



MINUTES OF THE 8TH EXTRA-ORDINARY COUNCIL MEETING OF THE CITY OF JOHANNESBURG MUNICIPALITY CONVENED ON WEDNESDAY, 28 SEPTEMBER 2022 AT 10:00, AT THE CONSTANCE CONNY BAPELA COUNCIL CHAMBER, METROPOLITAN CENTRE, BRAAMFONTEIN.

A G E N D A

- 1 OPENING**
- 2 APPLICATIONS FOR LEAVE OF ABSENCE**
- 3 ELECTION OF THE SPEAKER OF COUNCIL**
- 4 ANNOUNCEMENTS BY THE SPEAKER**
- 5 CLOSURE**

MEMBERS PRESENT

The Acting City Manager: Mr Bryne Maduka
 The Executive Mayor: Councillor Phalatse, M

Abdool, F	Galeshewe, T M
Alexander, W R	Gantsho, L
Amad, T	Goosen, J W
Amod, C J	Gwamanda, K
Arnolds, M S	Harris, R
Atterbury, E	Hlatshwayo, S M
Avant-Smith, C	Hoén, J N
Baloyi, D L	Homer, C
Benjamin, R F	Horwitz, J
Bini, L	Huggett, E A
Bittkau, R	Hughes, Z
Boer, C	Ismail-Moosa, I
Bolani, M G	Jacobs, B
Brand, D G	Jainoodeen, Z
Buthelezi, T C	Johnson, N
Chabalala, M D	Jonker, N
Chair, C A	Kaldine, J
Chame, F	Kgeletsane, M O
Chauke, K L	Khanyile, N M
Chetsanga, H	Khumalo, X I
Christians, A	Knott, L R
Coogan, L C	Koekemoer, M
Coutriers, M J	Komane, S A
Coverdale, D L T	Kwapeng, C
Crichton, M	Landis, R
Da Gama, V M	Lebatlang, T Z
Da rocha, C M D	Lebea, M G
Dammie, B H	Lefutso, L
Davids-Green, L C	Leshilo, R S
Davis, M R	Liebenberg, E
De Lange, F C	Lobi, M
Dellwaria, N	Louw, M A
Deppe, A J	Maake, M J
Dewes, D S	Mabaso, M P
Dladla, D	Mabelebele, S S
Dlamini, B	Mabuke, T A
Dlanjwa, M	Mabunda, T E
Durand, G V M	Mabuza, S K L
Echeozonjoku, B C	Machaba, L M U
Edward, N	Machethe, S
Finn, C E	Madiba, T J
Foley, D T	Magwaza, B L P
Fourie-Shawe, C	Magwentshu, L C
Francisco, D B	Maila, S M
Fresling, R R	Majola, S

Makamo, S S
 Makhuba, H N
 Makhubele, T C
 Maluleka, T
 Manganyi, D B
 Mangena, T D
 Marais, A F
 Marais, S I
 Marema, V A
 Marumo, T
 Mashala, K
 Mashinini, S
 Masoga, L M
 Masuku, L
 Maswazi, R
 Mathe, G
 Mathe, Z E
 Mavhona, L S
 Mazibuko, A L
 Mazibuko, N
 Mazibukwana, M
 Mbundu, N N
 Mchunu, A
 Meyers, T
 Mgaga, B
 Mgcina, S E
 Mhlari, T M
 Mhlongo, T A
 Mkasi, G
 Mkhize, T
 Mkhonto, M S
 Mkhonza, N F
 Mmbengwa, M N
 Mmota, L
 Mngadi, W B
 Mnisi, N D
 Mnyameni, M
 Moatshe, K
 Modladlaba, D S
 Modukanene, L C
 Modupi, D N
 Moepi, N J D
 Moeti, O T
 Mofokeng, J
 Mofokeng, M P
 Mogapi, T A
 Mohlala, C
 Mohlala, P K
 Mokoari, Z
 Mokoena, G
 Mokoka, M L
 Mokwena, T M
 Molefe, E W
 Molefe, M
 Molefe, S B
 Molise, L D
 Moloisane, D
 More, E
 Morero, S E
 Mosehla, K J
 Mothopi, O Z
 Mphaho, M A
 Mphahlele, M
 Mphefo, L M P
 Mpolobosho, M M
 Mposula, T
 Mpotulo, G S
 Mthembu, M N
 Mulelu, M
 Munyayi, V E
 Mutavhatsindi, N T
 Nair, R K
 Ndlela, M C
 Ndou, N L
 Ndou, P
 Ndou, P
 Ndzondo, C M
 Nefdt, P W
 Nenemba, T
 Nethamba, R
 Ngema, S V
 Ngobeni, L M
 Ngobeni, R F
 Ngoepe, C S
 Nguse, S
 Ngwenya, F N
 Ngwenya, J A
 Nhlapo, C P
 Niemand, G J
 Nkokou, T P
 Nkomo, B
 Nkomo, E T
 Nkomo, P T
 Nkosi, R A L
 Nkubungu, L
 Nkwanyana, P B
 Nofemela, N
 Nonkumbi, I M
 Nontenja, C T
 Novela, M

Ntoele, N L
 Ntombela, M J
 Ntshidi, T E
 Nyembe, Z P
 Nzimande, C
 Papo, M M
 Pelzer, R
 Phakathi, S
 Phillips, L E
 Phometsi, P S
 Pietersen, J
 Pietersen, N
 Ponsonby, D A
 Radebe, N P
 Radebe, T T
 Rafferty, P D
 Rahn, N J
 Raholane, M W
 Rakosa, P M
 Ramafikeng, D J
 Ramaru, G
 Rambani, N S
 Raphadu, A T
 Raseruthe, S H
 Reddy, V M
 Reinten, I M
 Roberts, F C
 Rohlssen, C K
 Santana, C G
 Sauls, A
 Schay, D
 Seema, S M
 Seerane, M K
 Sekhu, M V
 Sekwaila, B J
 Sesedinyane, M I
 Shackelford, L M
 Shange, P A
 Sherman, G J
 Shumba, K A
 Sifumba, N
 Simelane, P
 Simelane, S O
 Sindani, F P
 Smit, P A
 Sobey, A
 Steenkamp, D
 Steer, B
 Stewart, P S
 Stewart, A J
 Suddaby, J
 Sun, Y H
 Supe, N P
 Tabane, M C
 Tambani, P S
 Tefu, P V
 Telekoa, A T
 Tembe, D S
 Truluck, T F
 Tshedo, J G
 Tshehlo, G J
 Tsotetsi, L Y M
 Twala, Y A
 Van der Merwe, M
 Van der Schyf, C
 Van Dyk, N J
 Van Wyk, W M
 Wax, K P
 Williams, M C
 Wilskut, D
 Wissler, S T J
 Wittman-Potter, D D
 Xuma, L
 Zama, A A D
 Zazini, A
 Zitha, S L
 Zondo, L T
 Zungu, N G
 Zwane, S

1 OPENING

The acting City Manager, Mr B Maduka requested Council to stand and observe a moment of silence.

He then welcomed the Executive Mayor; the Whip of Council; Members of the Mayoral Committee; Chair of Chairs; Chairpersons of the various Section 79 Committees, Leaders and Whips of the various political parties in Council; Councillors; Acting Secretary to council; Executive and Legislature management teams; members of the public and members of the Media to the 8th Extra-Ordinary Council meeting of the City of Johannesburg Municipality.

The City Manager requested the official from OHASA to give a brief instruction on health and safety issues.

He requested legal to confirm quorum, and it was confirmed there were 270 Councillors in the Chamber. The acting City Manager urged Councillors to sign the register.

A special welcome was extended to the following new Councillors:

- *Mkhonza NF (ACDP)*
- *Rohlssen CK (ACDP)*
- *Abdool F (UIM)*
- *Rakosa PM (ActionSA)*
- *Peltzer R (FF+)*
- *Nyembe MM (IFP)*

Councillor Arnolds M (AIC) raised a concern that according to her knowledge, there was a case that was being heard in a court of law, pertaining to ACDP and that the matter was sub judice and she did not understand why the new ACDP Councillors were allowed to be in the Chamber on those grounds.

Councillor Harris R (ACDP) in his response said there was indeed a case but the case in itself does not concern anyone but the ACDP. He further said that the ACDP has dealt with the matter soundly, and they trust that Council would accept that ACDP was an independent party.

2 APPLICATIONS FOR LEAVE OF ABSENCE

None.

3 ELECTION OF THE SPEAKER OF COUNCIL

The Acting City Manager reminded Councillors that a vacancy for the position of the Speaker of Council has occurred due to a motion of no confidence passed by Council on the 31 August 2022. He indicated that it has thus become necessary to fill the said vacancy in terms of Section 36 of the Local Government: Municipal Structures Act, 1998, the Act, (Act no.117 of 1998), as amended shall apply.

Section 36 - Election of Speakers

1. ...
2. *A vacancy in the office of the speaker must be filled when necessary.*
3. *The municipal manager must preside over the election of a speaker.*
4. *The procedure set out in Schedule 3 applies to the election of a speaker.*
5. ...

Schedule 3 to the Municipal Structures Act

- *In terms of the Schedule 3 to the Act, the person presiding must call for nominations of candidates for the vacant position of speaker at this meeting;*
- *Each nomination must be submitted on the prescribed form and must be signed by two Councillors, a nominee and a seconder;*
- *A person's nomination must indicate acceptance of the nomination by signing the nomination form;*
- *Furthermore, Councillors' attention is drawn to item 4 of Schedule 3 to the Act, in terms of which the person presiding at this meeting must announce the names of persons who have been nominated as candidates but may not permit a debate.*
- *In terms of Item 5 of the Schedule, if only One Candidate has been nominated, the person presiding must declare that candidate elected.*
- *If more than one candidate is nominated, and in accordance with Item 6 of the Schedule:*
 - a) *A vote must be taken at the meeting by secret ballot;*
 - b) *Each Councillor present at the meeting may cast one vote;*
 - c) *The person presiding must declare elected the candidate who receives the majority of the votes*
- *In terms of Item 7 of the Schedule; "Elimination Procedure,*
 - 1) *If no candidate receives a majority of the votes, the candidate who receives the lowest number of votes must be eliminated and a further vote taken on the remaining candidates in accordance with Item 6. This procedure must be repeated until a candidate receives the majority of the votes.*
 - 2) *When applying subitem (1), if two or more candidates each have the lowest number of votes, a separate vote must be taken on those candidates and repeated as often as may be necessary to determine which candidate is to be eliminated".*

- *In terms of Item 8, "Further meetings,*
 - 1) *If only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, a further meeting must be held within seven days at a time determined by the person presiding.*
 - 2) *If a further meeting is held in terms of subitem (1), the procedure prescribed in this Schedule must be applied at that meeting as if it were the first meeting for the election in question.*
 - 3) *If at a further meeting held in terms of subitem (1) only two candidates are nominated, or if only two candidates remain after the elimination procedure has been applied, and those two candidates receive the same number of votes, the person presiding at such meeting must determine by lot who of the two candidates will hold the office for which the election has taken place"*

He stated that the Independent Electoral Commission (IEC) has been requested to conduct the election and they have acceded to the request. He requested all Councillors and the relevant officials to cooperate with the IEC in this regard.

He mentioned that the meeting will proceed with the election of the Speaker of the City of Johannesburg Municipality, in accordance with Schedule 3 of the act. He called for nominations of candidates for the vacant position of the Speaker. He further said that 30 minutes caucus break would be granted, thereafter, nomination forms would be distributed to all political parties through party Whips. Once IEC has determined the correctness of the forms, together with the party Whips; the forms would be issued to the Acting City Manager to confirm same; then sent back to IEC to proceed with the nomination process and he would outline the rest of the process around the voting that needs to take place.

He added that parties would be requested to nominate one party agent per party, who was a Councillor of the City of Johannesburg and would observe the voting and counting process.

AT THIS POINT, TIME BEING 10:57, THE ACTING CITY MANAGER GRANTED 30 MINUTES BREAK

Acting City Manager confirmed that four nomination forms were received and two of the forms were blank. The other two were duly compliant and requested IEC to issue duly compliant forms to their authors to proceed with the nomination process.

Councillors Mngina (ANC) seconded by Councillor Arnolds (AIC) nominated Councillor Makhubele (COPE) for the position of the Speaker of Council.

Councillor Sifumba (DA) seconded by Councillor Alexander (DA) nominated Councillor Christians (DA) for the position of the Speaker of Council

Councillors Christians A (DA) and Makhubele TC (COPE) subsequently accepted the Nominations.

Voting commenced and results were as follows:

Councillor Christians A (DA) – 129

Councillor Makhubele TC (COPE) – 141

The acting City Manager declared Councillor C Makhubele as the Speaker of Council.

The Speaker, Councillor C Makhubele addressed Council as follows:

“May I start by honouring the bravest Councillors that I have ever met, most selfless Councillors that did not think of their own pockets, their economic status when they had to vote for the residents of the City of Johannesburg. Councillors Sithole, Reddy, Dyers, Phakathi, we honour you in this House. For as long as I’m the Speaker in this House, we will keep on honouring your contribution to the City of Johannesburg. Thank you very much.

I also want to acknowledge all the party leaders that are here. We thank you for your commitment to the City of Johannesburg and to the residents of the City of Johannesburg, and for ensuring that the city is stable; the City works and is serving the residents. We thank you for your support, you’ve been with us the whole day, we’ve recognized... I don’t know everyone who’s here, but we’ve seen the MEC who is here, Panyaza Lesufi; we’ve seen MMC from the IFP, from the Ekurhuleni. We’ve seen the Provincial Leaders and the Regional leadership of the ANC. We’ve seen the leadership of the Patriotic Alliance, we thank you, we salute the commander, Mr Kenny Kunene. We’ve seen Michael Beaumont and nate Bongani Baloyi from ActionSA, I didn’t see everyone, but I salute you and I thank you. I have seen the Congress of the People leadership that is here, I thank you for your support. Thank you for not firing me for doing my duties in the City of Johannesburg. I haven’t finished honouring the leadership, there’s the leadership of the EFF as well; and all the parties that are here; the leadership of the minority parties; I recognize all the parties.

If I have left anyone out, please let me know but we recognize all the leaders that are here, we would not be here as Councillors if not for your hard work, your dedication, and the support that you give us. But before we start, I truly want us to just take a moment of silence for the residents of Eldorado Park. It’s been a trying time for them, while we’re busy politicking, we’ve lost over 20 lives. We’ve been there to assist the community for the past three weeks and I would like us to continue to do so. In my capacity as a speaker, we’ll ensure that the executive is held accountable for the community of Eldorado Park. And I would like us to stand for a moment of silence please, for the lives that have been lost.

I just want to recognize the legacy of Mama Connie Bapela in this House, and my prayer today is that I can live up to that legacy. We restore the honour and the order of this House. We restore the decorum of this House. She was a leader who recognised all Councillors as Councillors, irrespective of any party. She dedicated her life to the residents of the City of Johannesburg; this House was named after her for the purpose. The transparency that you see, the people that are here, because she was passionate about public participation, so today, we want to go back to that legacy. This House will maintain order. The Speaker position will be known for holding executives accountable, transparency, honesty and living up to our oath of office, in serving the residents of the City of Joburg – can we have a moment of silence for her as we honour her legacy.

As I wrap up, I want to encourage all Councillors. Today, we have reinforced the voice of the minorities and I want to recognize the minorities in this House. I recognize your leadership. I recognize the voice of the minority parties in this House and I would like to assure you that the voice of the minorities, the 0,003%, will be heard in this House going forward. We will work together; big parties, small parties are all going to live up to the emblem that is above us that says, "Unity in Development", and all of us are going to serve the residents of the City of Johannesburg.

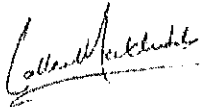
In conclusion, I would like to draw wisdom from utata Nelson Mandela, when he said, "Let there be justice for all." Let there be peace for all the residents of the City of Johannesburg, let there be work for all. Let there be water, bread and salt for all the residents of the City of Johannesburg. Whether you're in Orange Farm, Cosmo City, you're in Tjovitjo, you're in Eldos, you're in Ivory Park, there will be service delivery for all the residents of the City of Johannesburg. Councillors on that note, I would like to thank you and we're going to adjourn this meeting. All the hands that are lifted, we will take them when we have our next Special Council."

4 ANNOUNCEMENTS BY THE SPEAKER

Speaker announced that she would be making announcement for a Special Programming Committee meeting and a Special Council that will be held after recess. She wished Councillors a blessed, refreshing recess.

5 CLOSURE

THE MEETING ADJOURNED AT 17:12.



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SPEAKER OF COUNCIL
CLLR C MAKHUBELE

02/05/2023

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DATE