



**MINUTES OF THE 31<sup>ST</sup> EXTRA-ORDINARY COUNCIL MEETING OF THE CITY OF JOHANNESBURG MUNICIPALITY WILL BE CONVENED ON WEDNESDAY, 21 AUGUST 2024, AT THE CONSTANCE CONNIE BAPELA COUNCIL CHAMBER, BRAAMFONTEIN AT 10:00.**

## **A G E N D A**

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

**1B MEMBERS PRESENT**

The Speaker: Councillor Mthembu, M N

The Executive Mayor: Councillor S E Morero

Abdool, F	Harman, L J
Aphane, J D	Harris, R
Arnolds, M S	Hlatshwayo, S M
Atterbury, E	Hoén, J N
Avant-Smith, C	Hooper, R S
Baloyi, D L	Horwitz, J
Benjamin, R F	Huggett, E A
Bini, L	Hughes, Z
Bittkau, R	Jacobs, B
Bolani, M G	Jacobs, K
Brand, D G	Jainoodeen, Z
Buthelezi, T C	Johnson, N
Chabalala, M D	Jonker, N
Chame, F	Kaldine, J
Chauke, K L	Kgeletsane, M O
Chetsanga, H	Khanyile, N M
Christians, A	Khumalo, X I
Chuma, A T	Koekemoer, M
Coogan, L C	Komane, S A
Cook, M	Kreusch, S
Coutriers, M J	Kunene, K
Coverdale, D L T	Kwapeng, C
Crichton, M	Landis, R
Da Gama, V M	Lebatlang, T Z
Da rocha, C M D	Lebea, M G
Dammie, B H	Lefutso, L
Davids, M	Leshilo, R S
Davids-Green, L C	Liebenberg, E
De Lange, F C	Lobi, M
Deppe, A J	Louw, M A
Dladla, D	Maake, M J
Dlamini, B	Mabaso, M P
Doyle, T	Mabelebele, S S
Durand, G V M	Mabidilala, M P
Echeozonjoku, B C	Mabuke, T A
Edward, N	Mabunda, T E
Finn, C E	Mabuza, S K L
Foley, D T	Machaba, L M U
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
Gwamanda, K	Makamo, S S

Makhafola, E  
Makhuba, H N  
Maluleka, T  
Manganyi, D B  
Mangena, T D  
Marais, A F  
Marais, S I  
Marema, V A  
Marumo, T  
Masera, H  
Mashala, K  
Mashinini, S  
Masoga, L M  
Masuku, L  
Maswazi, R  
Matabane, O  
Mathe, G  
Mathe, Z E  
Mavhona, L S  
Mazibuko, A L  
Mazibuko, N  
Mazibukwana, M  
Mchunu, A  
Meyers, T  
Mgaga, B  
Mgcina, S E  
Mhlari, T M  
Mkasi, G  
Mkhize, T  
Mkhonto, M S  
Mkhonza, N F  
Mmbengwa, M N  
Mmota, L  
Mngadi, W B  
Mnisi, M  
Mnisi, N D  
Mnyameni, M  
Moatshe, K  
Modladlaba, D S  
Modukanene, L C  
Modupi, D N  
Moeti, O T  
Mofokeng, J  
Mogapi, T A  
Mohlala, C  
Mohlala, P K  
Mokoari, Z  
Mokoena, G  
Mokoena, M S  
Mokoena, P  
Mokoka, M L  
Mokome, J M  
Mokwena, T M  
Molala, S M  
Molefe, B J  
Molefe, E W  
Molefe, M  
Molefe, S B  
Molise, L D  
Moloisane, D  
Mosehla, K J  
Mothopi, O Z  
Mphaho, M A  
Mphefo, L M P  
Mpolobosho, M M  
Mposula, T  
Mpotulo, G S  
Mulelu, M  
Munyayi, V E  
Mutavhatsindi, N T  
Nair, R K  
Ncube, W M  
Ndlela, M C  
Ndou, N L  
Ndou, P  
Ndou, P  
Ndzondo, C M  
Nefdt, P W  
Nenemba, T  
Nethamba, R  
Ngema, S V  
Ngoepe, C S  
Nguse, S  
Ngwenya, F N  
Ngwenya, J A  
Ngwetsheni, M M

Nhlapo, C P  
Niemand, G J  
Nkokou, T P  
Nkomo, B  
Nkomo, E T  
Nkomo, P T  
Nkonyeni, S P  
Nkosi, R A L  
Nkubungu, L  
Nkwanyana, P B  
Nofemela, N  
Nonkumbi, I M  
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, 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  
Rohlssen, C K  
Santana, C G  
Schay, D  
Seerane, M K  
Sehoai, R J  
Sekhu, M V  
Sekwaila, B J  
Shackleford, L M  
Shange, P A  
Sherman, G J  
Shumba, K A  
Sifumba, N  
Simelane, P  
Simelane, S O  
Simonse, L C  
Sindani, F P  
Smit, P A  
Steenkamp, D  
Stewart, A J  
Suddaby, J  
Supe, N P  
Tabane, M C  
Tambani, P S  
Tefu, P V  
Telekoa, A T  
Truluck, T F  
Tshwaku, M  
Tsheddo, J G  
Tshehlo, G J  
Tsotetsi, L Y M  
Twala, Y A  
Van der Merwe, M  
Van Dyk, N J  
Van Wyk, W M  
Wax, K P  
Williams, M C  
Wilskut, D  
Wissler, S T J  
Xuma, L  
Zazini, A  
Zigebe, Y L  
Zitha, S L  
Zondo, L T  
Zungu, N G  
Zwane, S

## 1 OPENING

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

*He welcomed the Executive Mayor - Councillor Sello Enock Morero, the Whip of Council – Councillor Godslove Zungu, Members of the Mayoral Committee, Chairpersons of the various Section 79 Committees, leaders and whips of the various political parties in Council, Councillors, Secretary to Council - Mr Andile Gobinca, officials of the City, members of the public, members of the media, ladies and gentlemen to the 31<sup>st</sup> Extra-Ordinary Council Meeting of the City of Johannesburg Municipality which is meant to elect the Speaker of Council.*

*A special welcome was extended to the following distinguished guests:*

*Mr. Sasabona Manganye, Chairperson of the Government of Local Unity  
Mr. Moshe Koma, Provincial Secretary of the Economic Freedom Fighters  
Mr. Nkululeko Dunga, Provincial Chairperson of the Economic Freedom Fighters  
Mr. Solly Mkhize, Provincial Secretary of the Patriotic Alliance  
Mr. Alderman Alco Ngobese, Provincial Leader of the Inkatha Freedom Party  
Ms. Matshidiso Mfikoe, MPL, Gauteng Provincial Legislature  
Mr. Herman Mashaba, President of ActionSA and former Executive Mayor of the City of Johannesburg  
Mr. Michael Beaumont, Chairperson of ActionSA  
Mr. Fuzela Ngobeni, Provincial Chairperson of ActionSA and MPL, Gauteng Provincial Legislature  
Mr. Solly Msimanga, Provincial Leader of the Democratic Alliance  
He afforded the political party whips 10 minutes to ensure that all members of their respective caucuses had signed the register.*

*The City Manager granted a 10-minute break to allow all political party whips to ensure that their members have signed the attendance register.*

*The City Manager then requested the Legal Advisors to confirm the number of Councillors present in order to verify the quorum. For the sake of accuracy, he stated that attendance would be verified through the register and by counting those physically present. He requested all Councillors to remain seated to allow the Legal Advisors to complete the count.*

*The City Manager stated that the total number of Councillors is 270. However, due to four Ward vacancies (1 ANC, 2 DA, and 1 Aljama-ah), the current number of Councillors is 266. Despite this, the quorum remains 50% + 1 of 270, which equals 136.*

*He confirmed that 239 Councillors had signed the attendance register, with 246 Councillors physically present in the Chamber. As a result, a quorum was confirmed, and the meeting could proceed.*

## 2 APPLICATIONS FOR LEAVE OF ABSENCE

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

<i>Councillor Amad, T</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Amod, C J</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Boer, C</i>	<i>:</i>	<i>Urgent Private Business</i>
<i>Councillor Dewes, D S</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Mhlongo, T A</i>	<i>:</i>	<i>Party business</i>
<i>Councillor Moepi, N J D</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Radebe, N P</i>	<i>:</i>	<i>Private Business</i>

*MMC Kunene, K requested to arrive late.*

## 3 ELECTION OF THE SPEAKER OF COUNCIL

*Councillor Raseruthe (EFF) requested a 30-minute caucus break which the City Manager acceded to.*

*Upon resumption, the City Manager reminded Councillors to be mindful of Rule 30 of the Standing Rules and Orders of Council, which provides that:*

*When attending to the business of the Council, and Committee meetings, Councillors -*

- (1) must conduct themselves in a way that demonstrates respect for the Council, Committee Chairpersons and other Councillors;*
- (2) must conduct themselves in compliance with the Code of Conduct for Councillors and in accordance with the provisions of these Rules;*
- (3) must not distribute any material other than the agenda, speakers list, urgency reports, Motions, amendments to reports and minutes of meetings of the Council prior to the commencement of or at meetings of the Council unless the Speaker has approved the distribution of such material;*
- (4) must be identified at all times and wear a name badge in instances where a Councillor acts in her/his official capacity as a Councillor of the City of Johannesburg;*
- (5) must not use photographic equipment, recording devices and other multimedia devices and unless they are on silent mode and only for the purpose of the meeting and in line with applicable legislation;*
- (6) must not walk between the Presiding Officer and a Councillor who is speaking;*
- (7) must not walk in front of the Presiding podium or approach the presiding podium;*
- (8) must not engage in conduct or behaviour that disturbs the proceedings;*

*The City Manager reminded Councillors that the Executive Mayor has appointed Councillor Margaret Arnolds, who was the Speaker of Council as an MMC for Finance, as a result, Councillor Arnolds resigned as the Speaker of Council, thus a vacancy in the Office of the Speaker and the provisions of Section 36 of the act shall apply.*

*Section 36 - election of speakers*

1. "...
2. *A vacancy in the Office of the Speaker must be filled when necessary.*
3. *The Municipal Manager must preside over the election of a speaker.*
4. *The procedure set out in Schedule 3 applies to the election of a speaker.*
5. ...."

*SCHEDULE 3 TO THE MUNICIPAL STRUCTURES ACT*

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

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

*The City Manager announced that the Independent Electoral Commission (IEC) has been requested to conduct the election and has acceded to the request. He therefore requested all Councillors and relevant officials to cooperate with the IEC in that regard.*

*The City Manager mentioned that the meeting would proceed with the election of the Speaker of the City of Johannesburg Municipality, in accordance with Schedule 3 of the functions mentioned earlier. He then invited the IEC to guide Councillors through the election process.*

*Mr. J. Mhlanga (IEC) indicated that the voting process would proceed as follows: they would first address the party agents, then follow with Councillors requiring special votes, and lastly, proceed with Councillors from each party in alphabetical order. He then took Councillors through the voting process as follows:*

*The election shall be conducted by secret ballot.*

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

#### *1.1 Identification*

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

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

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

#### *1.3 Roll call and voters' roll*

- *An updated name list with full names and ID numbers of the 270 Councilors in the City of Johannesburg will be used as the voter's roll.*
- *Councillors absent on the day will be indicated when roll call is taken.*
- *The Acting Secretary to Council will read the names as they appear on the voters roll in alphabetical order.*

- *Party agents will be given preference to cast their votes.*
- *Councillors will then be called 4 at a time to cast their ballot.*
- *Councillors will be marked off the voters roll once they have voted.*
- *Councillors who are present but not feeling well and wish to vote must inform the presiding officer so that special arrangements can be made to accommodate them for special votes.*

#### 1.4 *Ballot papers*

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

#### 1.5 *Marking of ballot*

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

#### 1.6 *Casting of vote*

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

#### 1.7 *Counting and Results*

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

*At this point, the time being 11:21, the City Manager granted a 10-minute break to allow for the distribution of nomination forms to all political parties through their party whips.*

*On resumption, the City Manager confirmed that 3 nomination forms were received, one was from Councillor N Rahn (DA) seconded by Councillor B Echeozonjoku (DA) and nominated Councillor Sifumba (DA) for the position of the Speaker of Council. He confirmed that the form was duly compliant and signed. And the other one was from Councillor V Marema (ANC) seconded by Councillor Twala (ANC), and Councillor M van Wyk (ActionSA), seconded by Councillor Raphadu (ANC) both nominating Councillor Mthembu (ActionSA) for the position of the Speaker of Council.*

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

*Councillor Rahn (DA) followed by Councillor Echeozonjoku (DA) read out their nomination forms, followed by Councillor Sifumba (DA) confirming the acceptance of the nomination.*

*Councillor Marema (ANC) followed by Councillor Twala (ANC), Councillor van Wyk (ActionSA), Councillor Raphadu (ANC) read out their nomination forms, followed by Councillor Mthembu (ActionSA) confirming the acceptance of the nomination.*

*At this point, the time being 11:40, the City Manager granted a 20-minute break for the ballot papers to be printed.*

*On resumption, the City Manager indicated that the ballot papers had been printed and the voting process would commence. He asked the Secretary to Council to call Councillors' names as they appear in the voter's roll.*

*The following Councillors requested for special votes:*

*Councillor Buthelezi, T C*

*Councillor Rambani, N S*

*Councillor Khumalo, X I*

*Councillor Mmbengwa, M N*

*Councillor Leshilo, R S*

*Councillor S Morero*

*Councillor Z. Jainoodeen, who is seated on a wheelchair, will have the IEC come to him for the voting process.*

*Mr. Mahlinga guided members through the voting process and requested that political parties submit the names of their party agents.*

*The following Councillors served as party agents for the duration of the election process:*

*Ntoele, N*

*L Nkomo*

*Davids, M*

*Mokoka, M L*

*Mkhize, T*

*Mkhonza, N F*

*Marema, V A*

*Following the elections process, the City Manager announced the results as follows:*

*Total votes cast :252*

*Spoiled votes: 4*

*Total valid votes: 248*

*Councillor Sifumba, N received 68 votes.*

*Councillor Mthembu, NM received 180 votes.*

*The City Manager declared Councillor NM Mthembu as the duly elected Speaker of Council and extended congratulations. Following the election, Regional Court President, RCP Modibedi Djadje, administered the swearing-in ceremony for Councillor NM Mthembu.*

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

*The Speaker of Council, Councillor NM Mthembu addressed Council as follows:*

*Executive Mayor, Cllr Dada Morero, City Manager Mr Floyd Brink, MMCs Chairpersons of Section 79 Committees, Fellow councillors, Residents of the City of Johannesburg, Leaders of various formations, Members in the gallery, Members of the media, Ladies and Gentlemen. Allow me to begin by thanking the leaders of various political parties that constitute the current administration. These leaders have chosen to heed the call to set aside their differences, abandon grandstanding, and instead pursue constructive collaboration for the sake of the more than 6 million residents of the City of Johannesburg, who deserve to live in a city that works for them.*

*I therefore wish to thank you all for entrusting me with the responsibility to exercise maximum oversight over the crucial work of the administration.*

*As we continue to celebrate Women's Month in South Africa, we are reminded of the incredible strength and resilience of women who have shaped our nation's history. From the brave women who fought against apartheid to the trailblazers who are breaking glass ceilings in various fields today, we honour their contributions and legacy.*

*In the City of Johannesburg, we are proud to be part of this legacy. To be elected as a young female Speaker, is a testament to our commitment to empowering women and promoting gender equality. And as a young woman, I represent a new generation of leaders who are passionate, driven, and dedicated to serving our communities.*

*Fellow Councillors, allow me to thank the City Manager for holding the fort for the past few days. Thank you, CM. Councillors, allow me to set the tone for the work ahead and make it clear that today marks the beginning of a new era. An era focused on restoring our city to its former glory, where service delivery will take centre stage.*

*This is an era in which we will instil a culture of accountability and transparency, and where, at every turn, we will work together to ensure that the best interests of our residents anchor our efforts. We are in rebuilding mode, and the residents of Johannesburg simply cannot be expected to wait any longer for the effective delivery of frontline services—from reliable electricity and water to functional traffic lights, refuse removal, and pothole repairs. I have made it clear that rejuvenating the inner city and getting Johannesburg back on track as a hub of investment and opportunity will be a central focus.*

*Ladies and Gentlemen, it cannot be business as usual. Therefore, I am committed to pursuing every effort to ensure that this Council puts in the hard work needed to deliver a city that functions for its residents.*

*The residents of the city can be confident that my office will function solely to protect and advance their interests, ensuring that this new administration represents a much-needed shift towards stabilising governance and prioritising service delivery at the top of the agenda.*

*We must all recognise that the city has deteriorated over the past years, but to save it, we have one option, and that is to ACT NOW!*

*We must be relentless in driving a sustained programme of action, backed by political will and the abandonment of patronage and wastefulness in the use of resources.*

*This must be a city where lawlessness is met with swift action, where our bylaws are not merely suggestions but are strictly adhered to and enforced, and ultimately where the safety of our residents is protected. Mayor, to get this done, you will need to read the riot act to your Executive and Administration.*

*There must be zero tolerance for corruption, mismanagement, and ineptitude. Neither the City nor its residents can afford complacency or failure at this critical time.*

*It is due to the urgent need for action that my top priorities are to:*

- *Work with the Executive to resolve the billing crisis, ensuring the city has the resources to provide public services.*
- *Place the rejuvenation of the Inner City at the top of the agenda.*
- *Tackle corruption, patronage, and wastefulness.*
- *Ensure strict enforcement of City By-laws, particularly concerning illegal trading and dumping.*
- *Ensure that accountability is entrenched in a collaborative environment for the effective delivery of services and the restoration of good governance.*

*And so, fellow Councillors, I wish to conclude by indicating that my promise to both the residents of Johannesburg and my fellow Councillors is that I will be a speaker who represents all 270 Councillors. Robust engagement will be encouraged and fostered, and we will hold each other accountable without compromise. Let's work together to fix our city. I thank you."*

**5 CLOSURE**

THE MEETING ADJOURNED AT 14:24.



04/10/2024

.....

.....

**SPEAKER OF COUNCIL**

**DATE**