



CITY OF JOHANNESBURG
METROPOLITAN MUNICIPALITY
OFFICE OF THE SPEAKER

MINUTES OF THE 16TH EXTRA-ORDINARY COUNCIL MEETING OF THE CITY OF JOHANNESBURG MUNICIPALITY HELD ON FRIDAY, 05 MAY 2023, 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 ELECTIONS OF THE EXECUTIVE MAYOR**
- 4 ANNOUNCEMENTS**
- 5 CLOSURE**

1B MEMBERS PRESENT

The Speaker: Councillor Makhubele, T C

The Executive Mayor: Councillor

Abdool, F	Gwamanda, K
Amad, T	Harris, R
Amod, C J	Hlatshwayo, S M
Arnolds, M S	Hoén, J N
Atterbury, E	Homer, C
Avant-Smith, C	Hooper, R S
Baloyi, D L	Horwitz, J
Benjamin, R F	Huggett, E A
Bini, L	Hughes, Z
Bittkau, R	Ismail-Moosa, I
Boer, C	Jacobs, B
Bolani, M G	Jainoodeen, Z
Brand, D G	Johnson, N
Buthlezi, T C	Jonker, N
Chabalala, M D	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	Kreusch, S
Crichton, M	Kunene, K
Da Gama, V M	Kwapeng, C
Da rocha, C M D	Landis, R
Dammie, B H	Lebatlang, T Z
Davids-Green, L C	Lebea, M G
De Lange, F C	Lefutso, L
Dellwaria, N	Leitch, A N
Deppe, A J	Leshilo, R S
Dewes, D S	Liebenberg, E
Dladla, D	Lobi, M
Dlamini, B	Louw, M A
Doyle, T	Maake, M J
Durand, G V M	Mabaso, M P
Echeozonjoku, B C	Mabelebele, S S
Edward, N	Mabuke, T A
Finn, C E	Mabunda, T E
Foley, D T	Mabuza, S K L
Fourie-Shawe, C	Machethe, S
Francisco, D B	Madiba, T J
Fresling, R R	Magwaza, B L P
Galeshewe, T M	Magwentshu, L C.
Gantsho, L	Maila, S M
Goosen, J W	Majola, S

Makamo, S S	Molefe, M
Makhafola, E	Molefe, S B
Makhuba, H N	Molise, L D
Maluleka, T	Moloisane, D
Manganyi, D B	More, E
Mangena, T D	Morero, S E
Marais, A F	Mosehla, K J
Marais, S I	Mothopi, O Z
Marema, V A	Mphaho, M A
Marumo, T	Mphahlele, M
Mashala, K	Mphefo, L M P
Mashinini, S	Mpolobosho, M M
Masoga, L M	Mposula, T
Masuku, L	Mpotulo, G S
Maswazi, R	Mthembu, M N
Mathe, G	Mulelu, M
Mathe, Z E	Munyayi, V E
Mavhona, L S	Mutavhatsindi, N T
Mazibuko, A L	Nair, R K
Mazibuko, N	Ndlela, M C
Mazibukwana, M	Ndou, N L
Mbundu, N N	Ndou, P
Mchunu, A	Ndou, P
Meyers, T	Ndzondo, C M
Mgaga, B	Nefdt, P W
Mgcina, S E	Nenemba, T
Mhlari, T M	Nethamba, R
Mhlongo, T A	Ngema, S V
Mkasi, G	Ngobeni, L M
Mkhize, T	Ngobeni, R F
Mkhonto, M S	Ngoepe, C S
Mkhonza, N F	Nguse, S
Mmbengwa, M N	Ngwenya, F N
Mmota, L	Ngwenya, J A
Mngadi, W B	Nhlapo, C P
Mnisi, N D	Niemand, G J
Mnyameni, M	Nkokou, T P
Moatshe, K	Nkomo, B
Modiavlaba, D S	Nkomo, E T
Modukanene, L C	Nkomo, P T
Modupi, D N	Nkosi, R A L
Moepi, N J D	Nkubungu, L
Moeti, O T	Nkwanyana, P B
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
Molefe, E W
Nzimande, C
Papo, M M
Pelzer, R
Phalatse, M
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
Schay, D
Seema, S M
Seerane, M K
Sekhu, M V
Sekwaila, B J
Sesedinyane, M I
Shackleford, 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, 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
Tshawaku, M
Tsheddo, J G
Tshehlo, G J
Tsoetsi, 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
Zazini, A
Zitha, S L
Zondo, L T
Zungu, N G
Zwane, S

1 OPENING

*The Speaker welcomed the Whip of Council, Councillor Zungu; Chair of Chairs, Councillor Lloyd Phillips; Chairpersons of the Section 79 committees; fellow Councillors; City Manager, Mr Floyd Brink; acting Secretary to Council, Mr Andile Gobinca; officials of the City of Johannesburg; the residents of the City; members of the Media; special guests: Honourable Premier of Gauteng, Mr Panyaza Lesufi; the MEC of COGTA, Honourable Mzi Khumalo; Members of the Provincial Legislature: Honourable Ms Tshidi Mfikoe; Mr Solly Msimanga the leader of the Democratic Alliance, Gauteng Province, Bishop Adam, the NEC Trading Director, Mr Raymond Tlaeli, Secretary General, Ms Amanda Thinness all from the ACDP; the heads of all political parties; the Honourable President of the Patriotic Alliance, Mr Gayton McKenzie; Honourable President of Al Jama-Ah and a Member of Parliament, Mr Ganief Hendricks; Honourable President of the PAC, Mr Mzwanele Nyhontso; the Regional leadership of the ANC, Mr Sasabona Manganye; the leader of the GOOD party, Mr Larry *Vary; the Deputy Secretary General of APC; the EFF Gauteng Provincial Secretary, Commissar Moshe Koma; Mr Fred Nel; the Democratic Alliance Provincial Chairperson; the Provincial Secretary of the ANC Mr TK Nciza; the Regional Chairperson of the Congress of the People, Mr Mbele; the National Organizer of African Heart Congress, National Chairperson of ActionSA, Mr Michael Beaumont; the leaders of Soweto Parliament, Mr Nhlanhla Lux and Alex Parliament, Mr Vincent; to the 15th Extra-Ordinary Council meeting of the City of Johannesburg municipality.*

She thereafter said that this was a continuation of the meeting that was adjourned on Tuesday, 2 May 2023 and trusted that Council will run smooth in the election of the Executive Mayor. She requested for Legal to check quorum and asked Councillors that have not signed the register to do so. The Speaker thereafter confirmed that there were 252 Councillors present and said that she will outline what constitutes the majority before the commencement of the election as per request sent to her office.

2 APPLICATIONS FOR LEAVE OF ABSENCE

The following application for leave of absence from this meeting was granted:

Councillor Machaba, L : Private Business

3 ELECTIONS OF THE EXECUTIVE MAYOR

The Speaker in her address said that as Council was aware that the Executive Mayor of the City of Johannesburg, Councillor Thapelo Amad had resigned and as the result there was a vacancy in the Office of the Executive Mayor and the provisions of Section 55 of the Act shall apply.

Section 55 (2) states, "Election of Executive Mayors;

1. ...
2. *A vacancy in the office of the Executive Mayor or Executive Deputy Mayor must be filled when necessary.*
3. *The procedure set out in Schedule 3 applies to the election of an Executive Mayor and Executive Deputy Mayor"*

She further took Council through Schedule 3:

- *In terms of Schedule 3 to the Act, the person Presiding Officer, must call for nominations of candidates for the vacant position of Executive Mayor 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 nominating must indicate acceptance of the nomination by signing the nomination form;*
 - *Furthermore, Item 4 of Schedule 3 to the Act, requires that the person presiding at this meeting to 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 the elected candidate who receives the majority of the votes;*
- *In terms of Item 7 of the Schedule; "Elimination Procedure,*
 - (1) *If no candidate receives the 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 sub item (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 Speaker added that Councillors should note that the Independent Electoral Commission (IEC) had been requested to conduct the election and they had acceded to the request, and further requested that Councillors and relevant officials cooperate with them in that regard. She said that the meeting would proceed with the election process of the Executive Mayor of the City of Johannesburg Municipality, in accordance with Schedule 3 of the Act as outlined above. The Speaker confirmed there was now 259 Councillors in the Chamber and granted IEC an opportunity to outline their process.

The IEC outlined their process stating that they will first start the nomination process by handing out the nomination forms to Councillors. They will then collect the nomination forms from Councillors and confirm their acceptance and their seconders.

It was stated that the ballot boxes would be placed in front of the podium, Councillor were requested to have a valid South African green barcoded identity document, card or a valid temporary identity card and no drivers' licenses, no council identification were allowed. It was emphasized that no other identity document would be accepted but only the three stated identity documents.

It was further stated that at the first point of entry, Councillors would be given a ballot paper, they would then cast their votes and move out. Councillors were asked to note that casting a vote means a mark on a ballot, not a number, not any other marks. It was indicated that the ballots would be disqualified if there were more than one mark on the ballot, if the voters' intention is not clear, the ballot will be disqualified, and it becomes a spoiled ballot.

Councillors were urged that when they receive their ballot papers, they must ensure that there is a clear intention by form of either an X or a tick.

The Speaker announced that three nominations were received, duly signed and compliant, and such were from Councillor de Lange (VF+) nominating Councillor Ngobeni FR (ActionSA), seconded by Councillor Harris R (ACDP); Councillor Nkomo B (DA) nominating Councillor Phalatse M (DA), seconded by Councillor Avant-Smit C (DA); Councillor Arnolds (AIC) nominating Councillor Gwamanda (AI Jama-Ah), seconded by Councillor Zungu N.

At this point time being 10:59, the Speaker announced that there were currently 259 Councillors in the chamber and asked councillors who had not signed the register to do so as Legal will be counting the warm bodies present in the House. She further said that was important in determining what the majority was, which was part of the question that was posed to her Office. She thereafter said that after if there were 260 Councillors in the House, as an example, the majority of votes will be 130 Councillors plus 1 = 131 votes, those were the votes required to declare a Councillor the Executive Mayor of the City. She added that it was important to know how many Councillors were present to determine the majority. The Speaker further said that it was noted that there were Councillors that had signed on behalf of other Councillors, each Councillor must sign for themselves. She added that if it was found out that a Councillor had signed on behalf of the other, they will be eliminated.

Councillor Avant-Smit (DA) requested that the Muslim Councillors be allowed to break for prayers and requested for a 30-minute caucus break.

Councillor Deppe (DA) in her address said that since the Speaker had established that Councillors had signed twice, she request that Council discard the signed attendance register and start a new one before the election takes place.

The Speaker in her response said that she will take advise from Legal and revert back to Councillor Deppe.

Councillor Nkomo (DA) requested the Speaker to grant the caucus break before the counting of warm bodies.

The Speaker granted 30 minutes caucus break and asked Councillors to be back in the Chamber by 11:35.

At this point time being 11:46, Council resumed, and the Speaker announced that a new attendance register will be circulated as suggested by Councillor Deppe, the Legal team will circulate it and once the register was signed, the warm bodies will be counted to verify if the numbers tally. She thereafter said that the numbers were not tallying, there were 268 Councillors that signed the register but only 262 warm bodies counted, she asked the whips of political parties to engage their caucuses to confirm Councillors present and revert back to her.

The Whip of Council, Councillor Zungu in his response said that himself, together with the whips of political parties had gone through the list of different political parties in Council and listed them as follows:

ANC: 90	1 will be leaving for prayer
DA: 71	3 will be leaving for prayer
Al Jama-Ah: 3	2 will be leaving for prayer
ActionSA: 43	1 will be leaving for prayer
EFF: 29	
IFP: 7	
AIC: 2	
VF+: 4	
UIM: 1	

ATM:1	
PAC: 1	
AHC: 1	
GOOD: 1	
UDM: 1	
APC: 1	
ACDP: 3	
PA: 8	
COPE: 1	

He thereafter said that in total, they had 268 Councillors present in the House.

The Speaker said that Legal had confirmed 268 Councillor present which corresponds with what the whippery had found and Council will proceed with the nomination and an election of the Executive Mayor.

Councillors de Lange F (VF+) and Harris R (ACDP) accordingly read out the nomination form, proposing and seconding the nomination of Councillor Ngobeni RF (ActionSA) for the position of the Executive Mayor of the City of Johannesburg Municipality. Councillor Ngobeni read out the nomination form, accepting the nomination for the position of the Executive Mayor of the City of Johannesburg Municipality.

Councillors Nkomo B (DA) and Avant-Smith C (DA) accordingly read out the nomination form, proposing and seconding the nomination of Councillor Phalatse ML (DA) for the position of the Executive Mayor of the City of Johannesburg Municipality.

Councillor Phalatse read out the nomination form, accepting the nomination for the position of the Executive Mayor of the City of Johannesburg Municipality.

Councillors Arnolds M (AIC) and Zungu NG (ANC) accordingly read out the nomination form, proposing and seconding the nomination of Councillor Gwamanda K (Al Jama-Ah) for the position of the Executive Mayor of the City of Johannesburg Municipality.

Councillor Gwamanda read out the nomination form, accepting the nomination for the position of the Executive Mayor of the City of Johannesburg Municipality.

Voting commenced and the results were as follows:

The IEC confirmed 266 Councillors voted, 1 Councillor did not have an ID and the other Councillor was unaccounted for.

*Councillor Ngobeni: 59
Councillor Phalatse: 68
Councillor Gwamanda: 139*

The Speaker thereafter declared Councillor Kabelo Gwamanda duly elected as the Executive Mayor of the City of Joburg Municipality. She accordingly congratulated the newly elected Executive Mayor.

The Executive Mayor addressed Council as follows:

"Thank you very much to the Speaker of Council, Councillor Colleen Makhubele; the Whip of Council, Councillor Zungu; the Chair of Chairs, Councillor Phillips; all Chairpersons of Section 79 Oversight Committees and fellow Councillors. I would also like to acknowledge the Head of Administration, the City Manager, Mr Floyd Brink; the Chairperson of the Political Management Committee, Mr Sasabona Manganye; the Chairperson of the minority governing parties, Ms Margaret Arnolds; the caucus leader of Al-Jama-Ah, Councillor Thapelo Amad, As-salamu alaykum. The leadership of all coalition partners, I apologize I will not be able to go through all of them because we are in the majority and there is lot of you to go through, I apologize; our alliance partners; opposition parties; members of the Media; ladies and gentlemen in the gallery; residents in the City of Johannesburg, I greet you all. I would first like to begin by quoting a verse from a scripture in a Bible, Luke 22, verse 42:

"Upon the realization of what is to come, the son of man fell to his knees and prayed: Father, if it is your will, take this cup away from me: nevertheless, not my will but yours will be done".

This madam Speaker is an explicit sentiment I shared towards the responsibility that has been bestowed upon me, although inconceivable to compare, it is the will beyond that of my own that I find myself standing before you today. It is in my view that the responsibility is one that is duty bound and not a mere title of glamour; prestige; celebrity status like most of us would like to believe. And as such, the outcome of this democratic process should not be misconstrued with narratives that seeks to cast aspersions and suggestive that we as the people are incapable of self-determination, and further insinuate from a position of ignorance that this is the doomsday coalition simply because the events that are currently unfolding seem unfortunately, beyond their rational.

Madam Speaker, in our assurance of stability in the City of Johannesburg, I think it prudent that the residents and stakeholders know and understand who and what this government of local unity is but most importantly, why the need to form such an agile, inclusive, collaborative unity of purpose. Allow me to register with the House today, that this Mayorship and by extension the government of local unity, is bound by a sense of duty embedded in our DNA as a people first and as the new dispensation. We as the government of local unity stand firm against the eminent threat of this country's passive regression into a retrospective minority rule because we too are inclined with the psychological welfare, this madam Speaker, is how we as this collective protect our freedom and the political interest of our constituencies. Therefore, in managing our contradictions as different political parties with unique ideological facets, we have collectively resolved on a bare minimum as these coalition partners, a bare minimum that is common to all political parties represented in this Council, including those in opposition and that bare minimum is the very same institutional competency called Service Delivery.

Our service delivery mandate as outlined in the 11 Strategic Objectives of the GLU, that seek to address critical issues in line with the GDS 2040, and that affect the daily lived experience of residents in the City of Johannesburg as one that is clear, unambiguous and require no adjustments or attempt to reinvent the will. These

objectives are as such that they address the context in which the residents interpret what service delivery translates to for them and specific to each and every Region. Mine as the Executive Mayor, is to add but one priority that will serve to strengthen all 9 pillars of the GLU Strategic Objectives and that is to improve the quality of service as standard practice across all departments and entities. Our approach as government needs to be respectful to the resident and be resident-centric, we as the government have to provide services that are at least worth paying for rather than demand payments because its legislated. It is, therefore, a fundamental imperative for this administration to adopt a qualitative approach in attempt to trigger the pulse of the City of Johannesburg, post the monumental calamity caused by the previous regime. Let me further note, Madam Speaker, that it is an insult to an accounting officer and the entire workforce of any municipality to suggest that any regime change at local government affects service delivery to the alleged proportions by media houses and opposition alike. Unless we say, large corporations seize their production and run out of products whenever there's a management change, therefore, through you madam Speaker, allow me to reiterate the simple fact to the residents in the City of Johannesburg: service delivery is an institutional competency of local government and ours as the government of local unity, is to respect you enough to commit towards an improvement of quality of services that are delivered to all 6 million of you.

Madam Speaker, I would like to take this opportunity to acknowledge the government of local unity partners who have as a collective, entrusted me with this responsibility of leading the City of Johannesburg, a world-class African City. My predecessor, Executive Mayor, Thapelo Amad had laid a balanced foundation for programmes for this government, programmes that are guided in particular by our GDS 2040 and encouraged by ethos of african orientation and duty towards the betterment of conditions of residents in the City of Johannesburg. As stated in my commitment, my priority for this government is to ensure that this is indeed carried out with the heightened improvement in quality of service delivered across all departments and entities.

Madam speaker, in line with the Council calendar, we know that there will be a State of the City Address and we will use that opportunity to unpack our plan as the Government of Local Unity to the citizens in the City of Johannesburg. We will fulfil together with the African National Congress; Economic Freedom Fighters; the Patriotic Alliance; the Minority governing parties which include: the African Independent Congress; the African Heart Congress; the African Peoples Convention; African Transformation Movement; Congress of the People; the GOOD party; the Pan African Congress and the United Democratic Movement. Speaker of Council, our interest is for the City to succeed, and we are prepared to work with all political parties represented in council to ensure that all diverse citizens in the City of Johannesburg are serviced.

In conclusion, I would like to also take this opportunity to announce the continuation of the government of local unity in the form in which it operated. I would like to announce the Joburg Executive Mayoral Committee and its members in their respective portfolios:

- *Finance: Councillor Dada Morero*
- *Group Corporate and Shared Services: Councillor Loyiso Masuku*

- *Environment and Infrastructure Services: Councillor Jack Sekwaila.*
- *Public Safety: Councillor Mgcini Tshwaku.*
- *Development Planning: Councillor Eunice Mgcina.*
- *Economic Development: Councillor Nomoya Mnisi*
- *Human Settlements: Councillor Anthea Natasha. Leitch.*
- *Community Development: Councillor Lubabalo Magwentshu.*
- *Transport: Councillor Kenny Kunene.*
- *Health and Social Development: Councillor Ennie Makhafola.*

Lastly, Madam Speaker, I am well aware of the vast challenges our city faces. I am a permanent resident of the City of Johannesburg, born and bred in the dusty streets of Soweto. Madam Speaker, this at a time before there were tar roads, shopping centres, recreational facilities, or infrastructure of any sort. I am a product of the severe conditions that the majority in this country are subjected to but here I am, proof of the fact that with every generation there is a revolution.

Now let us collaborate in bringing back the heartbeat of the City of Johannesburg.

I thank you."

At this point, time being 15:33 Councillors started leaving the Chamber.

The Speaker said that Councillors had left, and she had not adjourned the meeting, the meeting no longer quorate. She adjourned the meeting and said that Council will proceed with the swearing-in of the MMC's as announced by the Executive Mayor.

Councillor Rafferty PD (PA) said that it cannot be correct that Councillors left without the Speaker adjourning the meeting and asked the Speaker to address the matter.

4 ANNOUNCEMENTS

None.

5 CLOSURE

THE MEETING ADJOURNED AT: 15:40.



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SPEAKER OF COUNCIL

05/09/23

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DATE

