



OBSERVATORY

Civic Association

ANNUAL GENERAL MEETING MINUTES 6 December 2023

1. Welcome and outline of procedures for the AGM

The meeting opened at 18:15 due to loadshedding challenges

Apologies, confirmation of member numbers and quorum

Of the 81 paid members, 24 attended in person and 15 via Zoom giving a total of 39. 2 apologies were received.

In-person attendees:

Cara Morris, Nadine Nannan, Roseline Nyman, Lalou Meltzer, Joy Robinson, Werner Steyn, Peter Stuckey, Marc Turok, Stephen van der Spuy, Melanie Alperstein, Nasima Badsha, Bidy Greene, John Greene, Terna Gyuse, Charles Hart, Colleen Hart, Anthony Hodgson, Dorothy Holder, Jill Joubert, Ghyll Kincaid-Smith, Andrew Kruger, Marine Leblond, Leslie London, Edwin Angless

Zoom Attendees:

Jonathan Gevisser, Tabitha Paine, Phyllis Orner, Pam Britt, Izelle Du Pisanie, Robert Ketteringham, Sharon Jackson, Farzaneh Behroozi, Muffie Welch, Wendy Steytler, Margot Lynndrake, Tony Drake, Chris Austin, Imile de Villiers, Phumza Nongena

A question was raised by Anthony Hodgkins regarding invitations of the Singabalapha members, Farzaneh Behroozi confirmed they had been invited with due notice but decided as a collective to not renew memberships or attend AGM.

The chairperson welcomed online and in-person attendees to the meeting and confirmed the meeting was quorate.

2. Adoption of the Minutes from the Previous AGM in 2022

The previous minutes were circulated prior to the meeting. The minutes were adopted unanimously and without objections.

3. Noting of minutes of SGM held 3rd October and revised constitution.

Noted the changes that were ratified, and listed those changes that were held over including the point regarding changes to membership timings.

4. OCA Award: Heritage or Environmental Consultant of Integrity (HECI),

Leslie London provided an introduction to the OCA award and the importance of independent consultants of integrity. This year the award was made to Dr Mike Mentis an Environmental Professional and retired academic who serves as director and professor of resource ecology group at WITS university. His work has extended beyond SA borders into Southern Africa and also China to projects such as the Lesotho Highland Water Project. His Pro Bono work for the River Club Project

exposed how conflicted the process has been.

Mike Mentis gave his thanks for the award and expressed that he was honoured to be invited as an expert witness against the River Club, despite his evidence not being heard in court.

5. Chair's report and discussion

The Chair's report was circulated prior to the meeting. It is attached here as Annexure 1.

- 5.1 Background and Challenges:
 - Acknowledged the hard work of the committee and thanked members for their efforts.
 - Discussed past challenges, including a court case and difficulties in fundraising.
- 5.2 Court Case and Withdrawal:
 - Explained the withdrawal from the court case involving the River Club due to financial constraints and internal issues within the court teams.
 - Emphasized that the case never reached court, preventing adjudication of the actual facts.
- 5.3 Association's Resilience:
 - Highlighted the association's 38-year history and its resilience against various challenges.
 - Mentioned survival through attempted captures, infighting, and external pressures.
- 5.4 Organizational Status:
 - Confirmed the association's PBO and NPO status.
 - Acknowledged challenges in managing social issues after a tragic incident.
- 5.5 Meetings and Membership:
 - Detailed the number of meetings held during the year.
 - Noted a slight decrease in membership but emphasized stability.
- 5.6 Committee Portfolios:
 - Recognized the work of volunteers managing architecture and heritage portfolios.
 - Sought assistance for vacant positions in these portfolios.
- 5.7 Land Use Applications:
 - Discussed various land use applications, mentioning controversial developments.
 - Opposition to applications by Shofar church and Mormon church due to historical and cultural concerns.
- 5.8 Heritage Preservation Efforts:
 - Submitted applications for Provincial Heritage status for several sites in Observatory.
 - Highlighted efforts to restore murals on Wrench Road subway.
- 5.9 Communication and Social Issues:
 - Acknowledged newsletters and communications by volunteers.
 - Mentioned involvement in alcohol policy advocacy and support for community initiatives.
- 5.10 Observatory Story Project:
 - Encouraged submissions for the "Telling the Observatory Story" project related to culture and arts.
- 5.11 Observatory Car Park:
 - Acknowledged the car park as a social enterprise supporting the association's finances.
 - Mentioned challenges in obtaining a proper lease from the city.
- 5.12 Arts, Culture, and Sport:
 - Mentioned support for FC clubs in their struggle for field access.
 - Noted the closure of the pool due to damages.
- 5.13 Relationship with the City:
 - Expressed challenges in the association's relationship with the city and ward councillor.

- Highlighted difficulties in getting meetings and fulfilling commitments.
- 5.14 River Club Settlement:
 - Shared details of the settlement after withdrawing from the River Club court case.
 - Emphasized challenges faced, including financial setbacks and negative public perception.
- 5.15 Future Plans:
 - Urged members to think about future actions and elect a strong management committee.
 - Encouraged individuals to fill vacant portfolios.
- 5.16 Q&A Session:
 - Opened the floor for questions and comments from members. No Questions

6. Treasurer's Report - Annual Financial Report and discussion

Joy provided an overview of the financial statements, emphasizing compliance with SARS and the organization's certifications. She highlighted income and expenditure trends, especially focusing on legal fees related to ongoing litigation.

Key Points:

- Compliance with SARS and certifications achieved for PBO and MPO status.
- Challenges faced in the legal realm, with emphasis on exorbitant legal fees.
- Overview of total income and expenditure, comparing the current and previous years.
- Notable increase in membership fees and the reasons behind it.
- Discussion on the car park as a major source of income, including challenges faced in previous years.
- Acknowledgment of reduced expenditures due to efficient management in the car park.
- Questions raised about outstanding legal costs, negotiations with legal teams, and shock at the high legal expenses.

Wendy queried the apparent discrepancy in membership fees, given the lower membership but a significant increase in income. Joy clarified the fee adjustments and mentioned the waivers and encumbrances from the previous year.

Audience Questions:

- Inquiry about outstanding legal costs and negotiations with the legal team.
- Shock expressed at the high legal expenses and suggestions to actively negotiate outstanding fees.
- A question regarding the rejection of funding from Legal Aid and the organization's financial standing.

Joy and Leslie provided detailed responses to the audience questions, addressing concerns about legal fees, negotiations, and challenges faced in securing funding from Legal Aid.

Concern over the legal challenges faced by the organization were expressed, along with the need for ongoing negotiations, and the importance of understanding the financial complexities involved.

7. Motions

No motions were received prior to the AGM for consideration.

8. Elections

Leslie London opened the election process and handed over to the Independent Electoral Officer, Ryan Fester.

Nominations were received for 5 portfolios

a. Introduction

The election officer outlined the procedures for election.

b. Elections for positions:

32 of 81 members took part in the election either in person or via Zoom.

- Chairperson (Leslie London):
 - Yes votes: 32 (20 in-person + 12 online)
 - No votes: 0
 - Abstention votes: 0

- Treasurer (Joey Robinson):
 - Yes votes: 32 (20 in-person + 12 online)
 - No votes: 0
 - Abstention votes: 0

- Secretary (Cara Morris):
 - Yes votes: 31 (19 in-person + 12 Online)
 - No votes: 0
 - Abstention votes: 1

- Communications (Edwin Angless):
 - Yes votes: 30 (20 in-person & 12 Online)
 - No votes: 1
 - Abstention votes: 1

- Car Park (De Vos Rabie):
 - Yes votes: 29 (19 in-person + 10 online)
 - No votes: 1
 - Abstention votes: 2

There was some discussion around strategy to fill the vacant posts.

The new ManComm Members were welcomed to their new position.

9. Any other business

No other business

10. Vote of Thanks and Closure

Members were thanked for their participation and Ryan Fester was thanked for assisting with the elections.

Some discussion was held around traffic and parking issues in the area, offering assistance to the council. Another suggested forming a group to focus on mobility and observatory-related concerns. The discussion touched upon the possibility of returning to in-person meetings and the use of WhatsApp for communication. The meeting concluded with thanks to the participants, and elected members were encouraged to have a caucus to set their first meeting time.

The meeting was closed by Leslie London at 19:35.