



MINUTES OF THE 27TH EXTRA-ORDINARY COUNCIL MEETING OF THE CITY OF JOHANNESBURG MUNICIPALITY CONVENED ON THURSDAY, 13 JUNE 2024, AT THE CONSTANCE CONNIE BAPELA COUNCIL CHAMBER, BRAAMFONTEIN AT 10:00.

**SPEAKER OF COUNCIL
CLLR M ARNOLDS**

A G E N D A

- 1 OPENING**
- 2 APPLICATIONS FOR LEAVE OF ABSENCE**
- 3 RECOMMENDATIONS TO COUNCIL**
- 4 ANNOUNCEMENTS**
- 5 CLOSURE**

I N D E X

ITEM NUMBER

GROUP FINANCE

LOAN FUNDING FOR 2023/24 FINANCIAL YEAR: AGENCE FRANCAISE DE DEVELOPPEMENT ("AFD") 1

MEMBERS PRESENT

The Speaker: Councillor M S Arnolds

The Executive Mayor: Councillor K Gwamanda

Abdool, F	Hooper, R S
Amad, T	Huggett, E A
Atterbury, E	Hughes, Z
Avant-Smith, C	Ismail-Moosa, I
Baloyi, D L	Jacobs, B
Bini, L	Jacobs, K
Bittkau, R	Jainoodeen, Z
Boer, C	Johnson, N
Bolani, M G	Jonker, N
Brand, D G	Kaldine, J
Buthelezi, T C	Kgeletsane, M O
Chauke, K L	Khanyile, N M
Chetsanga, H	Khumalo, X I
Christians, A	Koekemoer, M
Chuma, A T	Komane, S A
Coogan, L C	Kreusch, S
Cook, M	Kunene, K
Coutriers, M J	Kwapeng, C
Coverdale, D L T	Landis, R
Crichton, M	Lebatlang, T Z
Da Gama, V M	Lebea, M G
Da rocha, C M D	Lefutso, L
Dammie, B H	Leitch, A N
Davids-Green, L C	Leshilo, R S
De Lange, F C	Liebenberg, E
Deppe, A J	Lobi, M
Dewes, D S	Louw, M A
Dladla, D	Maake, M J
Dlamini, B	Mabaso, M P
Doyle, T	Mabelebele, S S
Echeozonjoku, B C	Mabuke, T A
Edward, N	Mabunda, T E
Finn, C E	Mabuza, S K L
Foley, D T	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	Makamo, S S
Harman, L J (DA)	Makhafola, E
Harris, R	Makhuba, H N
Hlatshwayo, S M	Maluleka, T
Hoén, J N	Manganyi, D B

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

Ntombela, M J
Ntshidi, T E
Nyembe, M M
Nyembe, Z P
Nzimande, C
Papo, M M
Pelzer, R
Phometsi, P S
Pietersen, J
Pietersen, N
Ponsonby, D A
Radebe, N P
Radebe, T T
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
Santana, C G
Seerane, M K
Sekhu, M V
Sekwaila, B J
Sesedinyane, M I
Shange, P A
Shumba, K A
Sifumba, N
Simelane, P
Simelane, S O
Simonse, L C
Sindani, F P
Steenkamp, D
Stewart, A J
Suddaby, J
Supe, N P
Tabane, M C
Tambani, P S
Tefu, P V
Telekoa, A T
Tshedo, J G
Tshehlo, G J
Tsotetsi, L Y M
Twala, Y A
Van der Merwe, M
Van Dyk, N J
Van Wyk, W M
Williams, M C
Wilskut, D
Wissler, S T J
Xuma, L
Zazini, A
Zitha, S L
Zondo, L T
Zungu, N G
Zwane, S

1 OPENING

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

She welcomed the Executive Mayor of the City of Johannesburg, Councillor Kabelo Gwamanda; the Whip of Council, Councillor N. G. Zungu; 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 27th Extra Ordinary Meeting of the City of Johannesburg Municipality. A special welcome was extended to Councillor M. Cook from GOOD, who is replacing Councillor L. Phillips, who had since resigned.

She congratulated the Independent Electoral Commission (IEC) and all political parties that participated in the 2024 general elections for peaceful elections. She also congratulated the South Africans for exercising their constitutional right and the political parties that will be represented in Parliament and Provincial Legislatures.

She afforded Legal 5 minutes to confirm the number of Councillors present to determine quorum.

It was confirmed that there were 169 Councillors present in the Chamber, as a result there is quorum and the meeting continued.

2 APPLICATIONS FOR LEAVE OF ABSENCE

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

<i>Councillor Amod, C J</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Benjamin, R F</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Chabalala, M D</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Chame, F</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Durand, G V M</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Fourie-Shawe, C</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Horwitz, J</i>	<i>:</i>	<i>Religious Purposes</i>
<i>Councillor Knott, L R</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Machaba, L M U</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Majola, S</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Mazibukwana, M</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Mkhonza, N F</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Mofokeng, M P</i>	<i>:</i>	<i>Family Bereavement</i>
<i>Councillor Nontenja, C T</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Rohlssen, C K</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Schay, D</i>	<i>:</i>	<i>Religious Purposes</i>
<i>Councillor Shackelford, L M</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Sherman, G J</i>	<i>:</i>	<i>Private Business</i>

<i>Councillor Smit, P A</i>	:	<i>Illness</i>
<i>Councillor Truluck, T F</i>	:	<i>Private Business</i>
<i>Councillor Tshwaku, M</i>	:	<i>Illness</i>
<i>Councillor Wax, K P</i>	:	<i>Private Business</i>

The following Councillors requested to arrive late.

Councillor Mabaso, M P
Councillor Manganyi, D B
Councillor Marema, V A
Councillor Sesedinyane, M I

The following Councillors requested to leave the meeting early.

<i>Councillor Jacobs, K</i>	:	<i>11:30</i>
<i>Councillor Steenkamp, D</i>	:	<i>12:00</i>
<i>Councillor Kunene, K</i>	:	<i>12:00</i>
<i>Councillor Leitch, A N</i>	:	<i>12:00</i>
<i>Councillor Fresling, R R</i>	:	<i>13:00</i>
<i>Councillor Liebenberg, E</i>	:	<i>14:00</i>

3 RECOMMENDATIONS TO COUNCIL

The Executive Mayor tabled the report from the Executive and the recommendations thereto.

Item 1 LOAN FUNDING FOR 2023/24 FINANCIAL
YEAR: AGENCE FRANCAISE DE
DEVELOPPEMENT ("AFD")

Councillor Mosehla (EFF) asked for an hour caucus break.

The Speaker acceded to the request.

On resumption, the Speaker pleaded with Councillors to request a caucus break before the item discussion starts, rather than asking for it when the item is midway.

Councillor Christians (DA) stated that he respects the Speaker's decision but asked for her indulgence because they had also planned to have a caucus just before their speaker addresses the item. While he respects the Speaker's decision, he requested that the Democratic Alliance be afforded an opportunity to caucus as the decision was only made at this meeting. He also asked if the decision could be implemented going forward from the next Council Meeting.

Councillor Santana (DA) asked for a 30-minute caucus break.

The Speaker acceded to the request.

After deliberations, the Speaker posed the question to the House, but the response was not clear. She then put the item to a vote, and the results were as follows:

Yes: 110

No: 89

Abstain: 1

The Speaker referred to Section 160(2) of the Constitution, which provides that a Municipal Council may not delegate the following functions:

- a) The passing of By-Laws*
- b) The approval of budgets*
- c) The imposition of rates, and other taxes, levies, and duties*
- d) The raising of loans*

All questions concerning matters mentioned in Sub-Section (2) are determined by a decision taken by a Municipal Council with a supporting vote of a majority of its members.

THEREFORE, THE ITEM WAS NOT CARRIED.

- 1 That Council approves the provision of a 15-year amortising loan for an amount of R2,500,000,000.00 at an indicative floating interest rate of 3-month Jibar plus a credit spread of up to 4.96% from the Agence Francaise de Developpement "AFD" for funding of the City's capital expenditure in the 2023/24 financial year.
- 2 That Council approves the loan agreement between City of Johannesburg and Agence Francaise de Developpement.
- 3 That Council approves the appraisal fee of 0,5% of the total loan amount due to AFD 30 days after the contract signing date, which equates to about R12,500,000.00 for a loan of R2,500,000,000.00.
- 4 That the City Manager, the Group Chief Financial Officer, and the Group Head: Treasury, and Financial Strategy in consultation with the Group Head: Group Legal and Contracts be authorised to negotiate and effect changes on the debt agreement should they be required to protect the City's interest as well as execute on the final terms of the long-term loan to be provided by the AFD.
- 5 That the City Manager be authorised to sign the final AFD loan agreement and any subsequent amendments that may occur.

(GROUP FINANCE)

(Mr. Mabandla Sibisi)

4 ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced that Councillors were going on recess and that they would be notified when the next Council Meeting would be scheduled.

5 CLOSURE

The Speaker thanked everyone for their attendance.

THE MEETING ADJOURNED AT 12:18.



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SPEAKER OF COUNCIL
CLLR M ARNOLDS

22 AUGUST 2024

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DATE