



CITY OF JOHANNESBURG
METROPOLITAN MUNICIPALITY
OFFICE OF THE SPEAKER

MINUTES OF THE 22ND EXTRA-ORDINARY MEETING OF THE CITY OF JOHANNESBURG MUNICIPALITY HELD ON TUESDAY, 5 SEPTEMBER 2023, AT 10:00 AT THE CONSTANCE CONNIE BAPELA COUNCIL CHAMBER, METROPOLITAN CENTRE, BRAAMFONTEIN.

**SPEAKER OF COUNCIL
CLLR C MAKHUBELE**

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- 1 OPENING**
- 2 APPLICATIONS FOR LEAVE OF ABSENCE**
- 3 OFFICIAL NOTICES**
 - 3.1 Statement by the Executive Mayor**
- 4 CONFIRMATION OF MINUTES**
 - (15th Extra-Ordinary Meeting held on 02 May 2023)**
 - (16th Extra-Ordinary Meeting held on 05 May 2023)**
 - (17th Extra-Ordinary Meeting held on 12 May 2023)**
 - (18th Extra-Ordinary Meeting held on 6 & 7 June 2023)**
 - (19th Extra-Ordinary Meeting held on 13 June 2023)**
 - (20th Extra-Ordinary Meeting held on 13 & 14 June 2023)**
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MEMBERS PRESENT

The Speaker: Councillor Makhubele, T C

The Executive Mayor: Councillor K Gwamanda

Abdool, F	Khanyile, N M
Amad, T	Khumalo, X I
Arnolds, M S	Knott, L R
Atterbury, E	Koekemoer, M
Avant-Smith, C	Komane, S A
Baloyi, D L	Kunene, K
Benjamin, R F	Landis, R
Bini, L	Lebatlang, T Z
Bittkau, R	Lebea, M G
Boer, C	Leitch, A N
Bolani, M G	Leshilo, R S
Brand, D G	Liebenberg, E
Buthelezi, T C	Lobi, M
Chabalala, M D	Maake, M J
Chame, F	Mabaso, M P
Chetsanga, H	Mabelebele, S S
Coogan, L C	Mabuke, T A
Coutriers, M J	Mabunda, T E
Coverdale, D L T	Mabuza, S K L
Crichton, M	Machethe, S
Da Gama, V M	Madiba, T J
Da rocha, C M D	Magwaza, B L P
Dellwaria, N	Magwentshu, L C
Dlamini, B	Maila, S M
Doyle, T	Majola, S
Echeozonjoku, B C	Makamo, S S
Edward, N	Makhafola, E
Foley, D T	Makhuba, H N
Fourie-Shawe, C	Maluleka, T
Francisco, D B	Manganyi, D B
Fresling, R R	Mangena, T D
Galeshewe, T M	Marais, A F
Gantsho, L	Marais, S I
Harris, R	Marema, V A
Hlatshwayo, S M	Marumo, T
Hoén, J N	Mashala, K
Hooper, R S	Mashinini, S
Huggett, E A	Masoga, L M
Hughes, Z	Matabane, O
Ismail-Moosa, I	Mathe, G
Jacobs, B	Mavhona, L S
Johnson, N	Mazibukmolefe, A L
Jonker, N	Mazibuko, N
Kaldine, J	Meyers, T

Masuku, L	Ndzondo, C M
Mgaga, B	Nefdt, P W
Mgcina, S E	Nenemba, T
Mhlari, T M	Ngema, S V
Mhlongo, T A	Ngoepe, C S
Mkasi, G	Nguse, S
Mkhize, T	Ngwenya, F N
Mkhonto, M S	Ngwenya, J A
Mmota, L	Ngwetsheni, M M
Mngadi, W B	Nhlapo, C P
Mnisi, N D	Niemand, G J
Mnyameni, M	Nkokou, T P
Moatshe, K	Nkomo, E T
Modladlaba, D S	Nkosi, R A L
Modukanene, L C	Nkubungu, L
Modupi, D N	Nkwanyana, P B
Moeti, O T	Nofemela, N
Mofokeng, J	Nontenja, C T
Mofokeng, M P	Ntoele, N L
Mogapi, T A	Ntombela, M J
Mohlala, C	Nyembe, M M
Mohlala, P K	Nyembe, Z P
Mokoari, Z	Nzimande, C
Mokoena, G	Papo, M M
Mokwena, T M	Pelzer, R
Molefe, E W	Phometsi, P S
Molefe, S B	Pietersen, J
Molise, L D	Ponsonby, D A
Moloisane, D	Radebe, N P
More, E	Radebe, T T
Mosehla, K J	Rafferty, P D
Mothopi, O Z	Raholane, M W
Mphaho, M A	Rakosa, P M
Mphefo, L M P	Ramafikeng, D J
Mpolobosho, M M	Rambani, N S
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Mthembu, M N	Reinten, I M
Mulelu, M	Roberts, F C
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Ndlela, M C	Seema, S M
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Ndou, P	Sekwaila, B J

Sesedinyane, M I	Telekoa, A T
Shackleford, L M	Truluck, T F
Shange, P A	Tshwaku, M
Sherman, G J	Tshedo, J G
Shumba, K A	Tsotetsi, L Y M
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Sobey, A	Van Wyk, W M
Steenkamp, D	Wax, K P
Steer, B	Williams, M C
Stewart, A J	Wilskut, D
Suddaby, J	Xuma, L
Sun, Y H	Zazini, A
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Tabane, M C	Zondo, L T
Tambani, P S	Zwane, S
Tefu, P V	

1 OPENING

The Speaker asked Council to observe a moment of silence for prayer and meditation.

She welcomed the Executive Mayor of the City of Johannesburg - Councillor Kabelo Gwamanda, Whip of Council – Councillor N Zungu, Chair of Chairs – Councillor L Phillips, all political party leaders and whips, members of the Mayoral Committee, 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, residents of the City of Johannesburg, members of the media, ladies and gentlemen to the 22nd Extra – Ordinary Council meeting of the City of Johannesburg Municipality.

A special welcome was extended to Princess Rachel Mlambo and Pastor Isaac Silas.

She once again requested Council to observe a moment of silence for the 77 people who have lost their lives at the Marshalltown fire incident, for the 2 children who have also passed away due to the fire at Fleurhof that destroyed 46 shacks, 57 people are affected and left desolate. They have been accommodated at the Fleurhof Recreation Centre. She honoured the spirit of the Integrity Commissioner- Dr Rampai, who also passed on, the spirit of the 2 National Traffic Police officers who were tragically killed whilst buying food at a petrol station.

She prayed for people who were still accommodated in shelters which were 32 South Africans in various shelters, 16 children, 10 boys and 6 girls, and 42 households in total. She stated that there were 2 Lesotho citizens and a boy, 1 Swaziland citizen, 3 Zimbabwean citizens and about 68 Malawian citizens and other nationalities that were in various shelters. She prayed also for the authorities to ensure that all issues get resolved and people are placed where they ought to be.

The Speaker indicated that she had received a request from the Legislature to include the urgent report on the agenda and she had acceded to the request.

She asked Legal to confirm the quorum of the House. It was reported that there were 135 Councillors who had signed the register, therefore, Legal would count Councillors who were present in the House and if there is no quorum, she would give the House 20 minutes and if, at the expiry of 20 minutes and a quorum is not constituted, the meeting shall be adjourned,

Councillor Rafferty (PA) raised a concern that the drum roll was inaudible outside the Chamber and that might be the contributing factor why some Councillors were not in the Chamber.

In her response, the Speaker said that all Councillors were notified of the starting time of the meeting, therefore, the drum rolls were not the reason why Councillors were not in the Chamber. The Speaker read out the regulation with regards to quorum stating that:

"The regulation says that a meeting must quorate before any item must be considered and in the event of no quorum for a meeting, the scheduled meeting may be suspended for 20 minutes as provided in the Standing Rules and Orders of the meeting of the Municipal Council. If at the expiry of the 20 minutes provided in the paragraph, there is still no quorum, the chairperson may suspend the meeting for another 20 minutes as provided in the Standing Rules and Orders of Council".

The Speaker urged Councillors who had not signed the register to do so. She thereafter asked Legal to confirm the number of Councillors present. She indicated Councillors present were 155, therefore there was a quorum for the meeting to proceed.

2 APPLICATIONS FOR LEAVE OF ABSENCE

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

<i>Councillor Dewes, D S</i>	<i>-</i>	<i>Private Business</i>
<i>Councillor Homer, C</i>	<i>-</i>	<i>Private Business</i>
<i>Councillor Deppe, A J</i>	<i>-</i>	<i>Private Business</i>
<i>Councillor Van der Merwe, M</i>	<i>-</i>	<i>Private Business</i>
<i>Councillor Harman, L J (DA)</i>	<i>-</i>	<i>Private Business</i>
<i>Councillor Kreusch, S</i>	<i>-</i>	<i>Private Business</i>
<i>Councillor Phalatse, M</i>	<i>-</i>	<i>Private Business</i>
<i>Councillor Horwitz, J</i>	<i>-</i>	<i>Private Business</i>
<i>Councillor Finn, C E</i>	<i>-</i>	<i>Private Business</i>
<i>Councillor Goosen, J W</i>	<i>-</i>	<i>Illness</i>
<i>Councillor Louw, M A</i>	<i>-</i>	<i>Illness</i>
<i>Councillor Nkomo, B</i>	<i>-</i>	<i>Illness</i>
<i>Councillor Kgeletsane, M O</i>	<i>-</i>	<i>Illness</i>

<i>Councillor Pietersen, N</i>	-	<i>Illness</i>
<i>Councillor Mmbengwa, M N</i>	-	<i>Illness</i>
<i>Councillor Nonkumbi, I M</i>	-	<i>Illness</i>
<i>Councillor Dammie, B H</i>	-	<i>Illness</i>
<i>Councillor Amod, C J</i>	-	<i>Illness</i>
<i>Councillor Mazibukwana, M</i>	-	<i>Private Business</i>
<i>Councillor Morero, S E</i>	-	<i>Private Business</i>
<i>Councillor Zungu, N G</i>	-	<i>Council Business</i>
<i>Councillor Phillips, L E</i>	-	<i>Illness</i>
<i>Councillor De Lange, F C</i>	-	<i>Private Business</i>
<i>Councillor Smit, P A</i>	-	<i>Private Business</i>
<i>Councillor Chauke, K L</i>	-	<i>Private Business</i>
<i>Councillor Mkhonza, N F</i>	-	<i>Private Business</i>
<i>Councillor Wissler, S T J</i>	-	<i>Private Business</i>
<i>Councillor Jainoodeen, Z</i>	-	<i>Illness</i>
<i>Councillor Ngobeni, L M</i>	-	<i>Private Business</i>
<i>Councillor Mchunu, A</i>	-	<i>Private Business</i>
<i>Councillor Mokoka, M L</i>	-	<i>Private Business</i>
<i>Councillor Nkonyeni, S P</i>	-	<i>Private Business</i>
<i>Councillor Durand, G V M</i>	-	<i>Private Business</i>
<i>Councillor Davids-Green, L C</i>	-	<i>Illness</i>
<i>Councillor Nkomo, P T</i>	-	<i>Illness</i>
<i>Councillor Ntshidi, T E</i>	-	<i>Illness</i>
<i>Councillor Machaba, L M U</i>	-	<i>Private Business</i>
<i>Councillor Tshehlo, G J</i>	-	<i>Illness</i>
<i>Councillor Mathe, Z E</i>	-	<i>Illness</i>
<i>Councillor Moepi, N J D</i>	-	<i>Illness</i>
<i>Councillor Mphahlele, M</i>	-	<i>Illness</i>
<i>Councillor Dladla, D</i>	-	<i>Illness</i>
<i>Councillor Nethamba, R</i>	-	<i>Private Business</i>

The following Councillors were granted permission to arrive late.

Councillor Shackelford, L M
Councillor Sherman, G J
Councillor Papo, M M
Councillor Rambani, N S
Councillor Christians, A
Councillor Moloisane, D
Councillor Mkhize, T
Councillor Nyembe, M M
Councillor Shumba, K A
Councillor Kunene, K
Councillor Sindani, F P
Councillor Molefe, M
Councillor Mogapi, T A
Councillor Tshwaku, M
Councillor Telekoa, A T

The following Councillors were granted permission to leave early.

<i>Councillor Sesedinyane, M I</i>	-	<i>13:00</i>
<i>Councillor Mofokeng, J</i>	-	<i>13:00</i>
<i>Councillor Mhlari, T M</i>	-	<i>13:00</i>
<i>Councillor Sekwaila, B J</i>	-	<i>13:00</i>
<i>Councillor Mnisi, N D</i>	-	<i>13:00</i>

3 OFFICIAL NOTICES

The Speaker asked Councillors to join her in wishing well the following Councillor who celebrated their birthdays during the month of July and August:

July

*Councillor K Chauke
Councillor M Coutriers
Councillor N Dellwaria
Councillor T Galeshewe
Councillor X Khumalo
Councillor M Koekemoer
Councillor Z Lebatlang
Councillor S Makamo
Councillor L Masuku
Councillor N Mnisi
Councillor K Mosehla
Councillor L Mphefo
Councillor L Ngobeni
Councillor J Ngwenya
Councillor M Papo
Councillor R Pelzer
Councillor V Reddy
Councillor P Shange
Councillor S Zitha*

August

*Councillor J Amod
Councillor Z Jainoodeen
Councillor S Mabelebele
Councillor T Madiba
Councillor S Marais
Councillor G Mathe
Councillor S Molefe
Councillor M Mpolobosho
Councillor N Ndou
Councillor T Nkokou
Councillor I Nonkumbi*

*Councillor J Pietersen
Councillor T Radebe
Councillor C Avant – Smith
Councillor M Sun*

3.1 Statement by the Executive Mayor

The Executive Mayor addressed Council as follows:

“Thank you very much, Madam Speaker. A warm greeting to yourself. I would like to acknowledge you, the head of administration, Mr. Floyd Brink. The Chief Whip of Council in absentia. The Chair of Chairs, Members of the Mayoral Committee, fellow Councillors, distinguished guests, members of the media and residents in the City of Johannesburg.

Last week Thursday, Madam Speaker, we gathered here in this chamber, in the main to perform our oversight duty on the City of Johannesburg’s quarterly performance reports. In preparation for that meeting, I had prepared different talking notes which would inform this House of the city’s significant improvement in performance and our increased customer satisfaction. On the backdrop of this good news, I aimed to urge all to continue in our oversight efforts and hold the administration and each other accountable. It was supposed to be a moment of profound reflection, a silver lining in the cloud of instability, and opportunistic politicking that has become synonymous with the Joburg City Council. But today, I stand before you Madam Speaker and fellow councillors. And that moment of profound reflection is rendered mute that silver lining insignificant in this instance. In the early hours, the fire quickly escalated, leaving behind devastation and grief. 77 lives as you previously stated, Madam Speaker, were lost. 12 of those were children. 61 people were transported and treated at various medical facilities in and around the City of Johannesburg. Madam Speaker 41 of those people that were transported to the hospitals have been discharged from hospitals. Only 17 remain in intensive care. I am informed that over 200 families have been residing in that building so far, 43% of the affected households have been assessed and 61% of those are foreign nationals.

Those who are displaced have been temporarily moved to shelters and the city’s relevant departments working with other organs of state and respective embassies are working on devising the next step in how we move forward.

Madam Speaker, we must confront this uncomfortable truth that lay beneath the surface of this tragedy. The Albert Street fire exposes deep rooted issues concerning the state of our buildings in the inner city and the living conditions that its occupants are currently surviving under.

As part of the investigations currently underway, I have learned that the city’s Group Forensic Investigation Services department is investigating 188 active cases of hijacked buildings. Of those Madam Speaker, 167 cases are privately owned properties, 13 are city owned properties and 5 are owned by other spheres of government. The building on Albert Street is indeed a city-owned building. While I

grapple with this tragedy, I keep asking how the City of Johannesburg left our assets to ruin, especially abandoning them to unlawful elements. This points to significant management and governance shortcomings which the Government of Local Unity will not allow to continue. I assure you, Madam Speaker, that consequences management will be meted out. It is essential that we hold those responsible accountable for their negligence and ensure that appropriate measures are put in place to prevent such disasters from happening in the near future. Madam Speaker, in the situation we find ourselves in now, we need to understand that this government provides what is best needed which is the political will to drive the transformation required and the Government of Local Unity encourages and is rooted in the political will.

The Albert Street fire highlights the need for comprehensive urban planning, infrastructure development and improved asset management. We must invest in sustainable urban development that prioritizes safety ensuring that our city develops and grows with the wellbeing and protection of its residents in mind.

To this end, the city will adopt a precinct-based strategy aimed at reclaiming and rehabilitating city-owned properties. The program will start with an inventory of all the city's buildings in the inner city. The city will through its bylaw enforcement and safety compliance processes, focus on the buildings that have been deemed condemned. Emergency accommodation and temporary relocation accommodation will be a priority of the Department of Housing since it is the main cause of impediments in our processes. The buildings will then be renovated and where required repurposed. Madam Speaker without taking too much time. I would like to state in closing that the tragedy that emanated from the Albert Street fire, has hooked us, and left an undeniable mark on our city and our collective consciousness. As the Mayor of the City of Johannesburg, I speak for this Government of Local Unity when I say it is crucial that we remember this event and not only honour those who perished but also learn from it and ensure that such tragedies never reoccur in the near or the far future. Madam Speaker, thank you very much for this opportunity. And I tabled the executive reports and recommendations contained within Thank you".

4 CONFIRMATION OF MINUTES

- (15th Extra-Ordinary Meeting held on 2 May 2023)
- (16th Extra-Ordinary Meeting held on 5 May 2023)
- (17th Extra-Ordinary Meeting held on 12 May 2023)
- (18th Extra-Ordinary Meeting held on 6 & 7 June 2023)
- (19th Extra-Ordinary Meeting held on 13 June 2023)
- (20th Extra-Ordinary Meeting held on 13 & 14 June 2023)

RESOLVED

That the minutes of the 15th Extra-Ordinary meeting held on 2 May 2023, 16th Extra-Ordinary meeting held on 5 May 2023, 17th Extra-Ordinary meeting held on 12 May 2023, 18th Extra-Ordinary meeting held on 6 & 7 June 2023, 19th Extra-Ordinary meeting held on 13 June 2023 and 20th Extra-Ordinary meeting held on 13 & 14 June 2023, be taken as read and confirmed.

(13th Ordinary Meeting held on 21 June 2023)

"Pages 25 and 26 where the recommendations are read into the minutes, the DA Dissent on Item 17 and 18 needs to be noted where the decision is read into the minutes at the open Council meeting. This is in line with Rule 84 of the Standing Rules and Orders of Council."

RESOLVED

That the minutes of the 13th Ordinary Meeting held on 21 June 2023, as amended, be taken as read, and confirmed.

5 RECOMMENDATIONS TO COUNCIL

The Executive Mayor tabled the executive reports.

The Acting Chair of Chairs, Councillor Rafferty tabled the Legislature report.

- Item 1 PERFORMANCE ASSESSMENT REPORT FOR
 THE COMMUNITY DEVELOPMENT DEPARTMENT
 FOR THE 2022/2023 FINANCIAL YEAR FOR THE
 PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Community Development Department for the 2022/23 financial year, be noted.

(COMMUNITY DEVELOPMENT)

- Item 2 PERFORMANCE ASSESSMENT REPORT FOR
 THE JOBURG CITY THEATRES (JCT) FOR THE
 2022/2023 FINANCIAL YEAR FOR THE PERIOD
 JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of Joburg City Theatres for the 2022/23 financial year, be noted.

(JOBURG CITY THEATRES)

- Item 3 PERFORMANCE ASSESSMENT REPORT FOR
THE JOHANNESBURG CITY PARKS AND ZOO
FOR THE 2022/2023 FINANCIAL YEAR FOR
THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Johannesburg City Parks and Zoo for the 2022/23 financial year, be noted.

(JOHANNESBURG CITY PARKS AND ZOO)

- Item 4 PERFORMANCE ASSESSMENT REPORT
FOR THE GROUP CORPORATE AND
SHARED SERVICES DEPARTMENT FOR
THE 2022/2023 FINANCIAL YEAR FOR
THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Group Corporate and Shared Services Department for the 2022/23 financial year, be noted.

(GROUP CORPORATE AND SHARED SERVICES)

- Item 5 PERFORMANCE ASSESSMENT REPORT FOR
DEVELOPMENT PLANNING DEPARTMENT
FOR THE 2022/2023 FINANCIAL YEAR FOR
THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Development Planning Department for the 2022/23 financial year, be noted.

(DEVELOPMENT PLANNING)
(MI Sekhukhuni)
(Tel. (011) 407-7330)

- Item 6 PERFORMANCE ASSESSMENT REPORT FOR THE JOHANNESBURG DEVELOPMENT AGENCY FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Johannesburg Development Agency for the 2022/23 financial year, be noted.

(JOHANNESBURG DEVELOPMENT AGENCY)

- Item 7 PERFORMANCE ASSESSMENT REPORT FOR THE ECONOMIC DEVELOPMENT DEPARTMENT FOR THE 2022/2023 FINANCIAL YEAR FOR THE JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Economic Development Department for the 2022/23 financial year, be noted.

(ECONOMIC DEVELOPMENT)
(Sihle Buthelezi)

- Item 8 PERFORMANCE ASSESSMENT REPORT FOR THE METROPOLITAN TRADING COMPANY FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Metropolitan Trading Company Ltd for the 2022/23 financial year, be noted.

(METROPOLITAN TRADING COMPANY)

- Item 9 PERFORMANCE ASSESSMENT REPORT FOR THE JOHANNESBURG TOURISM COMPANY FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Johannesburg Tourism Company for the 2022/23 financial year, be noted.

(JOHANNESBURG TOURISM COMPANY)

- Item 10 PERFORMANCE ASSESSMENT REPORT FOR THE JOBURG PROPERTY COMPANY (SOC) LTD FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Joburg Property Company (SOC) Ltd for the 2022/23 financial year, be noted.

(JOBURG PROPERTY COMPANY (SOC) LTD)

- Item 11 PERFORMANCE ASSESSMENT REPORT FOR JOBURG MARKET (SOC) LTD THE FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Joburg Market (SOC) Ltd for the 2022/23 financial year, be noted.

(JOBURG MARKET (SOC) LTD)

- Item 12 PERFORMANCE ASSESSMENT REPORT FOR THE ENVIRONMENT, INFRASTRUCTURE AND SERVICES DEPARTMENT FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Environment, Infrastructure and Services Department for the 2022/23 financial year, be noted.

(ENVIRONMENT, INFRASTRUCTURE AND SERVICES)

- Item 13 PERFORMANCE ASSESSMENT REPORT FOR THE CITY POWER JOHANNESBURG (SOC) LTD FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the City Power Johannesburg (SOC) Ltd for the 2022/23 financial year, be noted.

(CITY POWER JOHANNESBURG (SOC) LTD)

- Item 14 PERFORMANCE ASSESSMENT REPORT
FOR JOHANNESBURG WATER (SOC) LTD
FOR THE 2022/2023 FINANCIAL YEAR FOR
THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of Johannesburg Water (SOC) Ltd for the 2022/23 financial year, be noted.

(JOHANNESBURG WATER (SOC) LTD)

- Item 15 PERFORMANCE ASSESSMENT REPORT
FOR PIKITUP JOHANNESBURG (SOC) LTD
FOR THE 2022/2023 FINANCIAL YEAR FOR
THE PERIOD JULY TO SEPTEMBER 2022

RESOLVED

That the third quarter performance report of Pikitup Johannesburg (SOC) Ltd for the 2022/23 financial year, be noted.

(PIKITUP JOHANNESBURG (SOC) LTD)

- Item 16 PERFORMANCE ASSESSMENT REPORT
FOR THE GROUP FINANCE DEPARTMENT
FOR THE 2022/2023 FINANCIAL YEAR FOR
THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Group Finance for the 2022/23 financial year, be noted.

(GROUP FINANCE)
(Z Tshezi)

- Item 17 PERFORMANCE ASSESSMENT REPORT FOR
THE GROUP INFORMATION COMMUNICATION
TECHNOLOGY DEPARTMENT FOR THE 2022/2023
FINANCIAL YEAR FOR THE PERIOD JANUARY TO
MARCH 2023

RESOLVED

That the third quarter performance report of Group Information Communication Technology Department for the 2022/23 financial year, be noted.

(GROUP INFORMATION COMMUNICATION TECHNOLOGY)

- Item 18 PERFORMANCE ASSESSMENT REPORT FOR
THE HEALTH DEPARTMENT FOR THE 2022/2023
FINANCIAL YEAR FOR THE PERIOD JANUARY TO
MARCH 2023

RESOLVED

That the third quarter performance report of the Health Department for the 2022/23 financial year be noted.

(HEALTH)

- Item 19 PERFORMANCE ASSESSMENT REPORT FOR
THE SOCIAL DEVELOPMENT DEPARTMENT
FOR THE 2022/2023 FINANCIAL YEAR FOR
THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Social Development Department for the 2022/23 financial year, be noted.

(SOCIAL DEVELOPMENT)

- Item 20 PERFORMANCE ASSESSMENT REPORT FOR
THE HUMAN SETTLEMENT DEPARTMENT
FOR THE 2022/2023 FINANCIAL YEAR FOR
THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Human Settlement Department for the 2022/23 financial year, be noted.

(HUMAN SETTLEMENT)

- Item 21 PERFORMANCE ASSESSMENT REPORT FOR
THE JOHANNESBURG SOCIAL HOUSING
COMPANY FOR THE 2022/2023 FINANCIAL
YEAR FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Johannesburg Social Housing Company for the 2022/23 financial year, be noted.

(JOHANNESBURG SOCIAL HOUSING COMPANY)

- Item 22 PERFORMANCE ASSESSMENT REPORT FOR THE PUBLIC SAFETY DEPARTMENT FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Public Safety Department for the 2022/23 financial year, be noted.

(PUBLIC SAFETY)

- Item 23 PERFORMANCE ASSESSMENT REPORT FOR THE TRANSPORT DEPARTMENT FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Transport Department for the 2022/23 financial year, be noted.

(TRANSPORT)

- Item 24 PERFORMANCE ASSESSMENT REPORT FOR THE JOHANNESBURG ROADS AGENCY (SOC) LTD FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report for the Johannesburg Roads Agency (SOC) Ltd for the 2022/23 financial year, be noted.

(JOHANNESBURG ROADS AGENCY (SOC) LTD)

- Item 25 PERFORMANCE ASSESSMENT REPORT FOR THE JOHANNESBURG METROPOLITAN BUS SERVICES FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of Johannesburg Metropolitan Bus Services for the 2022/23 financial year, be noted.

(JOHANNESBURG METROPOLITAN BUS SERVICES)

- Item 26 PERFORMANCE ASSESSMENT REPORT FOR THE OFFICE OF THE CITY MANAGER FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JULY TO SEPTEMBER 2022

RESOLVED

That the first quarter performance report of Johannesburg Metropolitan Bus Services for the 2022/23 financial year, be noted.

(OFFICE OF THE CITY MANAGER)

- Item 27 PERFORMANCE ASSESSMENT REPORT FOR THE OFFICE OF THE CITY MANAGER FOR THE 2022/2023 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 20223

RESOLVED

That the third quarter performance report of Johannesburg Metropolitan Bus Services for the 2022/23 financial year, be noted.

(OFFICE OF THE CITY MANAGER)

- Item 28 PERFORMANCE ASSESSMENT REPORT FOR THE OFFICE OF THE OMBUDSMAN FOR THE 2022/2023 FINANCIAL YEAR THIRD QUARTER FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the Office of the Ombudsman for the 2022/23 financial year, be noted.

(OFFICE OF THE OMBUDSMAN)

- Item 29 PERFORMANCE ASSESSMENT REPORT FOR THE CITY OF JOHANNESBURG LEGISLATURE DEPARTMENT FOR THE 2022/2023 FINANCIAL YEAR THIRD QUARTER FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the third quarter performance report of the City of Johannesburg Legislature for the 2022/23 financial year, be noted.

(COJ LEGISLATURE)

- Item 30 THIRD QUARTER REPORT ON THE OVERSIGHT ACTIVITIES OF THE S79 PETITIONS STANDING COMMITTEE FOR THE PERIOD: JANUARY TO MARCH 2023

NOTED

(COJ LEGISLATURE)

- Item 31 OVERSIGHT REPORT OF THE SECTION 79 CORPORATE AND SHARED SERVICES COMMITTEE ON THE 2022/2023 THIRD QUARTER BUDGET AND PERFORMANCE ASSESSMENT REPORT OF GROUP CORPORATE AND SHARED SERVICES FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

That the 2022/2023 the Third Oversight Report of the Section 79 Corporate and Shared Services Committee on the 2022/2023 Third Performance Assessment report of Group Corporate and Shared Services for the period January to March 2023, be approved, noting the observations cited in the body of this report.

(COJ LEGISLATURE)
(Babalwa Fana)
(Tel. (011) 407-6305)

- Item 32 OVERSIGHT REPORT OF THE DEVELOPMENT PLANNING SECTION 79 COMMITTEE ON THE 2022/23 THIRD QUARTER BUDGET AND PERFORMANCE ASSESSMENT REPORTS OF THE DEVELOPMENT PLANNING DEPARTMENT AND THE JOHANNESBURG DEVELOPMENT AGENCY (JDA) FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

- 1 That Council note and approve the 2022/23 Third Quarter Budget and Performance reports of the Department of Development Planning and Johannesburg Development Agency for the period January to March 2023, noting the observations cited in the body of this report.
- 2 That the Development Planning Department indicates to the Committee the incentives and measures in place to uplift the staff morale and improve the capacity constraints at LUDM, by August 2023.

- 3 That the Development Planning Department clarifies to the Committee why one contractor was appointed for all Our City Our Block (OCOB) projects (as its non-performance has led to all the projects being significantly delayed), by August 2023.
- 4 That the Development Planning Department specifies to the Committee the exact progress on the ongoing bulk storm water construction and road upgrading projects implemented towards the Orange Farm multi-year development, by August 2023.
- 5 That the Development Planning Department reports to the Committee on the reasons behind restarting the process of reviewing the Spatial Development Framework (SDF) after it had been concluded in October 2022, by August 2023.
- 6 That the JDA indicates to the Committee the mitigation actions in place to ensure operational efficiency at the entity, given that the recruitment process of several senior management vacancies was put on hold due to budgetary constraints, by August 2023.
- 7 That the JDA presents to the Committee on the impact performance assessment conducted during the reviewed quarter, by August 2023.
- 8 That the JDA provides the Committee with a detailed report on the expenditure towards BBBEE companies during the reviewed quarter, by August 2023.

(COJ LEGISLATURE)
 (A Ngcaku)
 (Tel. (011) 407 7395)

Item 33 OVERSIGHT REPORT OF THE ECONOMIC DEVELOPMENT SECTION 79 COMMITTEE ON THE 2022/23 THIRD QUARTER PERFORMANCE ASSESSMENT REPORTS OF THE DEPARTMENT OF ECONOMIC DEVELOPMENT, JOHANNESBURG PROPERTY COMPANY, JOBURG FRESH PRODUCE MARKET, METROPOLITAN TRADING COMPANY, AND JOBURG TOURISM COMPANY FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

- 1 That the Council approves the 2022/23 Third Quarter Budget and Performance Assessment Report for the Department of Economic Development (DED) Johannesburg Property Company (JPC), Metropolitan Trading Company (MTC), Joburg Tourism Company (JTC) and Joburg Fresh Produce Market (JM) noting the observations cited in the body of the report.

- 2 That Council approves the 2022/23 Third Quarter Oversight Report of the Section 79 Economic Development Committee on the 2022/23 Third Quarter Budget and Performance Assessment report of the Department of Economic Development (DED), Johannesburg Property Company (JPC), Metropolitan Trading Company (MTC), Joburg Tourism Company (JTC) and Joburg Fresh Produce Market (JM) noting the observations cited in the body of the report.
- 3 That the Department of Economic Development provides a report indicating accountability measures to support CoJ departments and Entities in providing accurate and timeous reports on EPWP work opportunities created. The report must be submitted to the Section 79 Economic Development by October 2023.
- 4 That Joburg Property Company provides a detailed report indicating accountability measures taken to improve performance on its KPIs. The report must be submitted to the Section 79 Economic Development Committee by October 2023.
- 5 That JPC provides a report indicating accountability measures taken to investigate the irregular expenditure of R124 511 745 million. This report must be submitted to the Section 79 Economic Development Committee by October 2023.
- 6 That the JPC provides a detailed report indicating accountability measures regarding the fruitless and wasteful expenditure of R47.9 million. The report must be submitted to the Section 79 Economic Development Committee by October 2023.
- 7 That the Joburg Property Company provides a report indicating accountability measures to improve EPWP jobs created and SMMEs supported. This report must be submitted to the Section 79 Economic Development Committee by October 2023.
- 8 That the Joburg Property Company provide a report indicating accountability measures to improve CAPEX expenditure. This report must be submitted to the Section 79 Economic Development Committee by October 2023.
- 9 That the Metropolitan Trading Company provide a detailed report on the engagements with the office GCFO on efforts to assist the Entity's collection of internal debtors of R1.175 billion and prospects of recovery. This report must be submitted to the Section 79 Economic Development Committee by October 2023.
- 10 That the Metropolitan Trading Company provide a report detailing all expenditures relating to the payment of overtime and 13th cheques. This report must be submitted to the Section 79 Economic Development Committee by October 2023.
- 11 That MTC provides a comprehensive report indicating a workable turnaround strategy to counter its current insolvency status. This report must be submitted to the Section 79 Economic Development Committee by October 2023.

- 12 That the Joburg Market provides a detailed report on the details of the expenditure on Human Resources. The report must be submitted to the Section 79 Economic Development Committee by October 2023.
- 13 That the Joburg Tourism Company provides a detailed report indicating the cooperation with JMPD to foster vaster safety in tourism hotspots. This report must be submitted to the Section 79 Economic Development Committee by October 2023.
- 14 That the Joburg Tourism Company provide a detailed report update on the Section 197 transfer process of employees and the impact of the transfer on the finances of the Entity. This report must be submitted to the Section 79 Economic Development Committee by October 2023.
- 15 That the Joburg Tourism Company provide a report on its plans to source other forms of revenue to enable operations. This report must be submitted to the Section 79 Economic Development Committee by October 2023.

(COJ LEGISLATURE)

Item 34 OVERSIGHT REPORT OF SECTION 79 ENVIRONMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON THE 2022/23 THIRD QUARTER PERFORMANCE ASSESSMENT REPORTS OF THE ENVIRONMENT AND INFRASTRUCTURE SERVICES DEPARTMENT, PIKITUP JOHANNESBURG, JOHANNESBURG WATER AND JOHANNESBURG CITY POWER FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

- 1 That Council notes the Third Quarter Performance Assessment reports of the Environment and Infrastructure Services Department, Johannesburg Water, Pikitup Johannesburg, and Johannesburg City Power for the period January to March 2023 and the same as a reflection of performance by the said Department and Entities.
- 2 That Council approves the Oversight Report of the Section 79 Environment and Infrastructure Services Committee on the 2022/23 Third Quarter Budget and Performance Assessment Reports of the Environment and Infrastructure Services Department, Pikitup, Johannesburg Water, and Johannesburg City Power for the Period January to March 2023, noting observations and recommendations contained in the body of this report.
- 3 That City Power develop and present a strategic approach to public lighting maintenance, with timelines and sustainable financial implications. As well as provide monthly updates in the form of a report (to be emailed) to the Committee.

- 4 That Joburg Water arrange facilities visit to Goudkoppies WWTW for the Committee where JW executives will lead the visit and specify to the Committee the mitigating actions being taken to deal with the persistent infrastructure breakdown.
- 5 That City Power submit the following standing reports monthly basis:
 - Risk control report of how many cases of cable theft and infrastructure vandalism have been filed with the South African Police Service (SAPS), how many were converted to guilty cases and successfully prosecuted.
 - A quality assurance report on materials provided by service providers who are contracted to the entity.
 - An inventory report detailing how each spare part there are in each depot and their quality.
 - Report on public lighting and resources available for each depot, including the materials essential for the maintenance of public lights.
- 6 That detailed closed call reports be submitted (with explanatory notes) on a quarterly basis.
- 7 That Johannesburg Water provide a monthly report on reinstatements including itemising each spare part for each depot clearly stating the quantity and their quality.

(COJ LEGISLATURE)
 (M. R Molopyane)
 (Tel. (011) 407-7185)

Item 35 **OVERSIGHT REPORT OF THE SECTION 79 FINANCE COMMITTEE ON THE 2022/23 THIRD QUARTER PERFORMANCE ASSESSMENT REPORTS OF THE GROUP FINANCE DEPARTMENT AND GROUP INFORMATION COMMUNICATION TECHNOLOGY DEPARTMENT FOR THE PERIOD JANUARY TO MARCH 2023**

RESOLVED

- 1 That Council approves the 2022/23 Third Quarter Performance Assessment Report of the Group Finance Department and Group Information Communication Technology Department for the period January to March 2023.

- 2 That Council approves the 2022/23 Third Quarter Oversight Report of the Section 79 Finance Committee on the 2022/23 Third Quarter Budget and Performance Assessment Report of the Group Finance Department and Group Information Communication Technology Department for the period January to March 2023 noting the observations cited in the body of this report.
- 3 That Group Information Communication and Technology Department provide a report on why the Group Finance Department has persistent network outages that prevent billing queries from being resolved and why the call centre to not function optimally. The report is to be submitted to the Section 79 Finance Committee by September 2023.
- 4 That the Leader of Executive Business, the Legislature and Group Governance revise the timelines for the various reporting structures to ensure that the Section 79 Finance Committee receives relevant and current financial information, in particular the quarterly performance reports from the Group Finance Department and the Group Information Communication and Technology Department. This will allow the Committee to perform its oversight role and ensure the financial stability of the City. A proposed plan must be submitted to the Section 79 Finance Committee by August 2023.

(COJ LEGISLATURE)
(A Bhaga)

Item 36 OVERSIGHT REPORT OF THE SECTION 79 HEALTH
AND SOCIAL DEVELOPMENT COMMITTEE ON
2022/2023 THIRD QUARTER BUDGET AND
PERFORMANCE ASSESSMENT REPORTS OF
HEALTH DEPARTMENT AND SOCIAL DEVELOPMENT
DEPARTMENT FOR THE PERIOD JANUARY TO
MARCH 2023

RESOLVED

- 1 That Council approves the Third Quarter Oversight Report of the Health and Social Development Section 79 Committee on 2022/2023 Third Quarter Budget and Performance Assessment Report of the Health and Social Development Department for the period January to March 2023, be approved, noting the observations cited in the body of this report.
- 2 That the Section 79 HSD Committee writes a letter to invite all the relevant MMCs (Community Development, Health and Social development and Housing) and Heads of the (JPC, City Parks and Zoo) to attend the meeting to account on the challenges reported on the facility – Protea Glen Clinic and Lawley Clinic by the end of the 2022/2023 financial year.

- 3 That the Section 79 HSD Committee writes a letter to invite the City Manager (CM) and all the relevant MMCs (Housing and HSD) to attend the meeting to account on the challenges reported on the facility – Zandspruit Clinic by the end of the 2022/2023 financial year.
- 4 That the Section 79 HSD Committee invites JDA as the implementing agency through the Department of Health to respond to the challenges that were raised at Naledi, Turffontein, Lawley and Protea Glen Clinics by the end of the 2022/2023 financial year.
- 5 That the Section 79 HSD Committee invites JDA as the implementing agency through the Department of Health to respond to the challenges about the performance of the appointed contractor at Turffontein Clinics by the end of the 2022/2023 financial year.
- 6 That the Section 79 HSD Committee invites the HSD MMC and Group Head for Corporate Shared Services to update the committee on the human resource challenges experienced by the Health Department and Social Development Department by the end of the financial year.
- 7 That JDA as the implementing agency initiated a process of appointing a panel of service providers for building/construction projects for the Department of Social Development and Department of Health by the end of the 2022/2023 financial year.
- 8 That the Section 79 HSD Committee invites the HSD MMC and Group Head for ICT to update the committee on the management challenges experienced by the Social Development Department on the implementation of the ESP programme by the end of the financial year.
- 9 That the Section 79 HSD Committee invites the HSD MMC and Social Development officials to update the committee on the number of policies that are under review/development by the end of the financial year.

(COJ LEGISLATURE)
(Babalwa Fana)
(Tel. (011) 407-6305)

- Item 37 OVERSIGHT REPORT OF THE HUMAN SETTLEMENTS SECTION 79 COMMITTEE ON THE 2022/23 THIRD QUARTER PERFORMANCE ASSESSMENT REPORT OF THE DEPARTMENT OF HUMAN SETTLEMENTS AND THE JOHANNESBURG SOCIAL HOUSING COMPANY (JOSHCO) FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

- 1 That Council notes the 2022/23 Third Quarter Budget and Performance Assessment Reports of the Department of Human Settlements and the Johannesburg Social Housing Company, noting the observations cited in the body of this report.
- 2 That Council approves the 2022/23 Third Quarter Oversight Report of the Human Settlements Section 79 Committee on the 2022/23 Third Quarter Budget and Performance Assessment report of the Department of Human Settlements and the Johannesburg Social Housing Company for the period January 2023 to March 2023, noting the observations cited in the body of this report.

(COJ LEGISLATURE)

- Item 38 OVERSIGHT REPORT OF THE SECTION 79 PUBLIC SAFETY COMMITTEE ON THE 2022/2023 3RD QUARTER PERFORMANCE REPORT OF THE DEPARTMENT OF PUBLIC SAFETY FOR THE PERIOD 1 JANUARY TO 31 MARCH 2023

RESOLVED

- 1 That Council approves the 3rd quarter Oversight Report of the Public Safety Section 79 Committee on the Department's quarterly performance report for the 2022/2023 financial year (January 2023 to March 2023).
- 2 That the Department submit a comprehensive report to the Committee on the contracts that they have with service providers.
- 3 That the Department submit a comprehensive report on the employees that were re-employed and re-instatement during the quarter under review.

(COJ LEGISLATURE)

(Tandisizwe Sidubulekana)

Item 39 OVERSIGHT REPORT OF THE TRANSPORT SECTION 79
COMMITTEE ON THE THIRD QUARTER PERFORMANCE
ASSESSMENT REPORTS OF THE TRANSPORT DEPARTMENT,
METROBUS AND JOHANNESBURG ROAD AGENCY FOR THE
PERIOD JANUARY TO MARCH 2023

RESOLVED

- 1 That Council notes and approves the oversight report of the Transport Section 79 Committee on the third quarter performance assessment reports of the Transport Department, Metrobus and Johannesburg Road Agency (JRA) for the period January to March 2023, noting the observations cited in the body of this report.
- 2 That the Department provide a report to the Committee explaining the reason behind non-payment by the JDA to service providers for complete street programs and small commuter public transport facilities.
- 3 That the JRA submits a report to the Committee on the finalization of the appointment of contractors for the development of the catchment and sub-catchment master plan.
- 4 That the JRA presented to the Committee regarding the appointment of service providers to conduct background checks and psychometrics tests to facilitate the procurement process.
- 5 That the S79 Transport Committee arrange a special meeting between Rea Vaya BRT and Metrobus together with relevant/potential service provider (s) regarding the procurement of AFC.
- 6 That the JRA Traffic Management Centre officials present to the Committee the progress and how the centre will operate or integrate with other entities or Departments.

(COJ LEGISLATURE)
(Dr T S Mawasha)
(Tel. (011) 407-7199)

- Item 40 OVERSIGHT REPORT OF THE GOVERNANCE SECTION 79 COMMITTEE ON THE FIRST QUARTER PERFORMANCE ASSESSMENT REPORTS OF THE OFFICE OF CHIEF OPERATIONS OFFICER, OFFICE OF THE CITY MANAGER, GROUP STRATEGY POLICY COORDINATION AND RELATIONS, GROUP GOVERNANCE, CITIZEN RELATIONS AND URBAN MANAGEMENT, GROUP COMMUNICATIONS AND MARKETING, GROUP LEGAL AND CONTRACT, GROUP RISK AND ASSURANCE SERVICES AND GROUP FORENSIC AND INVESTIGATION SERVICES FOR THE PERIOD JULY TO SEPTEMBER 2022

RESOLVED

- 1 That Council notes the 2022/23 First Quarter Budget and Performance Reports of the Office of the Chief Operation Officer, Office of the City Manager, Group Strategy Policy Coordination and Relations, Group Governance, Citizen Relations and Urban Management, Group Communications, and Marketing, Group Legal and Contract, Group Risk and Assurance Services and Group Forensic and Investigation for the period July to September 2022.
- 2 That Council adopts the Oversight Report of the Office of the Chief Operation Officer, Office of the City Manager, Group Strategy Policy Coordination and Relations, Group Governance, Citizen Relations and Urban Management, Group Communications and Marketing, Group Legal and Contract, Group Risk and Assurance Services and Group Forensic, and Investigation for the period July to September 2022 noting the observations made in the body of the report.
- 3 That the Office of the City Manager provides executive summary reports and operational expenditures on a quarterly basis as required by the Committee.
- 4 That CRUM presented to the Committee a mitigation strategy to deal with poor performing regions to improve service delivery.
- 5 That Group Legal and Contract, develops a mitigation plan for Municipal Courts to reduce the number of cases that are being struck off the roll.

(COJ LEGISLATURE)
(Doctor Mpondo)
(Tel. (011) 407-7301)

Item 41 OVERSIGHT REPORT OF THE GOVERNANCE SECTION 79 COMMITTEE ON THE THIRD QUARTER PERFORMANCE ASSESSMENT REPORTS OF THE OFFICE OF CHIEF OPERATIONS OFFICER, OFFICE OF THE CITY MANAGER, GROUP STRATEGY POLICY COORDINATION AND RELATIONS, GROUP GOVERNANCE, CITIZEN RELATIONS AND URBAN MANAGEMENT, GROUP COMMUNICATIONS AND MARKETING, GROUP LEGAL AND CONTRACT, GROUP RISK AND ASSURANCE SERVICES AND GROUP FORENSIC AND INVESTIGATION SERVICES FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

- 1 That Council notes the 2022/23 Third Quarter Budget and Performance Reports of the Office of the Chief Operation Officer, Office of the City Manager, Group Strategy Policy Coordination and Relations, Group Governance, Citizen Relations and Urban Management, Group Communications, and Marketing, Group Legal and Contract, Group Risk and Assurance Services and Group Forensic and Investigation for the period January to March 2023.
- 2 That Council adopts the Oversight Report of the Office of the Chief Operation Officer, Office of the City Manager, Group Strategy Policy Coordination and Relations, Group Governance, Citizen Relations and Urban Management, Group Communications and Marketing, Group Legal and Contract, Group Risk and Assurance Services and Group Forensic, and Investigation for the period January to March 2023 noting the observations made in the body of the report.
- 3 That the Office of the City Manager provides executive summary reports and operational expenditures on a quarterly basis as required by the Committee.
- 4 That CRUM presented to the Committee a mitigation strategy to deal with poor performing regions and improve service delivery.
- 5 That the GRAS provide a detailed breakdown report prepared for MPAC on the completed UIFW investigation.
- 6 That the GRAS conduct a presentation to the Committee on Audit Plan that is meant to strengthen internal controls and reduce UIFWs.
- 7 That the seven departments that had underspent on Contracted Services: OCOO, GSPCR, Group Governance, CRUM, Group Communications and Marketing, GRAS, and GFIS ensured that the allocated budget was utilized correctly in quarter four reporting.

- 8 That the City Manager, after assessing departmental performance, apply consequences management to Section 56 Managers that are underperforming and report back to the Committee.

(COJ LEGISLATURE)
(Doctor Mpondo)
(Tel. (011) 407-7301)

- Item 42 OVERSIGHT REPORT OF OCOL ON THE 2022/23
THIRD QUARTER BUDGET AND PERFORMANCE
ASSESSMENT REPORT OF THE LEGISLATURE OF
THE CITY OF JOHANNESBURG OFFICE OF THE
OMBUDSMAN FOR THE PERIOD JANUARY TO
MARCH 2023

RESOLVED

That Council approves the 2022/23 Third Quarter Budget and Performance assessment Report of the Office of the Ombudsman for the period January to March 2023, noting the observations cited in the body of this oversight report.

(COJ LEGISLATURE)

- Item 43 OVERSIGHT REPORT OF OCOL ON THE 2022/23
THIRD QUARTER BUDGET AND PERFORMANCE
ASSESSMENT REPORT OF THE LEGISLATURE OF
THE CITY OF JOHANNESBURG FOR THE PERIOD
JANUARY TO MARCH 2023

RESOLVED

That Council approve the 2022/23 Third Quarter Budget and Performance Assessment Report of the Legislature for the period January to March 2023.

(COJ LEGISLATURE)

Item 44 OVERSIGHT REPORT OF THE SECTION 79
 COMMUNITY DEVELOPMENT COMMITTEE
 ON THE 2022/2023 THIRD QUARTER
 PERFORMANCE ASSESSMENT REPORT OF
 THE DEPARTMENT OF COMMUNITY
 DEVELOPMENT, JOBURG CITY THEATRES
 AND JOHANNESBURG CITY PARKS AND ZOO,
 FOR THE PERIOD JANUARY TO MARCH 2023

RESOLVED

- 1 That Council approves the Third Quarter Performance Reports for the Department of Community Development, Johannesburg City Parks and Zoo, as well as the Joburg City Theatres, for the period January to March 2023.
- 2 That Council approves the Oversight Report on the Third Quarter Performance Assessment Report of the Department of Community Development, Joburg City Theatres, and Johannesburg City Parks and Zoo, for the period January to March 2023.
- 3 That JCPZ provides detail on the death of four employees in service, and to provide a mitigation plan against similar future occurrences were relevant, by September 2023.
- 4 That JCPZ includes in future performance reporting on suspended employees, the number of suspensions that were resolved, starting from the first quarter performance report for 2023/2024 financial year.
- 5 That the Department of Community Development, as well as JCPZ and JCT, provide the below information in terms of all contracts lapsing in the next 6 to 12 months in future quarterly performance reports:

Contractor	Goods / services, provided	Start and End date	Transversal contract?	Service / goods mandatory?	New procurement progress

(COJ LEGISLATURE)
 (V Nkambule)
 (Tel. (011) 407-7450)

Item 45 REQUEST FOR APPROVAL FOR CITY OF JOHANNESBURG TO OPERATE ITS OWN AMBULANCE SERVICE

RESOLVED

- 1 That City of Johannesburg Mayoral committee recommended for approval to the City of Johannesburg Council for City of Johannesburg Public Safety EMS permission to operate its own ambulance service.
- 2 That the City of Johannesburg EMS be authorized to register with the National Department of Health as an independent Ambulance Service provider.
- 3 That the City of Johannesburg EMS be authorized to register with the Board of Healthcare Funders to recover costs associated with services provided to medical aid patients, Road Accident Fund, and other medical aid related schemes/funding.
- 4 That the City of Johannesburg EMS be authorized to register the City's owned fleet of emergency medical care vehicles with the National Department of Health.

(EMERGENCY MANAGEMENT SERVICES)

(R Monageng)

(Acting Executive Head :
Public Safety Department)
(Cell. 082 780 0215)

Item 46 COMMENCEMENT OF RECRUITMENT AND SELECTION PROCESS FOR THE CHIEF OF POLICE: JOHANNESBURG METROPOLITAN POLICE DEPARTMENT (JMPD) POSITION IN PUBLIC SAFETY

RESOLVED

- 1 That the contents of this report be noted.
- 2 That the Chief of Police: Johannesburg Metropolitan Police Department position be advertised.
- 3 That the selection panel's composition be approved as reflected in the table below:

No.	Position	Composition of Selection Panel
1.	Chief of Police	a. Chairperson: Head of Department. b. One Councillor designated by the Municipal Council (preferably a mayoral committee member or relevant portfolio head) c. An external expert as designated by the Head of Department. d. Human Resources practitioner

(GROUP CORPORATE AND SHARED SERVICES)
 (GROUP HUMAN CAPITAL MANAGEMENT)
 (Group Head: Group Human Capital Management)
 (Anele Kwababa)

Item 47 REPORT FOR COUNCIL TO CONSIDER A COMPLAINT REGARDING THE IDENTIFIED IRREGULARITIES IN THE INVESTIGATION OF ENS AND MJS ATTORNEYS, REVIEW THEIR FALSE, MANUFACTURED AND COMPROMISED FINDINGS, AND RESCIND AND/OR RECONFIRM ITS RESOLUTIONS IN RESPECT OF SUCH INVESTIGATIONS

This item was dealt with in-committee.

The item was put on vote and the results were as follows:

*Yes = 108
 No = 54
 Abstain = 45*

Therefore, the item was approved.

RESOLVED

- 1 Notes that this report and its attachments are submitted in terms of section 61 of the Municipal Systems Act ("MSA").
- 2 Notes that Regulation 36 (1) (b) of Municipal Supply Chain Management Regulations (MSCMR) and Sub-delegation 38.1 of the Delegation of Authority (DoA) authorised the City Manager to ratify the DoA contravention by the HOD of Public Safety, and
 - (1) Dismiss the false and manufactured allegations in the ENS report that the former Acting City Manager was not legally authorised to ratify the contravention of the DoA by the HOD of Public Safety as a corrective action.
 - (2) Dismiss the false and manufactured allegations in the ENS report that the contravention of DoA by the HOD of Public Safety was not ratified on account that the former Acting City Manager was not legally authorised to ratify them.

- (3) Rescind its resolutions of 26 April 2022 which authorised an investigation against the HOD of Public Safety and Acting City Manager as they did not commit an irregularity by signing the ratification report as a corrective action.
 - (4) Rescind its resolution of 31 August 2022 on the authorisation of a corrective action against the HOD of Public Safety because the ratification of his conduct by the Acting City Manager is a competent corrective action in law.
 - (5) Reconfirm its resolution of 22 February 2023 to authorise the rescindment of its resolution of 10 August 2022 to re-advertise the position of the City Manager based on false vetting claims that the allegations and findings of ENS in the screening report of the Acting City Manager prevented his appointment.
 - (6) Reconfirm its resolution of 23 February 2023 to authorise the appointment of the former Acting City Manager as City Manager after he was cleared by the report of MJS of the false and manufactured allegations in the ENS Report.
- 3 Authorises appropriate action to be taken against Mr D Scott and ENS Attorneys for manufacturing false allegations or findings against senior managers, and for the latter to benefit financially from a questionable and unauthorised investigation.
 - 4 Authorises an appropriate action be taken against Mr T Ehlers and MJS Attorneys for contravening legislation and resolutions of Council by implementing a fronting procurement arrangement on behalf of Cllr Phalatse to financially benefit NEXUS.

DA DISSENT

(OFFICE OF THE CITY MANAGER)

Item 48 REMUNERATION OF PUBLIC OFFICE BEARERS
ACT, 1998 (ACT NO 20 OF 1998) AS AMENDED:
DETERMINATION OF UPPER LIMITS OF SALARIES,
ALLOWANCES AND BENEFITS OF DIFFERENT
MEMBERS OF MUNICIPAL COUNCILS: 2022/2023

RESOLVED

- 1 That Council note the contents of the report and Annexures attached. hereto.

- 2 That Council approves the implementation of the upper limits of the salaries, allowances, and benefits of different members of the Council of the City of Johannesburg Metropolitan Municipality, as set out in Notice No. R.3807 of 18 August 2023 published in Vol. 698 Government Gazette No. 49142 of 18 August 2023 with effect from 1 July 2022.
- 3 That the Speaker of Council be authorized to submit an application, together with the Council resolution, the 2022/23 Audited Financial Statements and 2022/23 Auditor-General Management letter, to the MEC for Cooperative Governance and Traditional Affairs in Gauteng Province. the MEC, to obtain his concurrence before implementation of the provisions contained in this Notice.
- 4 That implementation of the provisions contained in this Notice be affected as soon as possible and in any case after concurrence has been obtained from the MEC.

EFF DISSENT

(COJ LEGISLATURE)

(Shirlyn Serobatse)

(Director : Councillor Support Services)

- Item 49 REPORT ON MEASURES TAKEN TO RATIONALISE CERTAIN COUNCIL RESOLUTIONS REGARDING THE INVESTIGATIVE MISCONDUCT OF GFIS, WHICH ENCROACHED ON THE POWERS OF COUNCIL AND THE SPEAKER TO ACT ON REPORTED IMPROPER AND UNLAWFUL CONDUCT

This item was dealt with in-committee.

The item was put on the vote and the results were as follows:

Yes = 116

No = 92

Abstain = 0

Therefore, the item was approved.

RESOLVED

IT IS RECOMMENDED THAT THE MUNICIPAL COUNCIL:

- 1 The contents of the report and its attachments be noted.
- 2 Confirms and ratify the measures that were implemented in respect of Resolution 8 to mitigate compliance and regulatory risks.

- 3 Suspend the operation of Resolutions 7, 15 and 16 pending the legal opinion and final investigation report from the implemented measures.

DA DISSENT

(OFFICE OF THE CITY MANAGER)

- Item 50 REPORT FOR COUNCIL TO CONSIDER A LEGAL OPINION ON THE APPLICATION OF ITS POWERS IN THE DISCIPLINARY REGULATIONS FOR SENIOR MANAGERS, CODE OF CONDUCT FOR COUNCILLORS AND STANDING RULES AND ORDERS, TO ESTABLISH A SPECIAL AND INDEPENDENT COMMITTEE TO INVESTIGATE THE ALLEGED IMPROPER AND UNLAWFUL CONDUCT RELATING TO GFIS AND ITS OPERATIONS

This item was dealt with in-committee.

The item was put on the vote and the results were as follows:

Yes = 110

No = 90

Abstain = 0

Therefore, the item was approved.

RESOLVED

IT IS RECOMMENDED THAT THE MUNICIPAL COUNCIL:

- 1 The report and its attachments are submitted in terms of Section 61 of the Municipal Systems Act ("MSA") be noted.
- 2 Considers the attached legal opinion and contents of this report, and approves that a Special and Independent Investigation Committee ("SIIC") be established to integrate and conduct all investigations on GFIS-related allegations in these terms:
 - (1) the appointed Senior Counsel, Junior Counsel, two senior attorneys from the Briefing Attorneys, Integrity Commissioner and any person that may be appointed by the MEC of COGTA be the members of the said committee;
 - (2) the Committee to formulate and adopt its own rules and procedures, be presided by the appointed Senior Counsel who will be accountable for all its decisions and the Secretary to Council be responsible for providing the required logistical support, security and resources to the Committee;
 - (3) the MEC for COGTA be requested to assume the roles of Oversight and Appeal Authority of the investigation as the Speaker of Council, Executive Mayor and City Manager are complainants and/or witnesses of the investigation; and

- (4) the Senior Counsel shall be accountable for all proceedings of the Committee, and for submission of a final investigation report by 31 October 2023 to the Speaker of Council and Office of MEC for COGTA.
- 3 Authorises the Acting Group Head of Legal Services to provide legal support and infrastructure that may be needed by witnesses for the purpose of collecting, giving, documenting, and submitting evidence during the proceedings.
- 4 Authorises the City Manager and/or Speaker of Council to take an appropriate action against any person/s (natural and/or juristic) if there is irrefutable evidence that their conduct has caused prejudice on the lawful interests of the City, and/or if there is a likelihood that the presence of such person/s in the City's environment may prejudice the investigation and, submit a report to the Committee and Council.

DA DISSENT

(OFFICE OF THE CITY MANAGER)

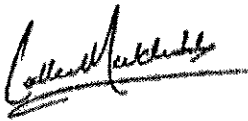
6 ANNOUNCEMENTS

MMC Kunene (PA) informed Council that there was a gas leak that caused a fire in Braamfontein and reported that everything was under control. He stated that the Executive Mayor and the City Manager had addressed the media on the matter. He stated that the gas leak was a result of the maintenance by Egoli Gas as per the instructions of the Government of Local Unity to all the private companies with gas pipes to maintain them and ensure that what happened in Bree Street does not repeat itself. He quoted a man who was well celebrated in the world, Thomas Sankara, who said "You cannot carry out fundamental change without a certain amount of madness. In this case, it comes from nonconformity, and the courage to turn your back on the old formulas, the courage to invent the future. It took the madmen of yesterday for us to be able to act with extreme clarity today. I want to be one of those madmen. We must dare to invent the future". He said that he and MMC Tshwaku have become madmen who saved the lives of people by declaring war on hijacked buildings, without any fear of favour, NGO or no NGO, Court, or no Court, they are saving people's lives.

7 CLOSURE

The Speaker asked Councillors to leave the in-committee reports behind. She thanked the Councillors for attending the meeting.

THE MEETING TERMINATED AT 20:40.



.....
SPEAKER OF COUNCIL

31/10/23

.....
DATE

