



**MINUTES OF THE 24<sup>TH</sup> EXTRA-ORDINARY COUNCIL MEETING OF THE CITY OF JOHANNESBURG MUNICIPALITY HELD ON MONDAY, 20 NOVEMBER 2023, AT THE CONSTANCE CONNIE BAPELA COUNCIL CHAMBER, BRAAMFONTEIN, AT 10:00.**

**CITY MANAGER  
MR F BRINK**

**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 Speaker: Councillor

The Executive Mayor: Councillor K Gwamanda

Abdool, F	Lobi, M
Amad, T	Maake, M J
Arnolds, M S	Mabaso, M P
Atterbury, E	Mabelebele, S S
Baloyi, D L	Mabuke, T A
Bini, L	Mabunda, T E
Boer, C	Mabuza, S K L
Bolani, M G	Machaba, L M U
Buthlezi, T C	Machethe, S
Chauke, K L	Madiba, T J
Chetsanga, H	Magwaza, B L P
Chuma, A T	Magwentshu, L C
Coutriers, M J	Majola, S
Coverdale, D L T	Makamo, S S
Davids-Green, L C	Makhafola, E
De Lange, F C	Makhuba, H N
Dladla, D	Maluleka, T
Dlamini, B	Manganyi, D B
Doyle, T	Mangena, T D
Durand, G V M	Marema, V A
Edward, N	Marumo, T
Francisco, D B	Mashala, K
Fresling, R R	Mashinini, S
Galeshewe, T M	Masoga, L M
Gantsho, L	Masuku, L
Gwamanda, K	Maswazi, R
Harris, R	Matabane, O
Hlatshwayo, S M	Mathe, G
Ismail-Moosa, I	Mathe, Z E
Jainoodeen, Z	Mavhona, L S
Johnson, N	Mazibuko, N
Kaldine, J	Mazibukwana, M
Khanyile, N M	Mchunu, A
Khumalo, X I	Mgaga, B
Komane, S A	Mgcina, S E
Kunene, K	Mhlari, T M
Kwapeng, C	Mhlongo, T A
Lebatlang, T Z	Mkasi, G
Lebea, M G	Mkhize, T
Lefutso, L	Mkhonto, M S
Leitch, A N	Mkhonza, N F
Leshilo, R S	Mmbengwa, M N
Liebenberg, E	Mmota, L

Mngadi, W B	Ngwenya, J A
Mnisi, N D	Ngwetsheni, M M
Mnyameni, M	Nhlapo, C P
Moatshe, K	Nkokou, T P
Modladlaba, D S	Nkomo, E T
Modukanene, L C	Nkomo, P T
Modupi, D N	Nkonyeni, S P
Moepi, N J D	Nkosi, R A L
Moeti, O T	Nkubungu, L
Mofokeng, J	Nofemela, N
Mofokeng, M P	Nonkumbi, I M
Mogapi, T A	Nontenja, C T
Mohlala, C	Ntoele, N L
Mohlala, P K	Ntombela, M J
Mokoari, Z	Ntshidi, T E
Mokoena, G	Nyembe, M M
Mokoka, M L	Nyembe, Z P
Mokwena, T M	Nzimande, C
Molefe, E W	Pelzer, R
Molefe, M	Phillips, L E
Molefe, S B	Phometsi, P S
Molise, L D	Ponsonby, D A
More, E	Radebe, N P
Morero, S E	Radebe, T T
Mosehla, K J	Rafferty, P D
Mothopi, O Z	Raholane, M W
Mphaho, M A	Rakosa, P M
Mphahlele, M	Ramafikeng, D J
Mpolobosho, M M	Raphadu, A T
Mposula, T	Raseruthe, S H
Mpotulo, G S	Rohlssen, C K
Mthembu, M N	Seema, S M
Mulelu, M	Seerane, M K
Munyayi, V E	Sekwaila, B J
Mutavhatsindi, N T	Sesedinyane, M I
Nair, R K	Shange, P A
Ndlela, M C	Shumba, K A
Ndou, N L	Simelane, P
Ndou, P	Simelane, S O
Ndou, P	Simonse, L C
Ndzondo, C M	Sindani, F P
Nefdt, P W	Smit, P A
Nenemba, T	Sobey, A
Nethamba, R	Supe, N P
Ngema, S V	Tabane, M C
Ngobeni, L M	Tambani, P S
Ngoepe, C S	Tefu, P V
Nguse, S	Telekoa, A T
Ngwenya, F N	Tshedo, J G

Tshehlo, G J	Xuma, L
Tsotetsi, L Y M	Zazini, A
Twala, Y A	Zitha, S L
Van Wyk, W M	Zondo, L T
Wilskut, D	Zungu, N G
Wissler, S T J	Zwane, S

## 1 OPENING

*The City Manager, Mr F Brink requested Council to stand and observe a moment of silence.*

*He welcomed the Executive Mayor - Councillor Kabelo Gwamanda, the Whip of Council – Councillor Godslove Zungu, Chair of Chairs - Councillor Lloyd Phillips, Members of the Mayoral Committee, Chairpersons of the various Section 79 Committees, leaders and whips of the various political parties in Council, Councillors, Acting Secretary to Council - Mr Andile Gobinca, Executive & Legislature management teams, Regional Court President, RCP Modibedi Djadje, officials of the City, members of the public, members of the media, ladies and gentlemen to the 24<sup>th</sup> Extra-Ordinary Council Meeting of the City of Johannesburg Municipality which is meant to elect the Speaker of Council. A special welcome was extended to Councillor John Motlhwane Mokome who is replacing former Councillor Colleen Makhubele who has vacated office.*

*He afforded the political party whips 10 minutes to ensure that all members of their respective caucuses had signed the register.*

*The City Manager asked the Legal Advisors to confirm the number of Councillors present so as to confirm the quorum. He said that for the purpose of accuracy, they are going to verify attendance through the register and they would also count the warm bodies, therefore, requested all Councillors to remain seated to allow legal to do the counting.*

*He stated that the Councillors were aware that the total number of Councillors is 270 and the quorum consists of 50%+1, 135+1 which is 136 Councillors, there were 161 Councillors who have signed the register and 169. The Councillors present in the chamber, as a result, there was a quorum and the meeting could continue.*

## 2 APPLICATIONS FOR LEAVE OF ABSENCE

*The following applications for leave of absence from this meeting were granted:*

<i>Councillor Dammie, B H</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Tshwaku, M</i>	<i>:</i>	<i>Council Business</i>

*The Chief Whip stated that he had received an apology from the DA caucus stating that they were unable to attend the meeting due to the short notice period and prior commitments that DA Councillors could not cancel at the late stage.*

*Councillor Avant-Smith, C  
Councillor Benjamin, R F  
Councillor Bittkau, R  
Councillor Brand, D G  
Councillor Chabalala, M D  
Councillor Chame, F  
Councillor Christians, A  
Councillor Coogan, L C  
Councillor Crichton, M  
Councillor Da Gama, V M  
Councillor Da rocha, C M D  
Councillor Deppe, A J  
Councillor Dewes, D S  
Councillor Echeozonjoku, B C  
Councillor Finn, C E  
Councillor Foley, D T  
Councillor Fourie-Shawe, C  
Councillor Goosen, J W  
Councillor Harman, L J  
Councillor Hoén, J N  
Councillor Homer, C  
Councillor Hooper, R S  
Councillor Horwitz, J  
Councillor Huggett, E A  
Councillor Hughes, Z  
Councillor Jacobs, B  
Councillor Jacobs, K  
Councillor Jonker, N  
Councillor Kgeletsane, M O  
Councillor Knott, L R  
Councillor Koekemoer, M  
Councillor Kreusch, S  
Councillor Landis, R  
Councillor Louw, M A  
Councillor Maila, S M  
Councillor Marais, A F  
Councillor Marais, S I  
Councillor Mazibuko, A L  
Councillor Meyers, T  
Councillor Moloisane, D  
Councillor Mphefo, L M P  
Councillor Ncube, W M  
Councillor Niemand, G J  
Councillor Nkomo, B*

*Councillor Nkwanyana, P B*  
*Councillor Papo, M M*  
*Councillor Pietersen, J*  
*Councillor Pietersen, N*  
*Councillor Rahn, N J*  
*Councillor Ramaru, G*  
*Councillor Rambani, N S*  
*Councillor Reddy, V M*  
*Councillor Reinten, I M*  
*Councillor Roberts, F C*  
*Councillor Santana, C G*  
*Councillor Schay, D*  
*Councillor Sekhu, M V*  
*Councillor Shackelford, L M*  
*Councillor Sherman, G J*  
*Councillor Sifumba, N*  
*Councillor Steenkamp, D*  
*Councillor Steer, B*  
*Councillor Stewart, A J*  
*Councillor Suddaby, J*  
*Councillor Sun, Y H*  
*Councillor Truluck, T F*  
*Councillor Van der Merwe, M*  
*Councillor Van Dyk, N J*  
*Councillor Wax, K P*  
*Councillor Williams, M C*

*The following Councillors requested to arrive late.*

*Councillor Sesedinyane, M I*  
*Councillor Mathe, Z E*  
*Councillor Khanyile, N M*  
*Councillor Mkhize, T*

*Councillor Rafferty (PA) said that he wanted the residents of the City of Johannesburg to know that the Whippery Meeting was held on Friday, 17 November 2023 and the DA never registered their concern as stated on their apology. He reminded Councillors that they were invited to the Orlando Stadium.*

*The City Manager requested Council to observe another moment of silence for the passing of Councillor F Abdool's mother.*

### **3 ELECTION OF THE SPEAKER OF COUNCIL**

*The City Manager reminded Councillors that a vacancy for the position of the Speaker of Council has occurred due to the vacation of Office by the former Speaker in line with Section 27 (c) of the Local Government: Municipal Structures Act no 117 Of 1998 ("hereinafter referred to as the act"), as amended.*

*He indicated that there is thus a vacancy in the Office of the Speaker and the provisions of Section 36 of the act 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 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 to 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 Sub-Item (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 Sub-Item (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"*

*The City Manager said that the Independent Electoral Commission (IEC) has been requested to conduct the election and they have acceded to the request. He therefore requested all Councillors and relevant officials to cooperate with the IEC in that 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 function as mentioned earlier. He thereafter called the IEC to take Councillors through the process.*

*Councillor De Lange (VF+) sought clarity from the IEC if they would start with political caucuses in alphabetical order or will it be in alphabetical order of the Councillors.*

*Mr Rafick (IEC) in his response indicated that they would begin with the party agents, then follow Councillors who require special votes and lastly Councillors per party in alphabetical order. He thereafter took Councillors through the voting process as follows:*

*The election shall be conducted by secret ballot.*

*Access shall be restricted only to the Councillors of the City of Johannesburg. All other stakeholders may observe from the gallery.*

#### *1.1 Identification*

- *Councillors will be requested to present their green barcoded ID, smart card or temporary ID as a form of identification.*

#### *1.2 Party observing the election process*

- *Parties will be requested to nominate one party agent. The party agents must be Councillors of the City of Johannesburg Municipality and may observe the voting and counting process.*

### 1.3 Roll call and voters' roll

- *An updated name list with full names and ID numbers of the 270 Councilors in the City of Johannesburg will be used as the voter's roll.*
- *Councillors absent on the day will be indicated when roll call is taken.*
- *The Acting Secretary to Council will read the names as they appear on the voters roll in alphabetical order.*
- *Party agents will be given preference to cast their votes.*
- *Councillors will then be called 4 at a time to cast their ballot.*
- *Councillors will be marked off the voters roll once they have voted.*
- *Councillors who are present but not feeling well and wish to vote must inform the presiding officer so that special arrangements can be made to accommodate them for special votes.*

### 1.4 Ballot papers

- *Ballot papers will be printed once the nominations are confirmed by the presiding officer in consultation with the party agents.*
- *Only 275 ballot papers will be printed and confirmed by party agents. (allowing for 5 additional/extra ballot papers).*
- *The ballot paper will only have the names of the candidates printed (no photos).*
- *A ballot will be issued after the name has been marked off the roll.*

### 1.5 Marking of ballot

- *After receiving the ballot paper, the voter proceeds to the Voting booth to casts his/her vote.*
- *The marked ballot must be folded once.*

### 1.6 Casting of vote

- *The voter now casts his/her vote by putting it in the ballot box.*
- *The voter returns to his/her seat.*

### 1.7 Counting and Results

- *Counting will follow immediately after the elections.*
- *The ballot box will be opened in the presence of all party agents.*
- *All ballots will be reconciled and verified.*
- *Ballots will be sorted and counted according to candidates.*
- *Results slip will be completed and signed by the party agents.*
- *Results will be handed to the presiding officer.*

*The City Manager said that 10 minutes caucus break would be granted for the nomination forms to be distributed to all political parties through party Whips.*

**AT THIS POINT, TIME BEING 11:07, THE ACTING CITY MANAGER GRANTED 10 MINUTES BREAK**

*Mr Rafick (IEC) indicated that they had issued 2 nominations forms. Announcement to Council."*

*Councillor Marema (ANC) requested for an additional 5 minutes for caucus break.*

*The City Manager acceded to the request and said Council would resume at 11:30*

*On resumption, the City Manager confirmed that two nomination forms were received, and one was blank. The other one was from Councillor Nkokou (PAC) seconded by Councillor Mhlongo (AIC) and nominated Councillor Arnolds (AIC) for the position of the Speaker of Council. He confirmed that the form was duly compliant and signed.*

*He requested that the proposer, followed by the seconder rise and read their nomination forms, and thereafter the nominee to confirm acceptance respectively.*

*Councillor Nkokou (PAC) seconded by Councillor Mhlongo (AIC) read out their nomination forms, followed by Councillor M Arnolds (AIC) confirming the acceptance of the nomination.*

*The City Manager stated that in terms of Item 5 of the Schedule if only one candidate has been nominated, the person presiding must declare that candidate duly elected. He therefore declared Councillor M Arnolds (AIC) as the Speaker of Council of the City of Johannesburg Metropolitan Municipality. He further congratulated Councillor Arnolds as the Speaker of Council. He thereafter requested Council to allow for a 10-to-15-minute break to allow for the Regional Court President to arrive.*

#### **4 ANNOUNCEMENTS BY THE SPEAKER**

*The Speaker of Council, Councillor M Arnolds (AIC) addressed Council as follows:*

*"Thank you, Councillors. And thank you to the media, City Manager. Thank you for holding the fort while we did not have a Speaker. Greetings to everyone present in this Extra-Ordinary Council Meeting. Greetings to the residents of the City of Johannesburg. I also want to greet the Deputy President of the African Independent Congress, who is also the Mayor of Ekurhuleni, Mr S Ngodwana. AIC Councillors from different regions were present. I would like to acknowledge the leadership of the Government of Local Unity; all political party leaders present in this meeting. City Manager once again, thank you so much for holding the fort. The Acting Secretary to Council, funda Andile funda.*

*Officials of the City, residents of Johannesburg, members of the media, ladies and gentlemen, I would like to express, first, gratitude to the African Independent Congress for deploying me in the City of Johannesburg, for having confidence in me leading the caucus of the AIC. I would also want to thank the minority governing parties for having confidence in me in leading them since the 4<sup>th</sup> of December 2021, up until today. Government of Local Unity, you have always worked, and you are still working,*

*I am humbled. Councillors of the City of Johannesburg, I thank you for entrusting me with this position, but I also want to trust my Heavenly Father for giving me this position. Lord, your time is not my time. You have plans for me, and you have made your plans for me.*

*The Speaker of Council is amongst others responsible for safeguarding the independence of Council maintaining the authority thereof and ensuring that the Standing Rules and Orders of Council are observed. Councillors, it is indeed possible for the Speaker to achieve such by working together with all 270 Councillors, political party leaders and whips. It is incumbent on all of us to ensure that the decorum of Council is maintained collectively, by one or two. This is the platform that we use to represent the views of our constituencies and the general residents of the City of Johannesburg. This is a space where we share ideas as to how best to service our residents. Therefore, we need to protect and use this space fruitfully, to the benefit of our residents. I also want to thank my ex-daughter-in-law, Natasha Ralph, for being here with me today. I thank you, baby.*

*Once more, thank you very much Councillors, I am really, really honoured and humbled.*

*I thank you”.*

**5 CLOSURE**

*The Speaker announced that Councillors would be informed of the details of the next Council Meeting in due course.*

THE MEETING TERMINATED AT 12:10.



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SPEAKER OF COUNCIL  
CLLR M ARNOLDS

2024-01-24

.....  
DATE