

OBSERVATORY IMPROVEMENT DISTRICT

Annual General Meeting Minutes

Date: Saturday 18 November 2017 at 10.00 am
Venue: Woolworths Financial Services, 3 St. Michael's Road, Observatory
Present: 28 Obsid members, 4 residents, 6 visitors, 4 staff members and 1 job shadowing intern
48 by proxy
Attendance register: see appendix 1 attached and the AGM minutes book for the original.

1. Registration (from 09:30 to 10:00)

All present signed the attendance register and received documentation packs. All documents for the meeting were also e-mailed to the members and posted on the website.

2. Welcome

Nishendra Moodley welcomed all members, residents, visitors and staff present at the Annual General Meeting.

3. Keynote

Sarah Rushmere started the presentation in Cllr Xanthea Limberg's absence. The presentation, which is available on the website, encompassed the current water crises and what we, as citizens could do to save and curb water wastage on a daily basis. Cllr. Limberg and Sarah Rushmore answered questions raised by members.

4. Start of Formal Meeting

Nishendra Moodley thanked the Councillor Limberg and Sarah Rushmere for the very informative keynote address.

5. Confirmation and Approval of the Agenda

Nishendra Moodley proposed the following change to the agenda:

Point 15 is done before point 13.

The meeting confirmed and approved the changes to the agenda.

6. Apologies

Claudine Majiet noted the apologies received.

6.1 Membership – resignations and new

There was one resignation, namely Jackie Kruijer, as the property was sold. Thirty-one new members registered for the year

6.2 Quorum to constitute a meeting

It was noted that there was 28 members present and 48 proxies. There is a total of 204 members and as 20% is required for quorum to constitute a meeting, with 76 members present and by proxy there is a quorum for the AGM.

7. Approval of previous AGM Minutes

The minutes of the previous meeting was e-mailed to all members and shown on the proxima. Mark Neville proposed for the meeting to accept the minutes as an accurate reflection of last year's AGM and Edwin Angless seconded the proposal. There was a unanimous vote to approve it. There were no objections.

8. Chairman's Report

Nishendra Moodley, as the Chair of the OBSID Board of Directors, presented the Chairperson's report on the 2016/2017 financial year. The report is attached as an annex.

9. Noting of Audited Financial Statements 2016-17

Hudson McComb presented the AFS for 2016-17, explained the contents and proposed that the AFS be accepted.

Hudson McComb explained certain line items, e.g. Arts and Culture, Greening and Security, queried by members.

Nishendra Moodley brought the meeting to order to deal with the AFS at hand and not the budget for the next financial year.

Mark Neville proposed that the AFS be accepted and Penny Morrell seconded the proposal. There was a unanimous vote to approve this.

Decision: The proposal to accept the AFS was passed unanimously.

10. Feedback on SRA's operations 2016-17

The Portfolio Managers (Organisation Development and Urban Renewal-Office Manager/Social Development-Kenneth Roman/Public Safety-Jason Hill) reported on their activities for the past financial year and included stats with graphs in their presentations, which is available on the website.

11. Approval of Implementation Plan 2018-19

Hudson McComb presented the Implementation Plan for 2018-19. Nishendra Moodley advised that the Implementation Plan was approved by the board, but that it would be streamlined significantly during the course of the year and tabled at the next AGM.

The following questions were raised and comments made:

How do we get the Implementation Plan out to rate payers to be aware of it and comment? Hudson advised that it was available on the website and other means of social media could be utilised. Nishendra advised that there be more engagement with the constituents, not just ratepayers, but the entire community.

The board needs to work closer and better with management, but there was a struggle. What is happening here? Nishendra responded that the board would like to ensure that all portfolios are adequately taken care of in the Implementation Plan and the budget.

Kris Marais observed that the ASHCOM portfolio looked rather anaemic and under fed.

Edwin Angless advised that there was a huge misconception that if you paid your levy, it automatically made you a member of OBSID and that it is our fault that it has not been communicated to people. The next board should address this.

Tauriq Jenkins felt that because there is such a strong motion coming from the AGM, it should be acknowledged. Arts and Culture is being situated as a luxury. This artistic community is saying that it should be acknowledged in terms of the budget going forward.

Hudson McComb informed the meeting that compared to other CIDs, we have 140 items vs 40 items. We are being very optimistic, but we are limited with resources.

Eddie Scott from the City advised that the board is responsible and accountable. The management team is there to implement and do admin.

Nishendra Moodley proposed that the board be given this current year to reshape a new way going forward, but adopt the current Implementation Plan for pragmatic reasons.

Marc Turok suggested that we rely on community building, cultural consciousness and community involvement, where we can do the job and prevent the problem in the first place by community activism.

Dale Ford proposed that the board be given three months to develop a comprehensive Implementation Plan which takes into account the priorities and present to the community in one form or another how the plan is going to work. Improve stakeholder involvement.

Ascertain via whatsapp groups or social media how the community feels about the priorities.

Mark Neville commented that Arts and culture is needed, but it should be put into the right organisation. OBSID should stick to its core functions.

Strong support from members to have the budget of ASHCOM increased and an increase of priority given to Culture and Heritage.

The following proposals were made:

Nishendra Moodley proposed that the meeting makes an interim mandate to proceed with continued work and come back in three months' time after a participative process through the committee system which will be advertised on the website and Obslife. Committees to help and frame a viable program and convince the board that it is something that OBSID should be doing and viable within the resource envelope. Support the Implementation Plan as an interim one and reframe it after the process going forward.

There was a unanimous vote to approve this as an interim Implementation Plan.

Decision: The proposal to accept this as an interim Implementation Plan was passed unanimously.

12. Approval of Budget 2018-19

Hudson McComb presented the Budget for 2018-19, explained the contents and proposed to accept the Budget.

Hudson McComb explained certain line items of the budget.

Hudson McComb proposed to accept the Budget. There was a unanimous vote to approve this as an interim Budget, which would need to be revised within three months.

Decision: The proposal to accept this as an interim Budget was passed unanimously.

12.1 Usage of Surplus Funds 2017-18

Hudson McComb presented the Usage of Surplus Funds 2017-18 and proposed it be accepted.

Eddie Scott explained how the Surplus Funds were calculated.

Nishendra Moodley reiterated that the usage of the surplus funds were accepted and fully supported by the board.

Mark Neville proposed that the Proposed Usage of Surplus Funds be accepted and Sarah Driver-Jowitt seconded the proposal. There was a unanimous vote to approve this.

Decision: The proposal to accept the Proposed Usage of Surplus Funds was passed unanimously.

13. Election of Board Members

Nishendra Moodley explained that according to the constitution, a third of the directors were required to stand down although permitted to be available for re-election. Board of directors standing down were: Gareth Leyman and Edwin Angless with a resignation from Jeanine Schouw. All directors were available for election as directors.

Nishendra Moodley noted that there was an irregularity with regards to proxies and because of this a decision was taken to allow proxies until before the AGM.

Howard Richmond requested more clarity on the proxy issue.

Nishendra Moodley informed the meeting that the proxy forms were changed on the 09 November 2017 on the website and as a result persons did not know how to effectively put in their proxies for the Chairperson. The reason for the cut-off is an administrative one and this is trumped by the greater democratic participation.

Sarah Driver-Jowitt informed the meeting that had she known of the deadline change, she would have received more proxies and that everyone should have been advised of the deadline change.

Kris Marais questioned if the board had authorised the changing of the proxies.

Nishendra Moodley informed that the board had not authorised this and that the matter was under investigation. Because of the implications, which are incredibly serious, we think that we are taking a decision that furthers democracy rather than administrative bureaucracy and allow people to submit proxy forms.

Hudson McComb informed the meeting that an instruction was given to Claudine to split the two forms in the pdf document and make it two separate documents bringing to people's attention that they have a choice, as some members were confused and thought that they had to give it to the Chairperson.

Howard Richmond questioned how many proxies were received after the deadline.

Jonah Sack echoed Howard's concerns, especially after what happened at the OCA AGM.

Nishendra Moodley requested that Claudine Majiet informs the meeting of the number of proxies that came in after the deadline.

Claudine Majiet informed the meeting that there were 20 proxies handed in at the AGM.

Penny Morrell viewed her concern for the congested administrative process.

Sarah Driver-Jowitt withdrew her objection made, but still objects that it was not communicated.

Gwen Dereymaeker requested to make a suggestion, as the election of the board has been a contentious issue this past two weeks, postpone the election, which should be held before the 31 December 2017 and explain the procedure to the members.

Sarah Driver-Jowitt seconded the proposal.

Eddie Scott made a few suggestions, including increasing the board by the additional five members nominated.

Nishendra Moodley indicated that Eddie Scott's suggestions were very pragmatic and that there has never been that many nominations before. We should embrace the willingness to be a part of the board, but it is a serious obligation.

Dale Ford proposed that the members go with the proposal made by Gwen. Clean up the mess of the proxies, make sure that everyone is made aware of the voting procedure and adjourn the meeting for two weeks. Have a deferred election, as the suggestion to increase the board was not thoroughly gone through, processed and presented at the AGM and that it would be problematic.

Marc Turok advised that this was an opportunity for more community engagement.

A suggestion was made for biographies.

Carolyn Neville informed the meeting that at the meeting on Friday, she was accused of breaking board confidentiality, an accusation which is completely false. The attack on her integrity has obliged her to step down from the board and believe that Hudson and his team are doing an excellent job and wishes Nishendra all the best going forward. However she can no longer be party to the divisiveness and deceit that has been evident.

Tauriq Jenkins proposed that the elections be deferred, besides the investigation, it would allow to see who the nominations are and ensure that there is a good democratic process.

Noelle Murphy seconded the proposal.

Penny Morrell questioned how the Chairperson saw himself navigating through this divisiveness. What has happened does not feel good to me and I would like it minuted.

Nishendra Moodley informed the meeting that the accusation was not directed at Carolyn and he did not understand it as that, as another board member raised concerns around confidentiality. The board meeting did not resolve on any issues.

Carolyn Neville informed the meeting that in complete transparency, she would like to inform the meeting of what happened. A board member read an e-mail that was written by her husband. There has been a very concerted campaign in the community to denigrate Hudson and bring his name into disrepute.

Mark Neville informed the meeting of the e-mail that he responded to Sheila personally which was then distributed to others to denigrate Carolyn's integrity.

Carolyn Neville reiterated that she did not break director confidentiality. Carolyn Neville offered to resign.

Sarah Driver-Jowitt suggested that given the current board, which seems to be dysfunctional, the entire board chooses to resign and avail themselves for re-election.

Nishendra Moodley informed that given the issues raised, it is appropriate that the election part be rescheduled and provide guidance around the date for the election, cut offs and the procedure. The only item on the agenda will be the election of the board of directors. All information will be available on the website and re-communicated to the members. Profiles will be circulated.

Decision: There was a unanimous vote to approve this.

14. Appointment of Auditors

Nishendra Moodley proposed to accept Haumann and Rogers as the Auditors and there was a unanimous vote to approve this.

15. Appointment of Company Secretary

Nishendra Moodley proposed that Claudine Majiet be reappointed as Company Secretary for the next financial year and this was unanimously approved.

16. General / Q & A

There were no questions raised.

17. Adjournment

Nishendra Moodley did a vote of thanks to the keynote speakers, ISL staff, members, directors, community organisations, visitors and staff for attending and declared the meeting closed.

The meeting closed at 2pm.

CHAIRPERSON