

UGU DISTRICT MUNICIPALITY
MINUTES OF THE SPECIAL MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL HELD VIA MICROSOFT OFFICE TEAMS VIDEO CONFERENCING, HELD ON THURSDAY, 09 MAY 2024, AT 09H06.

Cllr SR Ngcobo - Speaker

IS Mqadi (Mayor), VM Chiya (Deputy Mayor), D Nciki (Exco Member), SN Caluza (Exco Member), GD Henderson (Exco Member), NA Njenga (Exco Member), SP Mthethwa (Exco Member), P Breedts, MJ Cele-Luthuli, SP Fica, TT Hlophe, SE Khawula, BE Machi, MA Manyoni, NO Mazubane, SD Mdluli, SHE Mngoma, N Mweshe, PZ Mzindle, N Ndadane, N Ndovela, SA Ngcece, JS Ngwane, X Nkasa, B Nyuswa, J Schmidt, PC Shange, MP Tenza and LS Zungu

IN ATTENDANCE:

Mr VO Mazibuko	-	Acting Municipal Manager
Ms D Rankin	-	General Manager: Economic Development and Environmental Services (EDES)
Mr K Audan	-	General Manager: Budget and Treasury Office
Mr S Malinga	-	Acting General Manager: Water Services
Ms M Gobhozi	-	Acting General Manager: Corporate Services
Mr F Zama	-	Senior Manager: Mayoralty and Communications
Ms F Mbili	-	Senior Manager: Corporate Strategy and Shared Services
Ms N Mbambo	-	Manager: Legal Services
Mr S Kati	-	Chief Audit Executive
Ms N Gumbi	-	Manager: Human Resources
Mr A Mbhele	-	Manager: Administration & Auxiliary Services
Ms N Surajbally	-	Administrative Officer: Secretariat Unit
Ms A Mnisi	-	Committee Clerk

• **OPENING**

The Speaker extended a warm welcome to all present.

C 164/05/24

NOTICE OF MEETING

The notice of the meeting was taken as read.

C 165/05/24

APPLICATIONS FOR LEAVE OF ABSENCE

It was noted that Cllr LMR Ngcobo (*party commitment*) had requested for leave of absence from the meeting.

Following which,

It was unanimously

RESOLVED:

That Cllr LMR Ngcobo (*party commitment*) be and is hereby **GRANTED** leave of absence from the meeting.

C 166/05/24

DECLARATION OF INTEREST

It was noted that the Acting Municipal Manager had interest in Item 6.1 of the Agenda; hence he would leave the meeting at that stage of the proceedings.

C 167/05/24

CONFIRMATION OF AGENDA

The Speaker took members through the confirmation of the agenda.

Thereafter, Cllr Mweshe moved for the adoption of the Agenda and was seconded by Cllr Fica.

Following which,

It was

RESOLVED:

That the agenda convening the special meeting of the Ugu District Municipal Council be and is hereby **CONFIRMED**.

MATTERS FOR DISCUSSION

C 168/05/24

Rescheduling of the meeting of the Ugu District Municipal Council from 23 May 2024 to 22 May 2024

The Speaker explained to the meeting that there seemed to be a little confusion given that the request was for the meeting of the Ugu District Municipal Council to be rescheduled from 30 May 2024 to 23 May 2024.

Echoing the same sentiments, the Acting Municipal Manager apologized for the said confusion and confirmed that the meeting of the Ugu District Municipal Council would be held on 23 May 2024.

Councillors raised concerns regarding the said meeting being physical given that Councillors were very busy on the ground preparing for the National and Provincial Elections.

The Speaker indicated that the Councillors that would be busy on the ground could join the meeting via the Hybrid Platform.

In addition, he explained to Council that the meeting for May 2024 had to be physical given that his Worship, the Mayor would be delivering the Budget Speech.

Following which,

It was

RESOLVED:

- (a) That the report on the Rescheduling of the meeting of the Ugu District Municipal Council from 23 May 2024 to 22 May 2024 be and is hereby **NOTED**.
- (b) That the meeting of the Ugu District Municipal Council for the month of May 2024 be held on Thursday, 23 May 2024.
- (c) That the Councillors that would be busy on the ground for the National and Provincial Elections would join the meeting via the Hybrid Platform.

[At that stage of the proceedings, Cllr Henderson moved for the meeting to move in-committee and was seconded by Cllr Machi.]

IN-COMMITTEE MATTERS

Secondment of the Appointment of the Municipal Manager

His Worship, the Mayor took members through the item.

He reminded Council that he was awaiting the Letter from the MEC approving the extension of the secondment of Mr VO Mazibuko to the Municipal Manager position.

He reported that the said letter was received and that a copy of same was attached to the report as Annexure 2.2, which was reflected from pages 5 to 6 of the Agenda.

He then informed Council that as per the new Recruitment and Selection Plan, the interview process for the position of the Municipal Manager was scheduled for 12 June 2024 and that he was anticipating that the said appointment would be done before the end of June 2024.

Commenting, Cllr Manyoni referred to the Letter, which indicated that the Municipality was directed to expedite and conclude the recruitment process and that the Letter further stated that it should be considered that should the Municipality not finalize the process by 30 June 2024, it shall be concluded that the Municipality had failed to fulfill an executive obligation in terms of Section 54A of the Municipal Systems Act, Act No. 32 of 2000, as amended and that the MEC would be left with no alternative but to approach the Provincial Executive Council and request that Section 139 of the Constitution be invoked.

Echoing the same sentiments, Cllr Henderson pointed out that the risk was for the Municipality to be under administration if the Mayor did not adhere to the Letter from the MEC.

He stressed concern that the Municipality had an Acting Municipal Manager for over eighteen (18) months now and that in the last week, the Municipality did not have a Municipal Manager.

The Speaker appealed to both the Management Component and the Interviewing Panel to ensure that the appointment of the Municipal Manager was concluded before the end of June 2024.

His Worship, the Mayor reminded members that when he started presenting the item, he informed Council that as per the new Recruitment and Selection Plan, the interviews were scheduled for 12 June 2024.

Cllr Machi appealed to the Mayor to ensure that the date given was adhered to.

Thereafter, Cllr Manyoni moved for the acceptance of the recommendations and was seconded by Cllr Machi.

Following which,

It was

RESOLVED:

- (a) That the report regarding the Extension of the Secondment Appointment of the Municipal Manager, Mr VO Mazibuko be and is hereby **CONSIDERED**.
- (b) That the approval by the COGTA MEC to extend the Secondment Appointment of Mr VO Mazibuko as the Municipal Manager of the Ugu District Municipality for a period of two (2) months commencing from 01 May 2024 to 30 June 2024 be and is hereby **CONSIDERED**.

C 170/05/24 Ratification of the Extension of the Secondment of the General Manager: Corporate Services

The Speaker took members through the item.

It be noted that the Council's approval for the secondment of the General Manager: Corporate Services for the period of three (03) months was linked to the approval of the extension of the Municipal Manager.

He said that given that the response from the COGTA MEC approving the extension of the secondment appointment for Mr VO Mazibuko in the Municipal Manager's position for a period of two (02) months effective from the 01st of May 2024 to the 30th of June 2024; Council was requested to rescind the resolution taken on 25 April 2024; whereby the secondment period of the General Manager: Corporate Services was from 01 May 2024 to 31 July 2024 and that Council should then resolve that the Extension of the Secondment of the Acting General Manager: Corporate Services be from 01 May 2024 to 30 June 2024.

Thereafter, Cllr Manyoni moved for the acceptance of the recommendations and was seconded by Cllr Machi.

Following which,

It was

RESOLVED:

- (a) That the report on the Ratification of the Extension of the Secondment of the General Manager: Corporate Services be and is hereby **CONSIDERED**.
- (b) That given that the response from the COGTA MEC approving the extension of the secondment appointment for Mr VO Mazibuko in the Municipal Manager's position for a period of two (02) months effective from the 01st of May 2024 to the 30th of June 2024; the resolution taken on 25 April 2024; whereby the secondment period of the General Manager: Corporate Services was from 01 May 2024 to 31 July 2024 be and is hereby **RESCINDED**.
- (c) That Ms MP Gobhozi's secondment to the position of the General Manager: Corporate Services for Ugu District Municipality be extended for a further period of two (02) months with effect from the 01st of May 2024 to the 30th of June 2024; and that same be aligned to the secondment of the Municipal Manager as approved by the COGTA MEC.

[At that stage of the proceedings, Cllr Henderson moved for the meeting to move out of Committee and was seconded by Cllr Machi.]

C 171/05/24

CLOSURE

The Speaker thanked all members for their participation and contribution in the meeting.

There being no further items for discussion, the Speaker declared the meeting closed at 09h38.

CHAIRPERSON: ----- **DATE:** -----