)

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Cllr T M Mjuza (ANC)
Cllr M A Mkutswana (ANC)
Cllr Y Mohamed (DA)
Ald S Moodley (DA)
Cllr A Moses (DA)
Cllr T Mpengezi (ANC)
Cllr L M Mqina (ANC)
Cllr N Mvinjelwa (DA)
Cllr P S Mzolisa (DA)
Cllr S Ndamane (PAC)
Ald I D Neilson (DA)
Cllr D Nelson (DA)
Ald M Nieuwoudt (DA)
Cllr M Nikelo (DA)
Cllr S Nodliwa (ANC)
Cllr M L Nqavashe (DA)
Cllr G T Ntamo (ANC)
Cllr L Ntshuntshe (EFF)
Cllr N A Ntshweza (ANC)
Cllr A Ntsodo (DA)
Cllr T Nyamakazi (ANC)
Cllr G D Paige (ACDP)
Cllr G C Peck (DA)
Cllr X G Peter (ANC)
Cllr M Petersen (DA)
Cllr L Phakade (ANC)
Cllr S Philander (DA)
Cllr T I Pimpi (ANC)
Cllr A Plaatjies (DA)
Cllr C Pophaim (DA)
Cllr A J Potts (DA)
Ald S Pringle (DA)
Cllr C B Punt (DA)
Ald F Purchase (DA)
Cllr Z L Qoba (ANC)
Cllr R M Quintas (DA)
Cllr M H Raise (DA)
Cllr A Richards (PA)
Cllr S Rigby (DA)
Ald S Rossouw (DA)

Cllr S Salie (AJ)
Cllr M J Sampson (PA)
Cllr N Satarien (CCC)
Cllr F A Sauls (DA)
Cllr E Sawant (DA)
Cllr M M Sibunzi (DA)
Cllr C C Siebritz (DA)
Cllr L Simangweni (ANC)
Ald J P Smith (DA)
Cllr J Solomon (DA)
Cllr L Somdaka (ANC)
Cllr L P Sonyoka (ANC)
Cllr Z W Sophazi (ANC)
Ald X R Sotashe (ANC)
Cllr K Southgate (DA)
Cllr S L Stacey (DA)
Cllr J N Stevens (ANC)
Cllr N Stuurman (EFF)
Cllr N R E Sukers (ACDP)
Cllr Z Sulelo (DA)
Cllr P S Swart (DA)
Cllr S Taliep (DA)
Cllr P P Tause (ANC)
Cllr M Temlett (DA)
Cllr H P Terblanche (DA)
Cllr A Tetani (ANC)
Cllr S C Thompson (ANC)
Ald T Thompson (DA)
Cllr G Timm (DA)
Ald G Twigg (DA)
Cllr N V Tyandela (EFF)
Ald T Uys (DA)
Cllr B van der Merwe (DA)
Ald J F van der Merwe (DA)
Ald A van der Rheede (DA)
Cllr P E van der Ross (DA)
Cllr B van Reenen (DA)
Cllr A van Zyl (DA)
Cllr R Viljoen (DA)
Cllr D Visagie (DA)

Cllr C L Visser (DA)
Cllr J Visser (DA)
Cllr F C Walker (DA)
Ald B R W Watkyns (DA)
Cllr N Williams (CCC)
Cllr J J Witbooi (DA)
Cllr J Woodman (DA)
Cllr B Yeko (EFF)

APOLOGIES

Cllr F K Ah-Sing (DA)
Cllr R Arendse (DA)
Ald A J G Basson (DA)
Cllr R Bresler (DA)
Cllr C A Brynard (CIP)
Cllr M A Cassiem (DA)

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Ald P H Chapple (DA)
Cllr N Grose (DA)
Ald C Jordaan (DA)
Cllr K Maré (DA)
Cllr D Ngubelanga (AIC)
Cllr N Rheeder (DA)
Cllr N P Sono (PA)
Ald J Vos (DA)
Cllr C M K Wannenburg (GOOD)

ABSENT

The following Councillors were absent without an apology:

Cllr A Adams (DI)
Cllr C Cerfontein (DA)
Cllr P East (DA)
Ald M L Kempthorne (DA)
Cllr B Ngcombolo (ANC)
Cllr B L Payiya (ANC)

The following Councillor submitted an apology for late arrival:

Cllr N R Adonis (DA)
Cllr D C De Vos (ACDP)
Cllr A P McKenzie (DA)

The following Councillors submitted an apology for leaving early:

Cllr A Kay (CIP)
Cllr B van Reenen (DA)

PRESENT

Executive Management Team

Mr L Mbandazayo - City Manager
Mr K Jacoby - Chief Financial Officer
Mr E Sass - ED: Community Services and Health
Ms D Campbell - ED: Urban Mobility
Ms N Gqiba - ED: Human Settlements
Mr K Nassiep - ED: Energy
Ms Z Mandlana - Acting ED: Corporate Services
Mr R Keraan - Acting ED: Urban Waste Management

Executive Committee Services

Mrs R Razack - Acting Director: Executive & Councillor Support Operations
Ms J Cooper
Ms C France
Mr E Fray

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Mr G Josephs
Mrs A Kline
Ms M Levendall
Ms L McGregor
Mr N Meissenheimer
Mrs L von Molendorff

Legal Services

Ms R Sayed

<u>LIST OF ACRONYMS FOR INFORMATION</u>	<u>SEATS</u>
ACDP - African Christian Democratic Party	6
AIC - African Independent Congress	1
AJ - Al Jama-ah	3
ANC - African National Congress	43
ARA - Africa Restoration Alliance	2
CMC - Cape Muslim Congress	1
CCC - Cape Coloured Congress	7
CIP - Cape Independent Party	2
CMC - Cape Muslim Congress	1
DA - Democratic Alliance	134
DI - Democratic Independence	1
EFF - Economic Freedom Fighters	10
FF Plus - Freedom Front Plus	4
GOOD - GOOD	9
PA - Patriotic Alliance	4
PAC - Pan Africanist Congress of Azania	1
UDM - United Democratic Movement	1
UIM - United Independent Movement	1
Total	230 and 1 vacancy

SECTION 1 OPENING OF MEETING

The Speaker, Ald F Purchase welcomed all Councillors, officials, guests, public and the media connected to the virtual platform.

A moment of silence was observed.

Councillors were called upon to register their attendance at the respective venues.

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SPC 02/02/22 APOLOGIES / LEAVE OF ABSENCE

The Chief Whip of Council, Cllr D Visagie announced the applications for leave of absence as listed below.

RESOLVED that the following applications for leave of absence as announced by the Chief Whip, **BE NOTED**:

Cllr F K Ah-Sing (DA)
Cllr R Arendse (DA)
Ald A J G Basson (DA)
Cllr R Bresler (DA)
Cllr C A Brynard (CIP)
Cllr M A Cassiem (DA)
Ald P H Chapple (DA)
Cllr N Grose (DA)
Ald C Jordaan (DA)
Cllr K Maré (DA)
Cllr D Ngubelanga (AIC)
Cllr N Rheeder (DA)
Cllr N P Sono (PA)
Ald J Vos (DA)
Cllr C M K Wannenburg (GOOD)

ACTION: L KELLEEM

At this stage, the Speaker, Ald F Purchase (DA) announced that the following items were agreed on by the respective political parties at the Whips' meeting:

Volume 2 – Items 9, 10, 11 and 12.

205 Councillors participated when this announcement was made.

It also be noted that the following totals of Councillors from the respective Political Parties present at the meeting were taken into account when the decisions were taken by Council:

ACDP	- African Christian Democratic Party	6
AIC	- African Independent Congress	0
AJ	- Al Jama-ah	3
ANC	- African National Congress	40
ARA	- Africa Restoration Alliance	2
CMC	- Cape Muslim Congress	1
CCC	- Cape Coloured Congress	6
CIP	- Cape Independent Party	1
CMC	- Cape Muslim Congress	1

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DA	- Democratic Alliance	130
DI	- Democratic Independence	0
EFF	- Economic Freedom Fighters	10
FF Plus	- Freedom Front Plus	4
GOOD	- GOOD	8
PA	- Patriotic Alliance	3
PAC	- Pan Africanist Congress of Azania	1
UDM	- United Democratic Movement	1
UIM	- United Independent Movement	0

SECTION 2 MAYORAL ADDRESS

The Speaker called on the Executive Mayor, Ald G Hill-Lewis to address Council as follows:

“Speaker, City colleagues, Members of the public and guests, members of the media, Good Morning, Molweni, More, Assalamu alaikum.

After many months of meetings, both here, in this building, and in our many communities with our residents, business sector, religious organisations and many NGOs, we table both the 2022/2023 Annual Budget and a brand new Integrated Development Plan (IDP) for this administration. You have heard me say it before, and I’ll say it again, the best way to tell what a government cares about is by looking at its budget.

Speaker, the budget that we table today begins to make real and visible investments in delivering on our pledges to the public. Hierdie begroting gee nuwe moed vir Kapenaars wat moeg is vir ernstige misdaad, danksy n reuse ontplooiing van 150 nuwe offisiere en moderne misdaad bekampings tegnologie. Die begroting gee nuwe hoop vir alle Kapenaars in die vorm van meer bekostigbare behuising in goed gelee gebiede En dit is n lig aan die einde van die tunnel met die voortuitsig dat ons beurtkrag in die Stad kan stop.

It offers hope for unemployed Capetonians that need our economy to grow at a much faster pace. It offers the hope of an improved public transport system that is clean, safe and reliable. I want to say ‘thank you’ to each resident that got involved in the public participation process for both the budget and the IDP. Over 35 400 inputs were received during the IDP public participation process. This is an increase of 25% in participation compared to 2016. We also received more than 380 submissions consisting of over 1300 specific comments on the draft budget. We listened carefully to what you had to say and, where possible, we incorporated what many of you asked for.

Some proposals are at a level of detail beyond that of the IDP, and will be prioritised for analysis and action at the policy and programme level. We also received some excellent suggestions that require further analysis before we

can create or expand a programme to respond. Those will be considered in the annual review of the IDP, and budgeted for accordingly.

Speaker, last week I spoke of a coming winter of discontent for South Africa. So as to confirm this analysis this weekend, Nedbank announced it is lowering its growth projections for 2022 to just 1,6%, while other countries are bouncing back from Covid and are already at pre-Covid economic levels. Most alarmingly, the CEO of Tiger Brands, Mr Noel Doyle, has said that he has not seen this level of food price inflation in his 20 years at the company – and that we should brace ourselves for double digit food inflation in bread, maize, oats, cereal and oil, and all other products that contain those. We hear and agree with the call of the Leader of the Opposition in Parliament to reduce the fuel tax and de-regulate the fuel pricing model to allow for prices to come down, at a time when petrol, diesel and paraffin prices are set to smash through previous record levels. Fuel taxes are a regressive tax, which hit the poor more than the better off, because the poor spend a much larger portion of their income on transport and groceries, the prices of which are very sensitive to fuel price increases. We as a government agree with the call of the Leader of the Opposition in Parliament, and call for fuel taxes to be reduced. Out-of-control price increases across the globe are decimating people's living standards and causing serious hardship for so many.

Desondanks die lengte en koue van die donker tye waarbinne ons onself bevind, is daar eerder 'n optimisme aan die opbou in Kaapstad, optimisme oor die toekoms, aangevuur deur aksie om ons daar te kry. Hierdie optimisme is sigbaar vir almal om te sien en aan te voel. mEn dit is hoekom ons trots is daarop om 'n begroting ter tafel te lê wat van die laagste tarief-verhogings in die land insluit. Alle verhogings is teen of onder inflasie. Ons doen ons deel om inflasie te bekamp en om die inkomstes van sukkelende Kaapse gesinne te beskerm, terwyl ons terselfdertyd ons gratis dienste vermeerder aan die armstes en mees weerloses.

So we will work harder to grow the economy and help people into jobs and out of poverty. Where possible, we will push for more powers to be devolved from the national government to the City. Government officials sitting in Pretoria don't know what is best for Cape Town: they are too far away from the problems on the ground and they don't have the solutions. Our message to the national government is simple: we have built a capable state in Cape Town, so let us deliver to the people of Cape Town. This budget includes allocations to start facilitating the devolution of various national powers to the City including energy production, policing and crime prevention, and passenger rail.

Today's proposed R7.47bn capital budget is on par with Johannesburg metro, who are also bravely trying to accelerate their capital investment to make up for lost time. In the years ahead we will push to see Cape Town's capital investment pipeline far ahead of any other metro in the country. Like many Capetonians who commented on our draft budget, I am not happy about the 9.5% increase in the electricity tariff, which I know will hit people hard. With the support of tens of thousands of Capetonians, we challenged Eskom's original request in January for the 20.5% increase that they wanted

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residents to pay, and we managed to bring this down significantly. But there are limits to what we can do to counteract Eskom's unaffordable and unjust increases. This is why we are pushing with such urgency to reduce our reliance on Eskom, lower the cost of electricity, and end load-shedding in Cape Town.

Speaker, today's budget demonstrates the practical manifestation of this government's commitment to:

- 1) End load-shedding in Cape Town over time by investing in new and renewable sources of energy*
- 2) Making Cape Town the easiest place to do business in Africa*
- 3) Making Cape Town safer by deploying hundreds more law enforcement officers, with at least 150 new officers budgeted for in this budget alone*
- 4) Investing in better public transport, through a multi-billion rand expansion of the MyCiti network to Khayelitsha and plan for the coming devolution of passenger rail to the metro*
- 5) Do the basics better so that every person can live in dignity*
- 6) Release more land for more affordable housing development in Cape Town, and just last week you heard more about our plans in this regard,*
- 7) Clean up Cape Town's public spaces, streets and waterways*

Our package of free basic services to indigent residents will include 15kℓ of water per month per household and 60 kWh of electricity if the household buys less than the basic amount of 250kWh in a month. Furthermore, discounted rates and waste services provision will help to ensure that residents without means are supported. I know our Mayoral Committee Member for Finance will share more details about our social relief package too. Our social package for the 2022/23 financial year amounts to R4.7 billion, and includes R2.292 billion for Indigent Relief and R1.457 billion for Rates Rebates, and is one of the most extensive packages of support for the poor in the country.

Speaker, everything I have spoken of today in terms of our commitment to delivery is encapsulated in the City's brand new 5-Year Strategic Plan, our Integrated Development Plan (IDP), that is also being tabled today. This planning document is the central strategy of our city, and communicates to residents, businesses and investors our long-term vision, and how we plan to achieve it through both a strategic plan and an implementation plan.

Speaker, I know that my colleagues will be speaking in more detail about each of their budgets and IDP programmes, and I hope our residents are as excited about these plans as we are. This budget and IDP lays the foundation for Cape Town becoming a city of hope for all; a prosperous, inclusive and safer city where people can look to the future with a sense of optimism again. We thank our ratepayers for their continued support of our goal to make Cape Town a flourishing and prosperous City, and recommit ourselves to being clean, honest, and accountable custodians of their rates contributions. I want to thank the CFO and his budget team – Zukiswa Nqanqali, Naiemah Ishmail and Karen Fourie, and outgoing Budget Director, Mr Johan Steyl, for all their hard work to make sure this budget reflects the priorities of this government.

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I also thank my Mayoral Committee, the City's Executive Management Team, and every councillor here and official in this administration – because, in each of these priorities, we have already made progress in the first six months of this term. That is not to say there isn't a lot of work still lying ahead– we have only just started and there is so much more that we need to do, and do it with urgency – but I am grateful for the progress that we are starting to make.

Speaker, the City's 2022/23 annual budget is hereby tabled for adoption and implementation. Thank you."

The Speaker, Ald F Purchase announced that items SPC 03 to SPC 06 would be clustered for debate, but voted on separately.

At this stage, Cllr B van Reenen proposed additional recommendations in respect of the 2022/23 Budget, as reflected under witem SPC 05/05/22.

Cllrs A Cassiem (EFF), S Little (GOOD), A Kay (CIP), S Ndamane (PAC), B Maqungwana (UDM), L Max (FF Plus), S Salie (AJ), M Christians (ACDP), M Gadeni (ANC), M Achmat (AJ), P Heynes (ANC), M Mabungani (ACDP), S Frenchman (CCC), L Gungxe (ANC), A Richards (PA), D Badela (ANC), A Louw (GOOD), L Mqina (ANC), F Adams (CCC), D Cottee (ANC), M Dambuza (EFF), N Makasi (ANC) and Ald X Sotashe (ANC) also commented on the budgetary items – speeches received from Councillors are attached to the official minutes as **Annexure A**.

Ald E Andrews (DA), Cllrs P van der Ross (DA), M Booi (DA), R Quintas (DA), Ald T Uys (DA), Ald G Twigg (DA), Cllr Z Badroodien (DA), Ald J P Smith (DA), Cllr B van Reenen (DA) and Cllr S Mbandezi (DA) were afforded the opportunity to address Council on the budget – the relevant speeches are attached to the official minutes as **Annexure B**.

SPC 03/05/22 APPROVAL: NEW TERM OF OFFICE 2022-2027 INTEGRATED DEVELOPMENT PLAN (IDP)

RESOLVED that:

- (a) the inputs and comments received during December 2021 /January 2022 and April 2022, as reflected on Annexures B and C attached to the report on the agenda, be noted
- (b) the objections received against the draft IDP that served before Council on 31 March 2022, as summarised in Annexure C to the report on the agenda, not be upheld. Noting that the final IDP has been adjusted in response to public comments, as summarised in Annexure C to the report on the agenda
- (c) the New Term of Office 2022-2027 IDP attached as Annexure E to the report on the agenda, in terms of Section 25 of the Municipal Systems Act No. 32 of 2000, be approved.

[The ANC, AJ, CCC, EFF and PAC recorded their votes against the above decision. The PA abstained.]

ACTION: L JANSSENS, H COLE, G MORGAN

SPC 04/05/22 PUBLIC COMMENTS ON THE CITY OF CAPE TOWN DRAFT BUDGET (2022/23)

RESOLVED that:

- (a) the public participation process conducted in respect of the draft budget for 2022/2023, be noted;
- (b) the changes resulting from public comments already included in the budget, be approved;
- (c) the budget be further amended as a consequence of the public comments received - where appropriate and/or necessary;
- (d) appropriate responses be given to all respondents on the budget, where possible;
- (e) comments be referred to the relevant Directorates for consideration in terms of their available resources or realignment of their implementation plans;
- (f) the comments received be considered in current and future budget processes;
- (g) the Public Participation Unit lead and drive the process for soliciting input and/or comment in respect of the 2023/24 budget cycle with all stakeholders to inform the draft 2023/24 budget.

ACTION: I ROBSON, G MORGAN

SPC 05/05/22 BUDGET 2022/23 TO 2024/25

The Executive Mayor, Ald G Hill-Lewis tabled the City's 2022/23 annual budget for adoption and implementation during his Mayoral Address.

At conclusion of the Executive Mayor's address, Cllr B Van Reenen, addressed Council on the revision of the budget for the Atlantis PV Power Project.

Cllr B Van Reenen mentioned that the project entails the development and construction of a 10MW Solar PV power plant in the area of Atlantis. This project has been under development for the past two years, and is now approaching the conclusion of the conceptual design stage.

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The Atlantis Solar PV project team was requested to submit the budget for the FY2022/23 in October 2021. Based on the assumptions at the time related to the proposed procurement and contracting strategies, the typical time durations of statutory and/or mandatory governance processes, as well as typical project development timelines and estimated related costs, the project team proposed that a total of R134m will be spent during the 2022/23 financial year.

During March/April 2022, the project team was requested to update the proposed spend for the next three financial years on the project. Based on the latest available information, better understanding of internal supply chain and governance processes, engineering design and project execution timelines and related costs, it was proposed during April 2022 that a total of R7.5m will be spent during the next financial year (FY2022/23).

Cllr B Van Reenen indicated that concerns were raised by the Executive Mayor and herself, as this project is a Mayoral priority. The project has been subjected to further analysis by the Energy team, in order to identify and optimise opportunities for the acceleration of work and related expenditure during the 2022/23 Financial Year (FY22/23) specifically, and over the next three financial years generally.

The estimated total project cost remains unchanged at R154 570 000.

Cllr B Van Reenen, seconded by Ald G Hill-Lewis, proposed the following amendment to the recommendations as per the agenda:

“(1) in addition to the changes already included in the 2022/23 Budget between March and May as reflected in Annexure B as per (h) above, the following amendments also be included relating to Approval Object CPX.0014782 Ground Mounted PV, within the Energy Directorate, funded from EFF in all three years of the 2022/23 MTREF be revised as follows:

Approval object	Approval Object description	Budget 2022/23 (May 2022)	Revised Budget 2022/23	Budget 2023/24 (May 2022)	Revised Budget 2023/24	Budget 2024/25 (May 2022)	Revised Budget 2024/25
CPX.0014782	Ground Mounted PV	7 500 000	47 425 000	127 245 000	107 145 000	19 825 000	0

(1) That the relevant legislated MBRR Schedule A tables be amended after Council approval, but before the submission of the 2022/23 Budget to National Treasury.”

Cllr Van Reenen’s proposal was supported by the majority of members present.

RESOLVED that:

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- (a) the City's annual budget for the financial year 2022/23; and projected allocations for the two outer years 2023/24 and 2024/25, and related policies as set out in the following tables and annexures, be adopted:
- (i) Operating revenue and expenditure by standard classification reflected in Table 22.
 - (ii) Operating revenue and expenditure by vote reflected in Table 23.
 - (iii) Operating revenue by source and expenditure by type reflected in Table 25.
 - (iv) Multi-year capital appropriations by vote reflected in Annexure 1.
 - (v) Capital expenditure by standard classification reflected in Table 26.
 - (vi) Capital funding by source reflected in Table 26.
 - (vii) Budgeted cash flow statement as reflected in Table 28.
 - (viii) Salaries and benefits of political office bearers, councillors and senior officials as reflected in Table 52 and Table 53.
 - (ix) Performance indicators and benchmarks for 2022/23 as set out in Table 36.
 - (x) Consolidated budget tables for the City and municipal entities (CTICC and CTS) as reflected in Table 99 to Table 108.
 - (xi) Property (Tax) rates as set out in Annexure 2.
 - (xii) City Improvement Districts (CIDs) - Additional Rates as set out in Annexure 3.
 - (xiii) Revised consumptive tariffs, rates and basic charges for electricity generation and distribution, water and sanitation and solid waste management services as set out in Annexure 4.
 - (xiv) Rates policy as set out in Annexure 5.
 - (xv) Tariffs, fees and charges book as set out in Annexure 6.
 - (xvi) Tariff policies as set out in Annexure 7.
 - (xvii) Credit control and debt collection policy as set out in Annexure 8 (with effect from 01 June 2022).
 - (xviii) Grants-in-aid policy as set out in Annexure 9.
 - (xix) Policy on accounts payable as set out in Annexure 10.
 - (xx) Funding and reserves policy as set out in Annexure 11.
 - (xxi) Virement policy as set out in Annexure 12.
 - (xxii) Budget management and oversight policy as set out in Annexure 13.
 - (xxiii) Long term financial plan policy as set out in Annexure 14.
 - (xxiv) Policy governing adjustments budgets as set out in Annexure 15.
 - (xxv) Unforeseen and unavoidable expenditure policy as set out in Annexure 16.
 - (xxvi) Policy governing planning and approval of capital projects as set out in Annexure 17.
 - (xxvii) Cost containment policy as set out in Annexure 18.
 - (xxviii) Municipal entities policy as set out in Annexure 19.

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- (xxix) Integrated Development Plan Financial Plan as set out in Annexure 20.
 - (xxx) Transfers and grants to external organisations as set out in Annexure 21.
 - (xxxi) Individual projects with a total project cost in excess of R50 million (to give effect to Section 19(1)(b) of the MFMA and Regulation 13(1)(b) of the MBRR) as reflected in Table 86 and as set out in Annexure 22.
 - (xxxii) Projected cost covering all financial years until capital projects are operational as well as future operational costs and revenue on projects / programmes, to give effect to sections 19(2) and 19(3) of all projects and programmes as listed in Annexure 22 and Annexure 1.
 - (xxxiii) Detailed capital budget (MBRR Table SA36) as set out in Annexure 23.
 - (xxxiv) Details to capital programmes (2022/23 to 2024/25), as set out in Annexure 24.
 - (xxxv) Detailed operational projects (MBRR Table SA38) as set out in Annexure 25.
 - (xxxvi) Operating- and capital ward allocation projects supported by Subcouncils as set out in Annexure 26.
 - (xxxvii) External mechanisms (MBRR Table SA32) as set out in Annexure 27.
 - (xxxviii) Schedule of service delivery standards as set out in Annexure 28.
 - (xxxix) Iconic and other events to be hosted by the City in 2022/23 as set out in Annexure 29.
 - (xxxx) Cape Town International Convention Centre (CTICC) (Municipal Entity) - Schedule D (annual budget and supporting tables) as set out in Annexure 30.
 - (xxxxi) Cape Town International Convention Centre (CTICC) (Municipal Entity) - Business plan as set out in Annexure 31.
 - (xxxxii) Cape Town International Convention Centre (CTICC) (Municipal Entity) - Tariffs as set out in Annexure 32.
 - (xxxxiii) Cape Town Stadium (CTS) (Municipal Entity) - Schedule D (annual budget and supporting tables) as set out in Annexure 33.
 - (xxxxiv) Cape Town Stadium (CTS) (Municipal Entity) - Business plan as set out in Annexure 34.
 - (xxxxv) Cape Town Stadium (CTS) (Municipal Entity) - Tariff policy and tariffs as set out in Annexure 35.
- (b) the intent of the administration to follow MFMA Section 33 processes on items marked with an 'X' as reflected in the Demand (Procurement) Plan as set out in Annexure 36 to the report on the agenda, be noted

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- (c) the National Treasury MFMA Circulars 112 and 115 (Municipal Budget Circulars for 2022/23) as set out in Annexure 37 to the report on the agenda, be noted
- (d) the Provincial Treasury Municipal Circular 1/2022 as set out in Annexure 38 to the report on the agenda, be noted
- (e) an amount of up to R22 million, to be funded within the Rates account, in support of the Council approved Mayor's Special Fund as contemplated in Section 12 of the MFMA, be approved
- (f) the *Capital Replacement Reserve(CRR): Ward Allocations* for the 2022/23 financial year amounting to R66 780 078 funded from savings identified in the 2021/22 financial year, be approved
- (g) R74 565 996 for 2022/23, R105 000 000 for 2023/24 and R518 850 012 for 2024/25 funded from accumulated surpluses and loan funding, if needed, to provisionally (bridge) fund contractually committed IRT Phase 2A projects generally funded from the NT PTNG:BFI grant, until such time that National Government amends gazetted allocations, be approved. The City will review its funding approach on an annual basis as part of the budget process.
- (h) the high level summary of changes between the tabled and the proposed budget as reported in Annexure B, be adopted. It should be noted that these changes have already been incorporated into Annexure A of this report.
- (i) in addition to the changes already included in the 2022/23 Budget between March and May as reflected in Annexure B as per (h) above, the following amendments also be included relating to Approval Object CPX.0014782 Ground Mounted PV, within the Energy Directorate, funded from EFF in all three years of the 2022/23 MTREF be revised as follows:

Approval object	Approval Object description	Budget 2022/23 (May 2022)	Revised Budget 2022/23	Budget 2023/24 (May 2022)	Revised Budget 2023/24	Budget 2024/25 (May 2022)	Revised Budget 2024/25
CPX.0014782	Ground Mounted PV	7 500 000	47 425 000	127 245 000	107 145 000	19 825 000	0

And that the relevant legislated MBRR Schedule A tables be amended after Council approval, but before the submission of the 2022/23 Budget to National Treasury

- (j) the commencement of a process, in compliance with Section 46 of the Municipal Finance Management Act (MFMA), to take up funding to an amount of R2 billion depending on the City's cash flow requirements, be approved. Should the cash flow position be

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sufficient to fund the capital programme either partially or fully, the funding will be adjusted accordingly.

The ANC, AJ, CCC, EFF and PAC recorded their votes against the above decision.]

ACTION: N ISHMAIL, K FOURIE, K JACOBY

SPC 06/05/22 INTEGRATED DEVELOPMENT PLAN (IDP) AND BUDGET TIME-SCHEDULE: JULY 2022 TO JUNE 2023

RESOLVED that the IDP and Budget time-schedule for July 2022 to June 2023 as contained in Annexure A to the report on the agenda, be approved.

The ANC, AJ, CCC, EFF and PAC recorded their votes against the above decision. The PA abstained.]

ACTION: J YSLIE, H COLE, G MORGAN

At this stage, namely 13H45, the Speaker announced that the meeting would adjourn for lunch. The meeting recommenced at 14H15.

SPC 07/05/22 THE GRANTS-IN-AID ALLOCATION FOR 2021/22 AS RECOMMENDED BY SUBCOUNCIL 18 AND SUBMITTED TO THE GRANTS-IN-AID COMMITTEE FOR CONSIDERATION

RESOLVED that the proposed Grants-in-Aid allocation for 2021/22 totalling R120 000, as recommended by Subcouncil 18, and supported by the Grants-in-Aid Committee, as set out in Annexure A to the report on the agenda, be approved.

ACTION: F MONK, Z MANDLANA

SPC 08/05/22 GRANTS-IN-AID ALLOCATIONS FOR 2021/2022 AS RECOMMENDED BY SOCIAL DEVELOPMENT AND EARLY CHILDHOOD DEVELOPMENT

RESOLVED that:

- (a) the proposed Grants-in-Aid allocation for 2021/2022 totalling R9 836 793.00 as recommended by the Social Development and Early Childhood Development Department and supported by the Section 67 Grants-in-Aid Committee, as set out in Annexure A to the report on the agenda, be approved
- (b) the actual payment of these Grant-in Aid Allocations from Cost Centre 18050500: Social Development and ECO Management, GL 457100 Grant-in Aid: Grants Policy to the list of approved beneficiaries, be approved.

ACTION: N DU TOIT, A SAULS, P NKURUNZIZA, E SASS

SPC 09/05/22 2021/22 GRANT-IN-AID ALLOCATION (WARD 116) AS RECOMMENDED BY SUBCOUNCIL 12 AND SUBMITTED TO THE GRANT-IN-AID COMMITTEE FOR CONSIDERATION

RESOLVED that the proposed Grants-In-Aid allocation for 2021/22 amounting to R300 000, as recommended by Subcouncil 12, and supported by the Grant-In-Aid Committee, as set out in Annexure A to the report on the agenda, be approved.

ACTION: M WILLIAMS, F MONK, Z MANDLANA

SPC 10/05/22 THE GRANTS-IN-AID ALLOCATION FOR 2021/22 AS RECOMMENDED BY SUBCOUNCIL 17 AND SUBMITTED TO THE GRANTS-IN-AID COMMITTEE FOR CONSIDERATION

RESOLVED that the proposed Grants-in-Aid allocation for 2021/22 totalling R 435 000, as recommended by Subcouncil 17, and supported by the Grants-in-Aid Committee, as set out in Annexure A to the report on the agenda, be approved.

ACTION: G RORWANA, F MONK, Z MANDLANA

SPC 11/05/22 THE GRANTS-IN-AID ALLOCATION FOR 2021/22 AS RECOMMENDED BY SUBCOUNCIL 8 AND SUBMITTED TO THE GRANTS-IN-AID COMMITTEE FOR CONSIDERATION

RESOLVED that the proposed Grants-in-Aid allocation for 2021/22 totalling R 50 000, as recommended by Subcouncil 8, and supported by the Grants-in-Aid Committee, as set out in Annexure A to the report on the agenda, be approved.

ACTION: E DAMPIES, E WILLIAMS, L MDUNYELWA, Z MANDLANA

SPC 12/05/22 SUBCOUNCIL 24 (DISBANDED) AND SUBMITTED TO THE GRANTS-IN-AID COMMITTEE FOR CONSIDERATION

RESOLVED that the proposed Grants-in-Aid allocation for 2021/22 totalling R 200 000, as recommended by Subcouncil 24 (Disbanded), and supported by the Grants-in-Aid Committee, as set out in Annexure A to the report on the agenda, be approved.

ACTION: C FRANZ, E WILLIAMS, L MDUNYELWA, Z MANDLANA

ADDITIONAL ITEM

The following resolution of item CIC 05/05/22 related to the Municipal Public Accounts Committee matter was moved to the open agenda, at conclusion of the discussion of this item in the confidential meeting.

The resolution are however recorded as Item SPC 13/05/22.

SPC 13/05/22 HIGH COURT CASE NO. 24107: INTEREST PAYMENT TO CONTRACTOR (IRREGULAR EXPENDITURE: R1 509198)

RESOLVED that:

- (a) the fruitless and wasteful expenditure of R1 509197,51 (one million five hundred and nine thousand one hundred and ninety-seven rand and fifty-one cents), relating to interest paid, should not be regarded as fruitless and wasteful expenditure as the interest was paid as a result of a High Court order issued against the City. The City had no control over the Court outcomes and therefore no negligence was attributable to any officials. The interest incurred after 2012 was due to the City being dependent on the legal timeframes set by the Court.

NO ACTION OWNER

- (b) the Urban Mobility Directorate implements the following additional control measures:
 - (i) Legal negotiations must be more robust in future on disputed service provider claims, including line departments engaging with the Corporate Projects, Programmes and Portfolio Management Department and consulting with Legal Services.
 - (ii) Admission of liability in terms of settlement, i.e. supporting evidence of claim, must be on record.
 - (iii) Timely processing of invoices, and where disputes exist, legal services must be consulted expediently, including interest cost curtailment negotiation as well as rate and tenure.
 - (iv) Monitoring of contract and project management by line departments must be improved, including validity of claims in terms of scope, cost and time.
 - (v) The independent engineer (professional service provider) is responsible to the City and should look after the interest of the City, i.e. the professional service provider must be investigated in terms of joint liability for the interest claims.

ACTION OWNER: D CAMPBELL

- (c) it be noted that legal negotiations will be more robust in future on disputed service provider claims, the line department's role is limited, and efforts will be better motivated.

[The ANC and AJ recorded their votes against the above decision. The EFF abstained.]

ACTION: D CAMPBELL

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THE MEETING CONCLUDED AT 14H30.

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**ALD F PURCHASE
SPEAKER**

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DATE