



CITY OF JOHANNESBURG COUNCIL

MINUTES OF THE 23rd ORDINARY COUNCIL MEETING OF THE CITY OF JOHANNESBURG MUNICIPALITY, HELD ON TUESDAY & WEDNESDAY, 30 & 31 JULY 2024, AT 10:00 ON BOTH DAYS, AT THE CONSTANCE CONNIE BAPELA COUNCIL CHAMBER, BRAAMFONTEIN.

**SPEAKER OF COUNCIL
CLLR M ARNOLDS**

A G E N D A

- 1 OPENING**
- 2 APPLICATIONS FOR LEAVE OF ABSENCE**
- 3 OFFICIAL NOTICES**
 - 3.1 Statement by the Executive Mayor**
- 4 CONFIRMATION OF MINUTES**

(19th Ordinary Meeting held on 19 & 20 March 2024)
(20th Ordinary Meeting held on 25 April 2024)
(21st Ordinary Meeting held on 2 & 3 May 2024)
(22nd Ordinary Meeting held on 14 & 15 May 2024)
(26th Extra-Ordinary Meeting held on 22 May 2024)
(27th Extra-Ordinary Meeting held on 13 June 2024)
(28th Extra-Ordinary Meeting held on 9 July 2024)
(29th Extra-Ordinary Meeting held on 25 July 2024)
- 5 QUESTIONS FOR WRITTEN REPLY OF WHICH NOTICE HAS BEEN GIVEN IN TERMS OF RULE 105(2) OF THE STANDING RULES AND ORDERS OF COUNCIL**
- 6 RECOMMENDATIONS TO COUNCIL**
- 7 MOTIONS**
- 8 ANNOUNCEMENTS**
- 9 CLOSURE**

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MEMBERS PRESENT

The Speaker: Councillor M S Arnolds

The Executive Mayor: Councillor K Gwamanda

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Mosehla, K J
Mothopi, O Z
Mphaho, M A
Mphahlele, M
Mpolobosho, M M
Mposula, T
Mpotulo, G S
Mthembu, M N
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
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, N P
Radebe, T T
Rahn, N J
Raholane, M W
Rakosa, P M
Ramafikeng, D J
Rambani, N S
Raphadu, A T
Reddy, V M
Reinten, I M
Rohlssen, C K
Santana, C G
Schay, D
Seerane, M K
Sekhu, M V
Sekwaila, B J
Shackelford, 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
Tshedo, J G
Tshehlo, G J
Tsoetsi, L Y M
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
Zungu, N G
Zwane, S

1 OPENING

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

The Speaker welcomed the Executive Mayor of the City of Johannesburg – Councillor Kabelo Gwamanda, Whip of Council – Councillor Godslove Zungu, 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 23^d Ordinary Council Meeting of the City of Johannesburg Municipality.

The Speaker announced that she had received a request from the Executive to add two urgency reports, Items 103 and 104, to the agenda. It was further requested that both urgency reports, along with the HR reports (Items 89–93 and 99), be elevated and considered before Item 1 on the agenda. The Speaker stated that she had acceded to the request.

She further notified the Council that the day's agenda contained 104 items to be considered, and as a result, the elections for the Chair of Chairs, five Section 79 Chairpersons, and the three motions from the March 2024 meeting would be deferred to an Extra-Ordinary Meeting to be convened in due course. She also reminded the Council that, during the last meeting, she had announced the launch of the #READFORMANDELA book donation drive by the Speaker's Office in honour of the late Tata Mandela. She was pleased to announce that, in three weeks, the drive had collected 413 books, which were donated to Pastor Moses Mohlabi and the Apostolic Faith Mission in Fine Town, where five years ago, a study hub for the community was initiated using one of the church's facilities.

She then asked the Councillors to join her in congratulating Councillor Bittkau on celebrating his 47th Wedding Anniversary.

The Speaker announced that Legal had confirmed the presence of 172 Councillors in the Chamber, confirming that there was quorum.

2 APPLICATIONS FOR LEAVE OF ABSENCE

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

<i>Councillor Amod, C J</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Brand, D G</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Harris, R</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Hoén, J N</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Horwitz, J</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Khanyile, N M</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Landis, R</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Mathe, Z E</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Mkhize, T</i>	<i>:</i>	<i>Private Business</i>

<i>Councillor Molefe, E W</i>	:	<i>Ill Health</i>
<i>Councillor Mphefo, L M P</i>	:	<i>Ill Health</i>
<i>Councillor Nhlapo, C P</i>	:	<i>Ill Health</i>
<i>Councillor Ramaru, G</i>	:	<i>Private Business</i>
<i>Councillor Raseruthe, S H</i>	:	<i>Private Business</i>
<i>Councillor Roberts, F C</i>	:	<i>Ill Health</i>
<i>Councillor Twala, Y A</i>	:	<i>Ill Health</i>
<i>Councillor Zondo, L T</i>	:	<i>Ill Health</i>

The following Councillors were granted permission to arrive late.

Councillor Dewes, D S
Councillor Finn, C E
Councillor Fresling, R R
Councillor Kaldine, J
Councillor Makhuba, H N
Councillor Manganyi, D B
Councillor Modukanene, L C
Councillor Niemand, G J
Councillor Pietersen, N
Councillor Reinten, I M
Councillor Simonse, L C

The following Councillors were granted permission to leave early.

Councillor Bittkau, R
Councillor Jainoodeen, Z
Councillor Kunene, K
Councillor Makhafola, E
Councillor Mazibuko, N
Councillor Mnisi, M
Councillor Mogapi, T A
Councillor Mpolobosho, M M
Councillor Ponsonby, D A
Councillor Sherman, G J

3 OFFICIAL NOTICES

The Speaker asked the Councillors to join her in extending well wishes to the following Councillor who celebrated their birthday in July.

Councillor Lebatlang, T Z
Councillor Coutriers, M J
Councillor Shange, P A
Councillor Makamo, S S
Councillor Khumalo, X I
Councillor Chauke, K L
Councillor Galeshewe, T M
Councillor Papo, M M

Councillor Mphefo, LMP
Councillor Ncube, MW
Councillor Reddy, VM
Councillor Koekemoer, M
Councillor Mosehla, KJ
Councillor Ngwenya, JA
Councillor Zitha, SL
Councillor Masuku, L
Councillor Mnisi, ND
Councillor Pelzer, R

3.1 Statement by the Executive Mayor

The Executive Mayor acknowledged the Speaker of Council, the Councillors present, the Whip of Council, Councillor Zungu, all MMCs, and the Head of Administration.

He then proudly announced the swearing-in of the 10th MMC of the Government of Local Unity, Councillor Mlungisi Mabaso, as the MMC for Human Settlements

The Executive Mayor addressed Council as follows:

“Madam Speaker. As I rise to present the Executive reports, allow me to first take this opportunity to reflect briefly on the recent sequence of events whilst providing much needed context to the political novices at play, and as such it would be remiss of me not to extend my heartfelt gratitude to the 5 civil organisations who represent in their own way all 6 million residents in the City of Johannesburg.

I believe Madam Speaker that it takes an overwhelming sense of confidence in an individual to expect a complete transformation of the biggest city in Africa with over 20 years of backlogs to be resolved in a just over a year.

Suffice to say Madam Speaker that there have been numerous failed attempts to undermine the inherent authority of the state while bringing the city to disrepute. We have witnessed sensationalised Catchphrases like Political Instability, a crisis in the City of Johannesburg and now it’s the incompetent Mayor.

But in the words of a revolutionary force, President Samora Machel: “The day you hear my oppressors speak of me in a good light that day stop sharing your secrets with me, because that means I would have betrayed you already”.

Ladies and gentlemen, contrary to the building narrative, I wake each morning with the knowledge that -and I quote “our residents face crumbling infrastructure, unreliable water supplies, and high electricity tariffs.

Madam Speaker, contrary to the calls of my head under the auspices that I and my Executive have been doing nothing, I remain committed to my obligation to the residents of the City of Johannesburg. To those who have made Joburg their home, to businesses that are the heartbeat of our economy, and to the young people who, like me, a black child from Soweto, Orange Farm, Eldorado Park, Diepsloot, Westbury, are waiting and hoping for a better future.

Madam Speaker, it is with collective responsibility to our citizens, and my personal duty to my birth city, that I present the Executive Reports to this Council.

Among these reports is a detailed account of the City's Infrastructure Asset Management Investment Programme. This programme outlines a comprehensive and strategic approach to addressing the critical infrastructure challenges facing the City of Johannesburg.

By implementing initiatives under five key themes, Outcomes based Planning Reforms, Strategy-led Budgeting Reforms, Capital Delivery Improvements, Operations and Maintenance Improvements, and Cross-Cutting measures, we aim to enhance infrastructure governance, delivery, and maintenance while maximising value for all our residents and businesses. A key component of this programme, and I address this to the civic society who marched in the city this past weekend, is the guiding principles of collaboration. This coupled with key elements of innovation, sustainability, and equity underpin our commitment to addressing our infrastructure challenges.

Additionally, two critical reports are being tabled today, the turnaround strategies for City Power and Johannesburg Water. Both entities are embarking on transformative journeys to address current challenges and secure reliable and sustainable future service delivery. Once approved, City Power will adopt the innovative model as the cornerstone of its comprehensive turnaround strategy. This model provides a holistic framework for assessing and improving city's powers operations across seven key dimensions: asset creation, asset maintenance and operations, customer trust and satisfaction, sound finances, capable and motivated people, governance, and a supportive environment. Leadership and management with steadfast implementation and continuous adoption, City Power will emerge stronger, more efficient and aligned with evolving energy sector.

The water and sanitation service in Johannesburg is experiencing serious challenges and is not sustainable. Long-term under-investment, weakening financial performance and declining services has put our water and sanitation services in a precarious position. Without significant changes, the reliability of these services will be increasingly compromised negatively and affecting health and new investments critical for job creation and economic growth in the City of Johannesburg. Johannesburg Water's turnaround strategy plan adopts five strategic shifts as essential pillars of improving the financial and technical performance of Johannesburg Water, these shifts are critical for service delivery and financial sustainability offering a clear framework for seeking financial support and must be pursued ambitiously.

One of the articles which followed after the march had a picture of a placard calling for Kliptown development, now or never. Fellow Councillors, item 84 seeks the approval of the Kliptown Urban Development framework. The proposed spatial concept for Kliptown aims to enhance public environment, create an efficient movement system, improve social well-being, promote local economic development, upgrade informal settlements, and eradicate infrastructure backlog. So, yes, it's Kliptown development, now.

The Kliptown report will be followed by a report seeking Council's approval to increase the poverty bans bringing many more indigents into the fold to benefit from the City's expanded social package which offers amongst others, basket of services which includes electricity and water allocations to those who need it most. These reports are to be tabled today, and the outcome of many months of dedicated efforts seeking a true understanding of the real needs in the city and finding workable and sustainable solutions to our problems. Let us commit to these transformative strategies and approve these reports together, resolving to do better and better for those we serve.

Madam Speaker, with that, I would like to table the reports and the recommendations thereto. Thank you, very much."

4 CONFIRMATION OF MINUTES

(19th Ordinary Meeting held on 19 & 20 March 2024)

(20th Ordinary Meeting held on 25 April 2024)

Page 8, "the Speaker declared the report defeated", to read "the Speaker declared the report defeated"

(21st Ordinary Meeting held on 2 & 3 May 2024)

(22nd Ordinary Meeting held on 14 & 15 May 2024)

(26th Extra-Ordinary Meeting held on 22 May 2024)

(27th Extra-Ordinary Meeting held on 13 June 2024)

(28th Extra-Ordinary Meeting held on 9 July 2024)

(29th Extra-Ordinary Meeting held on 25 July 2024)

*"Gauteng Premier, Mr Panya Lesufi" to read "Gauteng Premier, Mr Panyaza Lesufi"
Page 6, "She reported that they were" to read "she reported that there were"*

5 QUESTIONS FOR WRITTEN REPLY OF WHICH NOTICE HAS BEEN GIVEN IN TERMS OF RULE 105(2) OF THE STANDING RULES AND ORDERS OF COUNCIL

The Executive Mayor said that the responses to the written questions have been uploaded to the link.

6 RECOMMENDATIONS TO COUNCIL

The Executive Mayor tabled the Executive reports for consideration by Council. MMC Masuku, on behalf of the Executive, requested the withdrawal of Items 77 and 88.

Councillor Raphadu tabled the Legislature reports for consideration by Council and requested the withdrawal of Item 100.

Item 77 DECANTING OF THE METRO CENTRE

WITHDRAWN

(JOHANNESBURG PROPERTY COMPANY (SOC) LTD)

Item 88 BEQUEST FROM THE ESTATE OF ERNST HANAU
TO THE JOHANNESBURG ZOO UPDATE ON
PROGRESS PURSUANT TO THE BOARD MEETING
OF 19 OCTOBER 2023

WITHDRAWN

(JOHANNESBURG CITY PARKS AND ZOO)

Item 89 RECRUITMENT AND APPOINTMENT PROCESS
OF THE EXECUTIVE DIRECTOR: COMMUNITY
DEVELOPMENT POSITION

RESOLVED

- 1 That the content of this report and its Annexure (A) be noted.
- 2 That Mr Siyanda Mnukwa be appointed as the Executive Director: Community Development in the City of Johannesburg on a permanent contract with effect from 1 August 2024 or as soon as possible thereafter.
- 3 That the City Manager or his nominee be authorized to negotiate and finalize the terms and conditions of the permanent employment contract, remuneration, performance contract and security clearance requirements with Mr Siyanda Mnukwa.
- 4 That the City Manager or his nominee be authorized to negotiate and finalize the terms and conditions of the permanent contract, remuneration, performance contract and security clearance of the second ranking candidate, Ms Nokulunga Nyezi, in the event that Mr Siyanda Mnukwa is unable to take up the offer of employment.

- 5 That the appointment of the candidate is subject to the candidate:
- (1) Being in possession of or obtaining the prescribed security clearance.
 - (2) Being in possession of or obtaining within a period of eighteen (18) months, the relevant unit standards prescribed in Regulation 15 and 18 of the Regulations on the Minimum Competency Levels, 2007 as gazetted on 15 June 2007.
 - (3) Entering into a contract of employment and a performance management contract with the City Manager.

(GROUP CORPORATE AND SHARED SERVICES)

(Ms. A Kwababa)

(Tel. (011) 407-6884)

Item 90 RECRUITMENT AND APPOINTMENT PROCESS
OF THE EXECUTIVE DIRECTOR: ENVIRONMENT
AND INFRASTRUCTURE SERVICES POSITION

Councillor Christians (DA) recorded the Democratic Alliance's opposition, citing Rule 84 of the Standing Rules of Council which states that:

"Whenever a question is put by the Presiding Officer, any Councillor may inform the Presiding Officer that she/he wishes her/his party's opposition on the item to be formally recorded in the Minutes of the Proceedings."

RESOLVED

- 1 That the content of this report and its Annexure (A) be noted.
- 2 That Mr Tebogo Modiba be appointed as the Executive Director: Environment and Infrastructure Services in the City of Johannesburg on a permanent contract with effect from 1 August 2024 or as soon as possible thereafter.
- 3 That the City Manager or his nominee be authorized to negotiate and finalize the terms and conditions of the permanent employment contract, remuneration, performance contract and security clearance requirements with Mr Tebogo Modiba.
- 4 That the City Manager or his nominee be authorized to negotiate and finalize the terms and conditions of the permanent contract, remuneration, performance contract and security clearance of the second ranking candidate, Ms Dorothy Mabuza, in the event that Mr Tebogo Modiba is unable to take up the offer of employment.
- 5 That the appointment of the candidate is subject to the candidate:
 - (1) Being in possession of or obtaining the prescribed security clearance.

- (2) Being in possession of or obtaining within a period of eighteen (18) months, the relevant unit standards prescribed in Regulation 15 and 18 of the Regulations on the Minimum Competency Levels, 2007 as gazetted on 15 June 2007.
- (3) Entering into a contract of employment and a performance management contract with the City Manager.

(GROUP CORPORATE AND SHARED SERVICES)

(Anele Kwababa)

(Tel. (011)407-6884)

(DA DISSENTING)

Item 91 RECRUITMENT AND APPOINTMENT PROCESS
OF THE GROUP EXECUTIVE DIRECTOR: GROUP
INFORMATION COMMUNICATIONS AND
TECHNOLOGY MANAGEMENT POSITION

Councillor Christians (DA) recorded the Democratic Alliance's opposition, citing Rule 84 of the Standing Rules of Council. Rule 84 states:

"Whenever a question is put by the Presiding Officer, any Councillor may inform the Presiding Officer that she/he wishes her/his party's opposition on the item to be formally recorded in the Minutes of the Proceedings."

RESOLVED

- 1 That the content of this report and its Annexure (A) be noted.
- 2 That Mr Aubrey Mochela be appointed as the Group Executive Director: Group Information Communications and Technology Management in the City of Johannesburg on a permanent contract with effect from 1 August 2024 or as soon as possible thereafter.
- 3 That the City Manager or his nominee be authorized to negotiate and finalize the terms and conditions of the permanent employment contract, remuneration, performance contract and security clearance requirements with Mr Aubrey Mochela.
- 4 That the City Manager or his nominee be authorized to negotiate and finalize the terms and conditions of the permanent contract, remuneration, performance contract and security clearance of the second ranking candidate, Mr John Bosco Arends in the event that Mr Aubrey Mochela is unable to take up the offer of employment.
- 5 That the appointment of the candidate is subject to the candidate:
 - (1) Being in possession of or obtaining the prescribed security clearance.

- (2) Being in possession of or obtaining within a period of eighteen (18) months, the relevant unit standards prescribed in Regulation 15 and 18 of the Regulations on the Minimum Competency Levels, 2007 as gazetted on 15 June 2007.
- (3) Entering into a contract of employment and a performance management contract with the City Manager.

(DA DISSENTING)

(GROUP CORPORATE AND SHARED SERVICES)

(Ms. A Kwababa)

(Tel. (011) 407-6884)

Item 92 RECRUITMENT AND APPOINTMENT PROCESS
OF THE GROUP EXECUTIVE DIRECTOR: GROUP
CORPORATE AND SHARED SERVICES POSITION

Councillor Christians (DA) recorded the opposition of the Democratic Alliance, citing Rule 84 of the Standing Rules of Council which states:

"Whenever a question is put by the Presiding Officer, any Councillor may inform the Presiding Officer that she/he wishes her/his party's opposition on the item to be formally recorded in the Minutes of the Proceedings." He said that the DA was abstaining from the item.

RESOLVED

- 1 That the content of this report and Annexure A be noted.
- 2 That Mr Mbulelo Allan Ruda be appointed as the Group Executive Director: Group Corporate and Shared Services in the City of Johannesburg on a permanent contract with effect from 1 August 2024 or as soon as possible thereafter.
- 3 That the City Manager or his nominee be authorised to negotiate and finalise the terms and conditions of the permanent employment contract, remuneration, performance contract and security clearance requirements with Mr Mbulelo Allan Ruda.
- 4 That Council approves the readvertisement of the Group Executive Director: Group Corporate and Shared Services, in the event that Mr Mbulelo Allan Ruda is unable to take up the offer of employment.
- 5 That the appointment of the candidate is subject to the candidate:
 - (1) Being in possession of or obtaining the prescribed security clearance.

- (2) Being in possession of or obtaining within a period of eighteen (18) months, the relevant unit standards prescribed in Regulation 15 and 18 of the Regulations on the Minimum Competency Levels, 2007 as gazetted on 15 June 2007.
- (3) Entering into an employment contract and a performance management contract with the City Manager.

(DA DISSENTING)

(GROUP CORPORATE AND SHARED SERVICES)
(GROUP HUMAN CAPITAL MANAGEMENT)
(Manager: Group Human Capital Management)
(Pelisa Sindelo)

Item 93 RECRUITMENT AND APPOINTMENT PROCESS OF
THE SECRETARY TO COUNCIL POSITION

RESOLVED

- 1 That the content of this report and its annexure (A) be noted.
- 2 That Mr Andile Gobinca be appointed as the Secretary to Council in the City of Johannesburg on a permanent contract with effect from 1 August 2024 or as soon as possible thereafter.
- 3 That the City Manager or his nominee be authorized to negotiate and finalize the terms and conditions of the permanent employment contract, remuneration, performance contract and security clearance requirements with Mr Andile Gobinca.
- 4 That the City Manager or his nominee be authorized to negotiate and finalize the terms and conditions of the permanent contract, remuneration, performance contract and security clearance requirements of the second ranking candidate, Advocate Mpendulo Magutshwa, in the event that Mr Andile Gobinca is unable to take up the offer of employment.
- 5 That the appointment of the candidate is subject to the candidate:
 - 5.1 Being in possession of or obtaining the prescribed security clearance.
 - 5.2 Being in possession of or obtaining within a period of eighteen (18) months, the relevant unit standards prescribed in Regulation 15 and 18 of the Regulations on the Minimum Competency Levels, 2007 as gazetted on 15 June 2007.

- 5.3 Entering into a contract of employment and a performance management contract with the City Manager.

(ACTIONS A DISSENTING)

(GROUP CORPORATE AND SHARED SERVICES)

(Mr. M Jones)

(Tel. (011) 407 6884)

Item 99 RECRUITMENT PROCESS AND APPOINTMENT
OF THE INTEGRITY COMMISSIONER OF THE
CITY OF JOHANNESBURG

The Speaker put the question to the House, and the members present voted as follows:

No: 51

Yes: 195

Abstentions: 0

The Speaker declared the report carried as amended.

RESOLVED

- 1 That Council adopts the recommendation of the Speaker of Council to appoint Adv. Nolitha Ntebe, on a Fixed Term basis for a period of five (5) years, as the Integrity Commissioner of the City of Johannesburg, with effect from 1 August 2024.
- 2 That the Secretary to Council in consultation with the City Manager be authorized to determine the remuneration and other conditions of service of the Integrity Commissioner as per the Terms of Reference and performance contracts with Adv. Ntebe.

(COJ LEGISLATURE)

(Selby Gibbs)

(Tel. (011) 407-7129)

Item 100 RETURN OF ATTENDANCE OF COUNCIL
AND SECTION 79 COMMITTEE MEETINGS
BY COUNCILLORS: MAY 2022 TO
DECEMBER 2023

WITHDRAWN

(COJ LEGISLATURE)

(Director: Legislative & Oversight)

(JM Moremi)

(Tel. (011) 407-7340)

At this point, the Council went In-Committee to address urgency reports, Items 103 and 104, as requested by the Executive. The Speaker requested all visitors and members of the media to stop recording and leave the Chambers.

AT THIS STAGE, THE TIME BEING 17:01, THE COUNCIL ADJOURNED UNTIL WEDNESDAY, 31 JULY 2024, AT 10:00, FOR THE CONTINUATION OF THE MEETING.

On resumption, Wednesday, 31 July 2024, the following Councillors were present:

MEMBERS PRESENT

The Speaker: Councillor M S Arnolds

The Executive Mayor: Councillor K Gwamanda

Abdool, F	Goosen, J W
Amad, T	Harman, L J (DA)
Atterbury, E	Hlatshwayo, S M
Avant-Smith, C	Hooper, R S
Baloyi, D L	Horwitz, J
Benjamin, R F	Huggett, E A
Bini, L	Hughes, Z
Bittkau, R	Ismail-Moosa, I
Boer, C	Jacobs, B
Bolani, M G	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	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	Leshilo, R S
Dauids, M	Liebenberg, E
Dauids-Green, L C	Lobi, M
De Lange, F C	Louw, M A
Deppe, A J	Maake, M J
Dewes, D S	Mabaso, M P
Dladla, D	Mabelebele, S S
Dlamini, B	Mabidilala, M P
Doyle, T	Mabuke, T A
Durand, G V M	Mabunda, T E
Echeozonjoku, B C	Mabuza, S K L
Edward, N	Machaba, L M U
Finn, C E	Machethe, S
Foley, D T	Madiba, T J
Fourie-Shawe, C	Magwaza, B L P
Francisco, D B	Magwentshu, L C
Fresling, R R	Maila, S M
Galeshewe, T M	Majola, S

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

Ntshidi, T E
Nyembe, M M
Nyembe, Z P
Nzimande, C
Papo, M M
Pelzer, R
Phometsi, P S
Pietersen, J
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
Reddy, V M
Reinten, I M
Rohlssen, C K
Santana, C G
Schay, D
Seerane, M K
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
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
Tshedo, J G
Tshehlo, G J
Tsotetsi, L Y M
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 Speaker welcomed the Executive Mayor of the City of Johannesburg – Councillor Kabelo Gwamanda, 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, 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 continuation of the 23rd Ordinary Council Meeting of the City of Johannesburg Municipality.

The Speaker announced that, according to Legal, there were 195 Councillors present in the House, confirming that there was a quorum.

2 APPLICATIONS FOR LEAVE OF ABSENCE

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

<i>Councillor Amod, C J</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Gantsho, L</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Harris, R</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Hoén, J N</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Khanyile, N M</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Makhafola, E</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Mathe, Z E</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Mazibukwana, M</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Molefe, E W</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Mphefo, L M P</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Mpolobosho, M M</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Ngwenya, J A</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Ntoele, N L</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Pietersen, N</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Radebe, N P</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Raseruthe, S H</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Roberts, F C</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Simonse, L C</i>	<i>:</i>	<i>Ill Health</i>
<i>Councillor Twala, Y A</i>	<i>:</i>	<i>Ill Health</i>

The following Councillors were granted permission to arrive late:

Councillor Edward, N
Councillor Francisco, D B
Councillor Makhuba, H N
Councillor Mnisi ND
Councillor Mohlala, P K
Councillor Morero, S E
Councillor Ncube, W M
Councillor Ngwenya, F N

The following Councillors were granted permission to leave early.

<i>Councillor Avant-Smith, C</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Bini, L</i>		
<i>Councillor Christians, A</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Crichton, M</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Da Gama, V M</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Deppe, A J</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Echeozonjoku, B C</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Jacobs</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Jonker, N</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Kgeletsane, M O</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Kunene, K</i>		
<i>Councillor Mnisi, M</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Ponsoby, D A</i>		
<i>Councillor Rahn, N J</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Sifumba, N</i>	<i>:</i>	<i>Party Business</i>
<i>Councillor Steenkamp, D</i>	<i>:</i>	<i>Party Business</i>

IFP caucus requested to leave at 17:00.

Councillor Cook requested to be excused from Council for one hour between 13:30 and 14:30 to attend to party business.

3 RECOMMENDATIONS TO COUNCIL

At this point, the Speaker announced that the meeting would proceed In-Committee, as the reports tabled on 30 July 2024 were not concluded. The Speaker requested all visitors and members of the media to stop recording and leave the Chambers.

The Democratic Alliance caucus requested to be excused during the consideration of Item 103.

Upon the resumption of Council, the Secretary to Council read the recommendations from the reports discussed In-Committee into the record.

Item 1 PERFORMANCE ASSESSMENT REPORT FOR THE
JOHANNESBURG CITY PARKS AND ZOO FOR THE
2023/2024 FINANCIAL YEAR FOR THE PERIOD
JANUARY TO MARCH 2024

RESOLVED

That the third quarter performance report of the Johannesburg City Parks and Zoo for the 2023/24 financial year, be noted.

(JOHANNESBURG CITY PARKS AND ZOO)

- Item 2 PERFORMANCE ASSESSMENT REPORT FOR THE JOBURG CITY THEATRES FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

RESOLVED

That the third quarter performance report of the Joburg City Theatres for the 2023/24 financial year, be noted.

(JOBURG CITY THEATRES)

- Item 3 OVERSIGHT REPORT OF THE SECTION 79 COMMUNITY DEVELOPMENT COMMITTEE ON THE 2023/2024 THIRD QUARTER PERFORMANCE ASSESSMENT REPORT OF JOBURG CITY THEATRES AND JOBURG CITY PARKS AND ZOO FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

RESOLVED

That Council approves the third Quarter Budget and Performance Assessment Reports of the Johannesburg City Theatres and the Johannesburg City Parks and Zoo, for the period January to March 2024, noting all observations cited in the body of the report.

(COJ LEGISLATURE)
(K Mdakane)
(Tel. (011) 407-7463)

- Item 4 PERFORMANCE ASSESSMENT REPORT FOR THE GROUP CORPORATE AND SHARED SERVICES DEPARTMENT FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

(GROUP CORPORATE AND SHARED SERVICES)

Item 5 OVERSIGHT REPORT OF THE SECTION 79 CORPORATE AND SHARED SERVICES COMMITTEE ON THE 2023/2024 SECOND QUARTER BUDGET AND PERFORMANCE ASSESSMENT REPORT OF GROUP CORPORATE AND SHARED SERVICES FOR THE PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

(COJ LEGISLATURE)

Item 6 PERFORMANCE ASSESSMENT REPORT FOR THE GROUP CORPORATE AND SHARED SERVICES DEPARTMENT FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(GROUP CORPORATE AND SHARED SERVICES)

Item 7 OVERSIGHT REPORT OF THE SECTION 79 CORPORATE AND SHARED SERVICES COMMITTEE ON THE 2023/2024 THIRD QUARTER BUDGET AND PERFORMANCE ASSESSMENT REPORT OF GROUP CORPORATE AND SHARED SERVICES FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(COJ LEGISLATURE)

Item 8 PERFORMANCE ASSESSMENT REPORT FOR DEVELOPMENT PLANNING DEPARTMENT FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(DEVELOPMENT PLANNING)

Item 9 PERFORMANCE ASSESSMENT REPORT FOR THE JOHANNESBURG DEVELOPMENT AGENCY FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(JOHANNESBURG DEVELOPMENT AGENCY)

Item 10 OVERSIGHT REPORT OF THE DEVELOPMENT PLANNING SECTION 79 COMMITTEE ON THE 2023/24 THIRD QUARTER BUDGET AND PERFORMANCE ASSESSMENT REPORTS OF THE DEVELOPMENT PLANNING DEPARTMENT AND THE JOHANNESBURG DEVELOPMENT AGENCY (JDA) FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

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

Item 11 PERFORMANCE ASSESSMENT REPORT FOR THE ECONOMIC DEVELOPMENT DEPARTMENT FOR THE 2023/2024 FINANCIAL YEAR FOR THE JANUARY TO MARCH 2024

DEFERRED

(ECONOMIC DEVELOPMENT)
(Sihle Buthelezi)

Item 12 PERFORMANCE ASSESSMENT REPORT FOR THE JOHANNESBURG TOURISM COMPANY FOR THE 2022/2023 FINANCIAL YEAR FOR THE JANUARY TO MARCH 2024

DEFERRED

(JOHANNESBURG TOURISM COMPANY)

Item 13 PERFORMANCE ASSESSMENT REPORT FOR
JOBURG PROPERTY (SOC) LTD THE FOR THE
2023/2024 FINANCIAL YEAR FOR THE
PERIOD JANUARY TO MARCH 2024

DEFERRED

(JOBURG MARKET (SOC) LTD)

Item 14 PERFORMANCE ASSESSMENT REPORT FOR
JOBURG MARKET (SOC) LTD THE FOR THE
2022/2023 FINANCIAL YEAR FOR THE
PERIOD JANUARY TO MARCH 2024

DEFERRED

(JOBURG MARKET (SOC) LTD)

Item 15 OVERSIGHT REPORT OF THE ECONOMIC
DEVELOPMENT SECTION 79 COMMITTEE
ON THE 2023/24 THIRD QUARTER PERFORMANCE
ASSESSMENT REPORTS OF THE DEPARTMENT OF
ECONOMIC DEVELOPMENT, JOBURG TOURISM
COMPANY (JTC), JOBURG FRESH PRODUCE MARKET (JM)
AND JOHANNESBURG PROPERTY COMPANY (JPC) FOR
THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(COJ LEGISLATURE)

Item 16 PERFORMANCE ASSESSMENT REPORT FOR
THE ENVIRONMENT, INFRASTRUCTURE AND
SERVICES DEPARTMENT FOR THE 2023/2024
FINANCIAL YEAR FOR THE PERIOD JANUARY
TO MARCH 2024

DEFERRED

(ENVIRONMENT, INFRASTRUCTURE AND SERVICES)

Item 17 PERFORMANCE ASSESSMENT REPORT FOR THE CITY POWER JOHANNESBURG (SOC) LTD FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(CITY POWER JOHANNESBURG (SOC) LTD)

Item 18 PERFORMANCE ASSESSMENT REPORT FOR JOHANNESBURG WATER (SOC) LTD FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(JOHANNESBURG WATER (SOC) LTD)

Item 19 PERFORMANCE ASSESSMENT REPORT FOR PIKITUP JOHANNESBURG (SOC) LTD FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(PIKITUP JOHANNESBURG (SOC) LTD)

Item 20 OVERSIGHT REPORT OF SECTION 79 ENVIRONMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON THE 2023/24 THIRD QUARTER PERFORMANCE ASSESSMENT REPORTS OF THE ENVIRONMENT AND INFRASTRUCTURE SERVICES DEPARTMENT (EISD), PIKITUP JOHANNESBURG, JOHANNESBURG WATER AND JOHANNESBURG CITY POWER FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(COJ LEGISLATURE)

Item 21 PERFORMANCE ASSESSMENT REPORT FOR THE GROUP FINANCE DEPARTMENT FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

(GROUP FINANCE)
(Ms. Z Tshezi)

Item 22 PERFORMANCE ASSESSMENT REPORT FOR THE GROUP INFORMATION COMMUNICATION TECHNOLOGY DEPARTMENT FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

(GROUP INFORMATION COMMUNICATION TECHNOLOGY)
(Strategic Management Support)
(Russel Kubheka)
(Tel. (011) 018-6311)

Item 23 OVERSIGHT REPORT OF THE SECTION 79 FINANCE COMMITTEE ON THE 2023/24 SECOND QUARTER PERFORMANCE ASSESSMENT REPORTS OF THE GROUP FINANCE DEPARTMENT AND GROUP INFORMATION COMMUNICATION TECHNOLOGY DEPARTMENT FOR THE PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

(COJ LEGISLATURE)
(A Bhaga)

Item 24 PERFORMANCE ASSESSMENT REPORT FOR THE HEALTH DEPARTMENT FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(HEALTH)
(P M Ramonyane)
(Tel. (011) 407-6625)

- Item 25 PERFORMANCE ASSESSMENT REPORT FOR THE SOCIAL DEVELOPMENT DEPARTMENT FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(SOCIAL DEVELOPMENT)
(Will Tiro)
(Tel. (011) 407-7131)

- Item 26 OVERSIGHT REPORT OF THE HEALTH AND SOCIAL DEVELOPMENT COMMITTEE ON 2023/2023 THIRD QUARTER BUDGET AND PERFORMANCE ASSESSMENT REPORTS OF HEALTH DEPARTMENT AND SOCIAL DEVELOPMENT DEPARTMENT FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

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

- Item 27 PERFORMANCE ASSESSMENT REPORT FOR THE JOHANNESBURG SOCIAL HOUSING COMPANY FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

(JOHANNESBURG SOCIAL HOUSING COMPANY)
(Ms. N Mtshali)

- Item 28 OVERSIGHT REPORT OF THE HUMAN SETTLEMENTS SECTION 79 COMMITTEE ON THE 2023/24 SECOND QUARTER PERFORMANCE ASSESSMENT REPORT OF THE JOHANNESBURG SOCIAL HOUSING COMPANY (JOSHCO) FOR THE PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

(COJ LEGISLATURE)
(M Phakathi)

Item 29 PERFORMANCE ASSESSMENT REPORT FOR THE HUMAN SETTLEMENTS DEPARTMENT FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(HUMAN SETTLEMENT)
(Mr. S Madi)

Item 30 PERFORMANCE ASSESSMENT REPORT FOR THE JOHANNESBURG SOCIAL HOUSING COMPANY FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(JOHANNESBURG SOCIAL HOUSING COMPANY)
(Ms. N Mtshali)

Item 31 OVERSIGHT REPORT OF THE HUMAN SETTLEMENTS SECTION 79 COMMITTEE ON THE 2023/24 THIRD QUARTER PERFORMANCE ASSESSMENT REPORT OF THE DEPARTMENT OF HUMAN SETTLEMENTS AND THE JOHANNESBURG SOCIAL HOUSING COMPANY (JOSHCO) FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(COJ LEGISLATURE)

Item 32 PERFORMANCE ASSESSMENT REPORT FOR THE PUBLIC SAFETY DEPARTMENT FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(PUBLIC SAFETY)

Item 33 OVERSIGHT REPORT OF THE SECTION 79
PUBLIC SAFETY COMMITTEE ON THE
2023/2024 3RD QUARTER PERFORMANCE
REPORT OF THE DEPARTMENT
OF PUBLIC SAFETY FOR THE PERIOD
JANUARY TO MARCH 2024

DEFERRED

(COJ LEGISLATURE)
(Tandisizwe Sidubulekana)

Item 34 PERFORMANCE ASSESSMENT REPORT FOR
THE TRANSPORT DEPARTMENT FOR THE
2023/2024 FINANCIAL YEAR FOR THE
PERIOD JANUARY TO MARCH 2024

DEFERRED

(TRANSPORT)

Item 35 PERFORMANCE ASSESSMENT REPORT FOR
THE JOHANNESBURG ROADS AGENCY (SOC) LTD
FOR THE 2023/2024 FINANCIAL YEAR FOR THE
PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

(JOHANNESBURG ROADS AGENCY (SOC) LTD)

Item 36 PERFORMANCE ASSESSMENT REPORT FOR
THE JOHANNESBURG METROPOLITAN BUS
SERVICES FOR THE 2023/2024 FINANCIAL
YEAR FOR THE PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

(JOHANNESBURG METROPOLITAN BUS SERVICES)

Item 37 PERFORMANCE ASSESSMENT REPORT FOR
THE METROPOLITAN TRADING COMPANY
FOR THE 2023/2024 FINANCIAL YEAR FOR
THE PERIOD JANUARY TO MARCH 2024

DEFERRED

(METROPOLITAN TRADING COMPANY)

- Item 38 OVERSIGHT REPORT OF THE TRANSPORT SECTION 79 COMMITTEE ON THE SECOND QUARTER PERFORMANCE ASSESSMENT REPORTS OF THE TRANSPORT DEPARTMENT, METROBUS AND JOHANNESBURG ROAD AGENCY FOR THE PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

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

- Item 39 PERFORMANCE ASSESSMENT REPORT FOR THE METROPOLITAN TRADING COMPANY FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

(METROPOLITAN TRADING COMPANY)

- Item 40 OVERSIGHT REPORT OF THE TRANSPORT SECTION 79 COMMITTEE ON THE SECOND QUARTER PERFORMANCE ASSESSMENT REPORT OF THE METROPOLITAN TRADING COMPANY FOR THE PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

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

- Item 41 PERFORMANCE ASSESSMENT REPORT FOR THE OFFICE OF THE CITY MANAGER FOR THE 2023/2024 FINANCIAL YEAR FOR THE PERIOD OCTOBER TO DECEMBER 2023

DEFERRED

(OFFICE OF THE CITY MANAGER)
(Kedibone Semanya)
(Tel. (011) 407-6015)

- Item 42 OVERSIGHT REPORT OF THE GOVERNANCE SECTION 79 COMMITTEE ON THE SECOND 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 OCTOBER TO DECEMBER 2023

DEFERRED

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

- Item 43 THIRD QUARTER REPORT ON THE OVERSIGHT ACTIVITIES OF THE PETITIONS STANDING COMMITTEE FOR THE PERIOD: JANUARY TO MARCH 2024

DEFERRED

(COJ LEGISLATURE)
(E Monhla)
(Tel. (011) 407-7246)

- Item 44 REVIEWED SOCIAL DEVELOPMENT DRAFT POLICIES (OLDER PERSONS DRAFT POLICY, CHILDRENS SERVICES DRAFT POLICY, FOOD RESILIENCE DRAFT POLICY, HOMELESSNESS DRAFT POLICY)

DEFERRED

(SOCIAL DEVELOPMENT)
(Mr. Vele Muhadi)

Item 45 GROUP STRATEGIC SUPPLY CHAIN MANAGEMENT
ACQUISITION STATUS REPORT REFLECTING BIDS
CONSIDERED AND APPROVED BY ACCOUNTING
OFFICER FOR THE PERIOD OF 01 OCTOBER 2023 TO
31 DECEMBER 2023

DEFERRED

(GROUP FINANCE)
(SUPPLY CHAIN MANAGEMENT)
(Mr C Jamela)
(Tel. (011) 407-6350)

Item 46 GROUP STRATEGIC SUPPLY CHAIN MANAGEMENT
OPERATIONAL STATUS REPORT FOR THE PERIOD
1 OCTOBER 2023 TO 31 DECEMBER 2023

DEFERRED

(GROUP FINANCE: SUPPLY CHAIN MANAGEMENT)
(Mr. L Fourie)
(Tel: 011- 407 6298)

Item 47 GROUP STRATEGIC SUPPLY CHAIN MANAGEMENT EAC
DEVIATION AND RATIFICATION REPORTS THAT WERE
CONSIDERED AND APPROVED BY THE ACCOUNTING
OFFICER FOR THE PERIOD 1 OCTOBER 2023 TO
31 DECEMBER 2023

DEFERRED

(GROUP FINANCE)
(Nokuzola Deliwe)
(Tel. (011) 407-6350)

Item 48 REQUEST FOR APPROVAL TO UNDERTAKE
PUBLIC PARTICIPATION ON THE
DRAFT INFORMAL SETTLEMENTS POLICY
OF THE CITY OF JOHANNESBURG

DEFERRED

(HUMAN SETTLEMENTS)
(Ms. Mtshali)
(Tel 011) 021 7903)

- Item 49 RECTIFICATION OF RESOLUTION PASSED BY COUNCIL ON THE PUBLIC PARTICIPATION PROCESS IN RESPECT OF WALTER SISULU SQUARE OF DEDICATION TO INCLUDE ERF 11883, 11884, 11885, 11886, 11887 11888, 11889 PIMVILLE ZONE 9, PORTION OF PORTION 4 OF ERF 11915 PIMVILLE ZONE 9 AND A PORTION OF THE REMAINDER OF FARM FREEHOLD 389 IQ

DEFERRED

(CITY OF JOBURG PROPERTY COMPANY (SOC) LTD)
(Ms. L Lee Brown)
(Tel: 010 219 9216)

- Item 50 PROPOSED ALIENATION OF THE REMAINING EXTENT OF ERF 1089 BRYANSTON FOR RESIDENTIAL PURPOSES

DEFERRED

(CITY OF JOBURG PROPERTY COMPANY (SOC) LTD)
(Ms. B Khathide)
(Tel: 010-219-9000)

- Item 51 AMENDMENT OF THE DEVELOPMENT LEASE AGREEMENT IN RESPECT OF ERF 56 CROWN NORTH, JOHANNESBURG IN TERMS OF SECTION 116 (3) OF THE MUNICIPAL FINANCE MANAGEMENT ACT, 2003

DEFERRED

(CITY OF JOBURG PROPERTY COMPANY (SOC) LTD)
(Me. J Jansen Van Vuuren)
(Tel: 010-219-9000)

- Item 52 ACQUISITION OF ERVEN 186 & 188 BERE, 15 SOPER STREET FOR HUMAN SETTLEMENTS DEVELOPMENT PURPOSES.

DEFERRED

(JOBURG PROPERTY COMPANY (SOC) LTD)
(Ms. L Nkolele)
(Tel. (010) 219-9000)

- Item 53 ACQUISITION OF ERVEN 47 & 48
WOLHUTER FOR THE DEVELOPMENT
OF TEMPORARY EMERGENCY
ACCOMMODATION

DEFERRED

(JOBURG PROPERTY COMPANY (SOC) LTD)
(Ms. L Nkolele)
(Tel. (010) 219-9000)

- Item 54 ACQUISITION OF VARIOUS PORTIONS OF FARM
DOORNFONTEIN 92- IR WITHIN KWA MAI-MAI
PRECINCT IN FAVOUR OF THE DEPARTMENT OF
HUMAN SETTLEMENTS

DEFERRED

(JOBURG PROPERTY COMPANY (SOC) LTD)
(Ms. M Motloung)
(Tel. (010) 219-9125)

- Item 55 PROPOSED SALE OF A PORTION
ADJACENT TO ERF 125 OAKDENE
EXTENSION 1

DEFERRED

(CITY OF JOBURG PROPERTY COMPANY (SOC) LTD)
(Johan Jansen Van Vuuren)
(Tel. (010) 219 -9000)

- Item 56 CLIMATE ACTION PLAN YEARLY PROGRESS
REPORT (1ST BIENNIAL REPORT FOR 2023/24 FY)

DEFERRED

(ENVIRONMENTAL AND INFRASTRUCTURE SERVICES)
(Ms. L Molefe)

Item 57 CITY OF JOHANNESBURG INFRASTRUCTURE
ASSET MANAGEMENT (IAM) IMPROVEMENT
PROGRAMME 2024/25

DEFERRED

(OFFICE OF THE CITY MANAGER)
(Mr D Weakley)
(Tel. (011) 83 788-5930)

Item 58 SEEK AUTHORISATION TO PROCEED WITH
THE ALTERNATIVE WASTE TREATMENT
TECHNOLOGIES (AWTT) PROJECT UNDER
PUBLIC PRIVATE PARTNERSHIP (PPP)

DEFERRED

(ENVIRONMENT AND INFRASTRUCTURE SERVICES)

Item 59 CITY POWER TURNAROUND STRATEGY

RESOLVED

That Council approves the City Power Turnaround Strategy.

(CITY POWER JOHANNESBURG (SOC) LTD)
(Ms. L Mbewu)

Item 60 JOHANNESBURG WATER
TURNAROUND STRATEGY

RESOLVED

That Council approve the Johannesburg Water Turnaround Strategy.

(JOHANNESBURG WATER (SOC) LTD)
(Mr. J Mnisi)
(Tel. (011) 688-1515)

Item 61 REQUEST TO TRANSFER COJ HOUSING STOCK FROM JOSHCO PROPERTY BOOKS

RESOLVED

That Council approves the request to transfer misplaced housing stock from JOSHCO asset books to the CoJ Department of Human Settlements.

(JOHANNESBURG SOCIAL HOUSING COMPANY (SOC) LTD)

Item 62 REVIEW OF THE GROUP PERFORMANCE MANAGEMENT POLICY AND GROUP PERFORMANCE MANAGEMENT FRAMEWORK FOR MANAGING THE PERFORMANCE OF SECTION 57 MANAGERS OF THE CITY OF JOHANNESBURG

DEFERRED

(GROUP STRATEGY, POLICY COORDINATION AND RELATIONS)

Item 63 REVISED GROUP SUBSTANCE ABUSE POLICY FRAMEWORK

DEFERRED

(GROUP CORPORATE AND SHARED SERVICES)
(Ms. N Tshabane)
(Tel. (011) 407 6577)

Item 64 REVISED GROUP ANTI-HARASSMENT POLICY FRAMEWORK

DEFERRED

(GROUP CORPORATE AND SHARED SERVICES)
(Mr. B Mkansi)
(Tel: (011) 407 6438)

Item 65 DRAFT GROUP DISABILITY MANAGEMENT POLICY FRAMEWORK

DEFERRED

(GROUP CORPORATE AND SHARED SERVICES)
(Mr B Mkansi)
(Tel. (011) 407 6438)

Item 66 REPORT ON STATUS OF AGREED MANAGEMENT
CORRECTIVE ACTION AS AT THE 30 APRIL 2024

DEFERRED

(GROUP RISK AND ASSURANCE SERVICES)
(Mr. PJ Steyn)

Item 67 CITY OF JOHANNESBURG MFMA IN-YEAR
FINANCIAL REPORT FOR THE PERIOD
ENDED 30 NOVEMBER 2023

DEFERRED

(GROUP FINANCE)
(Ms. M Sedibe)
(Tel. (011) 021-2302)

Item 68 CITY OF JOHANNESBURG MFMA IN-YEAR
FINANCIAL REPORT FOR THE PERIOD
ENDED 31 DECEMBER 2023

DEFERRED

(GROUP FINANCE)
(Ms. M Sedibe)
(Tel. (011) 021-2302)

Item 69 CITY OF JOHANNESBURG MFMA IN-YEAR
FINANCIAL REPORT FOR THE PERIOD
ENDED 31 JANUARY 2024

DEFERRED

(GROUP FINANCE)
(Ms. M Sedibe)
(Tel. (011) 021-2302)

Item 70 CITY OF JOHANNESBURG MFMA IN-YEAR
FINANCIAL REPORT FOR THE PERIOD
ENDED 29 FEBRUARY 2024

DEFERRED

(GROUP FINANCE)
(Ms. P Tshezi)
(Tel. (011) 021-3350)

Item 71 CITY OF JOHANNESBURG MFMA IN-YEAR
FINANCIAL REPORT FOR THE PERIOD
ENDED 31 MARCH 2024

DEFERRED

(GROUP FINANCE)
(Ms. P Tshezi)
(Tel. (011) 021-3350)

Item 72 CITY OF JOHANNESBURG MFMA IN-YEAR
FINANCIAL REPORT FOR THE PERIOD
ENDED 30 APRIL 2024

DEFERRED

(GROUP FINANCE)
(Phindile Tshezi)
(Financial Analysis)
(Tel. (011) 021 3350)

Item 73 CITY OF JOHANNESBURG MFMA IN-YEAR
FINANCIAL REPORT FOR THE PERIOD
ENDED 31 MAY 2024

DEFERRED

(GROUP FINANCE)
(Ms. P Tshezi)
(Tel. (011) 021 3350)

Item 74 GROUP STRATEGIC SUPPLY CHAIN MANAGEMENT
ACQUISITION STATUS REPORT REFLECTING BIDS
CONSIDERED AND APPROVED BY ACCOUNTING
OFFICER FOR THE PERIOD OF 1 JANUARY 2024 TO
31 MARCH 2024

DEFERRED

(GROUP FINANCE)
(Nokuzola Deliwe)
(Tel. (011) 407-6350)

- Item 75 GROUP STRATEGIC SUPPLY CHAIN MANAGEMENT
EAC DEVIATION AND RATIFICATION REPORTS THAT
WERE CONSIDERED AND APPROVED BY THE
ACCOUNTING OFFICER FOR THE PERIOD
1 JANUARY 2024 TO 31 MARCH 2024

DEFERRED

(GROUP FINANCE)
(Nokuzola Deliwe)
(Tel. (011) 407 6350)

- Item 76 GROUP STRATEGIC SUPPLY CHAIN MANAGEMENT
OPERATIONAL STATUS REPORT FOR THE PERIOD
1 JANUARY 2024 TO 31 MARCH 2024

DEFERRED

(GROUP FINANCE)
(GSSCM)
(Louis Fourie)
(Tel. (011) 407-6298)

- Item 78 PROPOSED LEASE OF A PORTION OF A
ROAD RESERVE ADJACENT TO ERF 1769
DISCOVERY EXT 9 FOR LANDSCAPING

DEFERRED

(CITY OF JOBURG PROPERTY COMPANY (SOC) LTD)
(Busisiwe Khathide)
(Tel. (010) 219-9000)

- Item 79 PROPOSED TEMPORARY PARK CLOSURE AND
LEASE OF A PORTION OF ERF 1367 FERNDALE

DEFERRED

(CITY OF JOBURG PROPERTY COMPANY (SOC) LTD)
(Nthabiseng Sishi)

- Item 80 PROGRESS REPORT ON THE IMPLEMENTATION OF REA VAYA PHASE 1C(A) AND REQUEST TO NEGOTIATE AND OPERATE REA VAYA PHASE 1C(A) ON INTERIM BUS OPERATING CONTRACT AGREEMENT ON COST RECOVERY BASIS FOR A PERIOD OF TWO (2) CONSECUTIVE YEARS AS WELL AS REQUEST TO AMEND THE BUS OPERATING COMPANY AGREEMENT THROUGH MFMA SECTION 116(3) PROCESS

DEFERRED

(TRANSPORT)

(Lutendo Musandiwa)

(Deputy Director: Business Development)

- Item 81 DEVIATION FROM THE APPROVED REA VAYA BRT BUS SPECIFICATIONS TO ENABLE PIOTRANS TO OPERATE 45 CONVENTIONAL BUSES DURING THE BUSINESS RESCUE PROCESS

DEFERRED

(TRANSPORT)

(Mr. A van Niekerk)

- Item 82 REQUEST TO OBTAIN COUNCIL APPROVAL TO EXTEND THE CONTRACT PERIOD FOR CONTRACT F0298 WITH THE COUNCIL FOR SCIENTIFIC AND INDUSTRIAL RESEARCH (CSIR) TO PROVIDE TECHNICAL SUPPORT SERVICES FOR RESTORATION OF THE CITY OF JOHANNESBURG (COJ) TRANSPORT MODELLING CAPABILITY IN TERMS OF SECTION 116(3) OF THE MUNICIPAL FINANCE MANAGEMENT ACT

DEFERRED

(TRANSPORT)

(Esther Letlhaka)

(Cell. 082 559 3723)

Item 83 APPROVAL OF THE GREATER IVORY PARK
URBAN DEVELOPMENT FRAMEWORK 2024

DEFERRED

(DEVELOPMENT PLANNING)
(Mr. S Mtshali)
(Tel. 060 583 70260)

Item 84 APPROVAL OF THE KLIPTOWN URBAN
DEVELOPMENT FRAMEWORK

DEFERRED

(DEVELOPMENT PLANNING)
(P Ndlovu)
(Tel. 060 581 6699)

Item 85 INCREASE OF THE POVERTY INDEX
BANDS BASED ON THE CONSUMER
PRICE INDEX (CPI), MARCH 2024

DEFERRED

(SOCIAL DEVELOPMENT)
(Ms. F Taaka)
(Cell 082 550 4816)

Item 86 REQUEST TO UNDERTAKE PUBLIC CONSULTATION
FOR RE-NAMING OF STREETS AND PUBLIC FACILITIES
IN WESTBURY AND ELDORADO PARK, TO COMMEMORATE
DON MATTERA, DONNIE GILMOUR, AND NATHANIEL JULIES

DEFERRED

(COMMUNITY DEVELOPMENT)
(Ms. D Masalesa)
(Assistant Director)
(Cell 082 496 3218)

Item 87 REQUEST FOR PUBLIC CONSULTATION PROCESS
FOR THE RE-NAMING OF DE BEER STREET TO
MTHOKOZISI NTUMBA STREET REGION F

DEFERRED

(COMMUNITY DEVELOPMENT)

(Ms. D Masalesa)
(Assistant Director)
(Cell. 082 496 3218)

Item 94 IMPLEMENTATION OF NOTICE 4897 OF
30 MAY 2024 ON UPPER LIMITS OF REMUNERATION
PACKAGES PAYABLE TO MUNICIPAL MANAGERS
AND MANAGERS DIRECTLY ACCOUNTABLE TO
MUNICIPAL MANAGERS

RESOLVED

- 1 That the remuneration scales published in terms of Notice 4897 of 30 May 2024 be approved and used to determine remuneration offers for newly appointed senior managers as reflected in Item 3(2)(a) Table 1 further above in the body of the report.
- 2 That the Remuneration offers to newly appointed senior managers be determined by the competencies, qualifications, experience, and knowledge of candidates as specified in Item 3(2)(c) Table 2 further above in the body of the report.
- 3 That the 3.3% increase on the all-inclusive remuneration packages for all serving senior managers as of 1 July 2023 in the employ of the City Group be implemented with effect from 01 July 2023 and on a pro-rata basis for post 1 July 2023 appointments.
- 4 That the monthly payment of a non-pensionable cash gratuity for the 2023/2024 financial year be implemented monthly over a period of twelve (12) months from 1 July 2024 as reflected in the table below. This should be implemented on a pro-rata basis for post 1 July 2023 appointments. This allowance is only applicable to senior managers appointed for the period 1 July 2023 to 30 June 2024.

No.	Total Remuneration Package	Monthly Amount
1	Below R1,900,000	R1,695.00
2	R1,900,000 and above	R1,818.00

- 5 That the CM be authorised to inform the Boards of all MEs to implement the following:
- (1) A 3.3% increase on the all-inclusive remuneration packages for all serving senior managers as of 1 July 2023 in the employ of the ME be implemented with effect from 01 July 2023 and on a pro-rata basis for post 1 July 2023 appointments.
 - (2) A non-pensionable cash gratuity for all senior managers employed for the 2023/2024 financial year as reflected in the table below and on a pro-rata basis for post 1 July 2023 appointments. This allowance is only applicable to senior managers appointed for the period 1 July 2023 to 30 June 2024.

No.	Total Remuneration Package	Monthly Amount
1	Below R1,900,000	R1,695.00
2	R1,900,000 and above	R1,818.00

- (3) The monthly payment of a non-pensionable cash gratuity for the 2023/2024 financial year be implemented monthly over a period of twelve (12) months from 1 July 2024.

(GROUP COOPERATE AND SHARED SERVICES)

Item 95 THE WAR FOR WAGE INCREASE: THE STATE OF REMUNERATION IN THE CITY OF JOHANNESBURG

Councillor Christians (DA) recorded the opposition of the Democratic Alliance, citing Rule 84 of the Standing Rules of Council which states that:

"Whenever a question is put by the Presiding Officer, any Councillor may inform the Presiding Officer that she/he wishes her/his party's opposition on the item to be formally recorded in the Minutes of the Proceedings.". He said that the DA was abstaining from the item.

RESOLVED

- 1 That the content of this Report and Annexures (A – S) be noted.
- 2 That the "As-Is" state of remuneration information be noted.
- 3 That the adopted Common Key Salary Scales at a cost of R10,177,763,263.00 for Category A-D employees be considered for approval by Mayoral Committee and Council for implementation, upon sourcing of funds to fund the full implementation.

- 4 That the adopted Common Key Salary Scales at a cost of R210,884,386.25 for Directors and Group Heads (Category E and F employees) be considered for approval by Mayoral Committee and Council for implementation, upon sourcing of funds to fund the full implementation.
- 5 That the Common Key Salary Scale grand total of R10,388,647,649.25 be noted and that the necessary City of Johannesburg budget processes be followed in order to determine the availability of funds and appropriate approvals.
- 6 That the Common Key Salary Scale from 01 July 2024 be considered and approved by Mayoral Committee and Council for PFA implementation of notches ONLY, as a transitional arrangement to optimise the achievement of parity within the group and that the approved PFA implementation budget of R701 million for the 2024/2025 financial year not be exceeded.

(DA DISSENTING)

(GROUP CORPORATE AND SHARED SERVICES)
(Ms. C Maunye and Mr. E Mafuyeka)
(Tel: 083 416 4115 and 083 702 4941)

Item 96 OVERSIGHT VISIT REPORT OF THE
 SECTION 79 FINANCE COMMITTEE TO
 MARTINDALE DATA CENTRE ON THE
 15TH FEBRUARY 2024

DEFERRED

(COJ LEGISLATURE)
(A Bhaga)
(Tel. (011) 407-7163)

Item 97 THE DRAFT ALDERMAN POLICY

DEFERRED

(COJ LEGISLATURE)
(SHIRLYN SEROBATSE)
(COUNCILLOR AFFAIRS AND SUPPORT SERVICES)
(Tel. (011) 407-7487)

Item 98 MOTIVATION THAT COUNCIL RECOVER OR CERTIFY AS IRRECOVERABLE AND WRITE OFF IRREGULAR, FRUITLESS AND WASTEFUL AND UNAUTHORISED EXPENDITURE - NOVEMBER 2023

DEFERRED

(COJ LEGISLATURE)
(Mr. Mabogo Thinga)
(Tel. (083) 702-8292)

Item 101 CHANGES IN MEMBERSHIP OF THE VARIOUS SECTION 79 COMMITTEES

RESOLVED

That Council approve the changes in membership of the various Section 79 Committees, as reflected in the body of the report.

(COJ LEGISLATURE)
(Office of the Whip of Council)
(Tel. (011) 407-6218)

Item 102 ACTING ARRANGEMENTS FOR SENIOR MANAGERS (SECTION 56)

RESOLVED

- 1 That the content of this report be noted.
- 2 That Council be informed of:
 - (1) the currently filled senior manager positions,
 - (2) vacant senior manager positions,
 - (3) progress on current recruitment of senior manager positions, and
 - (4) current acting arrangements.
- 3 That Council be informed of the Senior Managers' acting arrangements for the period between June 2024 to October 2024.
- 4 That Council be requested to authorize the City Manager or his delegate, in line with the Local Government: Municipal Systems Act, 32 of 2000, to apply to the Member of the Executive Council (MEC) to note the current acting arrangements.

(GROUP CORPORATE AND SHARED SERVICES)
(DA DISSENTING)

Item 103 DISCIPLINARY HEARING OF A SENIOR
MANAGER: EXECUTIVE DIRECTOR:
DEVELOPMENT PLANNING

This item was considered In-Committee. The Democratic Alliance had recused themselves from the consideration of this item.

RESOLVED

1. That disciplinary proceedings be instituted against Mr Khan.
2. That the City Manager is authorised to appoint an independent and external presiding officer (chairperson) and an officer to lead evidence (initiator) and to sign the letters of appointment for both the chairperson and initiator.

(GROUP CORPORATE AND SHARED SERVICES)

Item 104 REPORT TO SEEK COUNCIL APPROVAL TO REFER
ALLEGED ACTS OF FINANCIAL MISCONDUCT TO
THE DISCIPLINARY BOARD FOR PRELIMINARY
INVESTIGATIONS IN ACCORDANCE WITH THE
DISCIPLINARY BOARD TERMS OF REFERENCE AND
MFMA REGULATIONS ON FINANCIAL MISCONDUCT

This item was considered In-Committee.

RESOLVED

- 10.1 That Council notes the alleged incidents of financial misconduct as reported herein.
- 10.2 That Council notes that it is a requirement in terms of the MFMA Regulations on Financial Misconduct Procedures and Criminal Proceedings that each preliminary and/or full investigation of an allegation of financial misconduct by the Disciplinary Board requires Council approval.
- 10.3 That therefore, Council approves that the alleged acts of financial misconduct be referred to the Disciplinary Board for preliminary investigations in accordance with the Disciplinary Board's approved Terms of Reference and the MFMA Regulations on Financial Misconduct Procedures and Criminal Proceedings.
 - 10.3.1 Council approves that the Disciplinary Board conducts a preliminary investigation into the possible acts of Financial Misconduct associated with the irregular award of a Panel of Companies for the provision of security services in 2018/19 that was allegedly appointed following a bid evaluation process that was non-compliant with the Supply Chain Management Regulations and the CoJ SCM Policy. Further, the

preliminary investigation also includes subsequent extensions of the panel of companies to provide security services, which were non-compliant with the requirements of the MFMA NT Circular 62 i.e., 15% price variation but exceeded this threshold.

- 10.3.2 Council approves that the Disciplinary Board conducts a preliminary investigation into the alleged acts of Financial Misconduct relating to the incurrance of Fruitless and Wasteful expenditure from a fine issued by the Gauteng Department of Agriculture and Rural Development (GDARD) due to the non-compliance by City officials with National Environmental Management Act (NEMA).
- 10.3.3 Council approves that the Disciplinary Board conducts a preliminary investigation into the alleged acts of Financial Misconduct that resulted in Fruitless and Wasteful expenditure, where the SA Revenue Services (SARS) found that the City had not complied with the RSA Income Tax Act, by failing to deduct the PAYE/ Tax levies when the officials left the employment of the City, resulting in the employer paying the tax obligations on behalf of its former employees
- 10.3.4 Council approves that the Disciplinary Board conducts a preliminary investigation into the alleged acts of Financial Misconduct that resulted in Fruitless and Wasteful expenditure, where the City incurred expenditure for unused sim cards that were pre-loaded with data and voice but were not distributed to officials and therefore were not utilized, for a period of approximately three (3) months. This was during the transition period from the previous contract to the then new award.
- 10.3.5 Council approves that the Disciplinary Board conducts a preliminary investigation into the alleged acts of Financial Misconduct that resulted in Fruitless and Wasteful expenditure due to payments to a service provider for Fire and Rescue Vehicles prior to delivery thereof (i.e., Non-compliance with MFMA)
- 10.3.6 Council approves that the Disciplinary Board conducts a preliminary investigation into the alleged acts of Financial Misconduct relating that had resulted in Fruitless and Wasteful expenditure due to payments for SAP software licenses that were not brought into use and therefore the City paid for unutilized products.
- 10.4 That it be noted that the Disciplinary Board is required to comply with the approved Terms of Reference in the carrying out of its duties; and shall therefore report to Council through City's reporting protocols.
- 10.5 That it be noted that the Disciplinary Board is required to comply with the approved Terms of Reference of MPAC and report on the progress of referred incidents.

(GROUP RISK AND ASSURANCE SERVICES)
(Sinaye Nxumalo)
(Office of the City Manager)

5 CLOSURE

THE MEETING ADJOURNED AT 17:01.



04/10/2024

.....
SPEAKER OF COUNCIL

.....
DATE