



CITY OF HARARE

MINUTES OF THE 1900th ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, TOWN HOUSE ON MONDAY, 21st DECEMBER 2020 AT 11:45AM

PRESENT

Acting Mayor, Councillor L. Mukunguma

COUNCILLORS

T. Chagaresango	T. Manase	E. Ruzani
E.M. Chipfiwa	P.T. Mangwiro-Chikwaka	A. Shingadeya
L. Gomba	T. Matafi	A. Shoko
M. Kasvosve	M.S. Matinyanya	S. Wutawunashe
T. Katsaria	T. Mhetu	C. Zumba
J.K. Kunashe	M. Mudariki	(20)
N. Makondo	M.S. Mutizwa	

VACANCIES (23)

OFFICIALS PRESENT

S. Ndemera : Acting Town Clerk
C.U. Kandemiiri : Acting Chamber Secretary
O. Mutohori : Transport Manager
A. Nyamurova : Audit Manager
D. Njanina : Committees Manager
And other officials

1. **PRAYERS** (1)

Prayers were led by Councillor T. Mhetu.

NOTED

2. **NOTICE** (2)

The notice convening the Meeting was read by the Acting Chamber Secretary.

3. **LEAVE OF ABSENCE** (3)

RESOLVED

That applications for leave of absence by the Councillors named below be approved:

Councillors

His Worship, the Mayor, J. Mafume	:	21 st December 2020	
I.M. Makone	:	21 st December 2020	
B. Matione	:	21 st December 2020	(3)

4. **CONFIRMATION OF MINUTES** (4)

The Minutes of the 1899th Ordinary Meeting of Council held on 19th November 2020 and Special Council Meeting held on the same day, 19th November 2020 had been circulated with the Agenda.

On proposals by Councillors T. Matafi and N. Makondo seconded by Councillor S.M. Matinyanya and S. Wutawunashe respectively, Council -

RESOLVED

That the Minutes of the 1899th Ordinary Meeting of Council and Special Council Meeting held on 19th November 2020 be taken as read and confirmed.

(Whereupon the Minutes were signed by the Acting Mayor, Councillor L. Mukunguma).

ACTION: HODs: 21/12/2020

**5. COMMUNICATIONS ADDRESSED TO HIS WORSHIP, THE MAYOR:
DECEMBER 2020 (5)**

**(i) Attendance by the Acting Mayor at the Commemoration of the
Launch of the Tree Planting Day (5)**

The Acting Mayor, Councillor L. Mukunguma reported that on 1st December 2020, the Acting Mayor, Councillor M.S. Mutizwa had attended the tree planting day commemorations had at Lytton and Marimba Primary Schools together with the Swiss Ambassador to Zimbabwe.

The launch of the tree planting season was then held at Tariro Hopley Primary School.

NOTED

**(ii) Attendance by the Acting Mayor at the Launch of the Judicial
Service Commission (JSC) 2021-2025 Strategic Plan**

The Acting Mayor, Councillor L. Mukunguma reported that on 2nd December 2020, His Worship, the Mayor had attended the launch of the Judicial Service Commission (JSC) 2021-2025 Strategic Plan which was held at the Harare International Conference Centre (HICC).

NOTED

**(iii) Attendance by His Worship, the Mayor at the Urban Councils
Association of Zimbabwe (UCAZ) Mayors Forum, Executive
Committee and Annual General Meeting Held in Victoria Falls
from 11th to 13th December 2020**

The Acting Mayor, Councillor L. Mukunguma reported that the Acting Mayor had attended the Urban Councils Association of Zimbabwe (UCAZ) Working Group Meeting which was held at Bulawayo Holiday Inn from 7 to 8 December 2020. He had then proceeded to Victoria Falls for the Urban Councils Association of Zimbabwe (UCAZ) Mayors' Forum, Executive Committee and the Annual General Meeting held on 11th, 12th and 13th December 2020 respectively.

NOTED

(iv) Receipt of a Circular from the Provincial Development Coordinator

The Acting Mayor, Councillor L. Mukunguma reported that His Worship, the Mayor was in receipt of a Circular dated 3rd December 2020 from the Provincial Development Coordinator advising Council that any official who was out on bail should not be allowed back at work until their cases had been cleared by the Courts.

RESOLVED

That Council hereby notes the Circular dated 3rd December 2020 from the Provincial Development Coordinator wherein he advised that officials who are out on bail should cease reporting for duty until their cases are cleared by the Courts.

ACTION: TC & A/HCD: 21/12/2020

(v) Adjustment of Membership of Harare City Councillors on Outside Bodies

The Acting Mayor, Councillor L. Mukunguma MOVED as MOTIONS seconded by Councillor P.T. Mangwiro-Chikwaka -

That Council's representatives on its outside bodies be and are hereby amended as follows –

(i) Harare Municipal Medical Aid Society (HMMAS)

Appointment of Councillor N. Makondo as an Alternate Member.

(ii) Employment Council of Zimbabwe (EC)

Appointment of Councillor A. Shingadeya as a member.

The MOTION was PUT and CARRIED unanimously.

RESOLVED – accordingly.

ACTION: ACS/AHCD: 21/12/2020

6. ENVIRONMENTAL MANAGEMENT COMMITTEE MINUTES: 24th NOVEMBER 2020 [6.C)

(A) RECOMMENDATIONS

The Chairperson, Councillor M.S. Mutizwa reported on the decisions recorded in Items 39 to 42 inclusive of the Minutes of the Environmental Management Committee dated 24th November 2020 which involved recommendations to Council and he MOVED the ADOPTION of the recommendations.

The RECOMMENDATIONS in Items 39 to 42 inclusive were PUT and ADOPTED unanimously.

(B) RESOLUTIONS

The Chairperson, Councillor M.S. Mutizwa reported on the decisions recorded in Items 1 to 38 inclusive of the Minutes of the Environmental Management Committee dated 24th November 2020 which did not involve recommendations to Council.

7. CONCERN OVER THE PERFORMANCE OF HARARE QUARRY (Pvt) LTD.

Arising from the discussion on Item 38 of the Minutes of the Environmental Management Committee dated 24th January 2020 regarding service delivery for October 2020, the Chairperson of the Environmental Management Committee expressed serious concern at the operations of the Harare Quarry (Pvt) Ltd which he deemed unsatisfactory. He suggested the return of that entity to the Harare City Council as a matter of urgency.

The Chairperson of the Environment Management Committee further drew the attention of Council to the failure by the Harare Quarry (Pvt) Ltd to deliver 400 tonnes of pre-mix which had been paid for by the Harare City Council.

The Acting Mayor, Councillor L. Mukunguma then MOVED as a MOTION which was unanimously agreed to –

That the Acting Chamber Secretary schedules a Joint Meeting of the Environmental Management and Business Committees to consider the proposal to return the Harare Quarry (Pvt) Ltd back to the Harare City Council.

The MOTION was PUT and CARRIED unanimously.

RESOLVED – accordingly.

8. EDUCATION, HEALTH, HOUSING AND COMMUNITY SERVICES AND LICENSING COMMITTEE MINUTES: 25th NOVEMBER 2020 (6.D)

(A) RECOMMENDATIONS

The Chairperson, Councillor P.T. Mangwiro-Chikwaka reported on the decisions recorded in Items 10 to 14 inclusive of the Minutes of the Education, Health, Housing and Community Services and Licensing Committee dated 25th November 2020 which involved recommendations to Council and he MOVED the ADOPTION of the recommendations.

The RECOMMENDATIONS in Items 10 to 14 inclusive were PUT and ADOPTED unanimously.

(B) RESOLUTIONS

The Chairperson, Councillor P.T. Mangwiro-Chikwaka reported on the decisions recorded in Items 1 to 9 inclusive of the Minutes of the Education, Health, Housing and Community Services and Licensing Committee dated 25th November 2020 which did not involve recommendations to Council.

9. SMALL TO MEDIUM ENTERPRISES COMMITTEE MINUTES: 1st DECEMBER 2020 (6.E)

(A) RECOMMENDATIONS

The Chairperson, Councillor A. Shingadeya reported on the decisions recorded in Items 9 to 12 inclusive of the Minutes of the Small to Medium Enterprises Committee dated 1st December 2020 which involved recommendations to Council and he MOVED the ADOPTION of the recommendations.

The RECOMMENDATIONS in Items 9 to 12 inclusive were PUT and ADOPTED unanimously.

(B) RESOLUTIONS

The Chairperson, Councillor A. Shingadeya reported on the decisions recorded in Items 1 to 8 inclusive of the Minutes of the Small to Medium Enterprises Committee dated 1st December 2020 which did not involve recommendations to Council.

10. HUMAN RESOURCES AND GENERAL PURPOSES COMMITTEE
MINUTES: 23rd NOVEMBER 2020 (6.F)

(A) RECOMMENDATIONS

The Chairperson, Councillor J. Kunashe reported on the decisions recorded in Items 8 to 13 inclusive of the Minutes of the Human Resources and General Purposes Committee dated 23rd November 2020 which involved recommendations to Council and he MOVED the ADOPTION of the recommendations.

The RECOMMENDATIONS in Items 8 to 11 inclusive were PUT and ADOPTED unanimously.

ITEM 12: STATUS OF THE LABOUR MATTERS INVOLVING ABSENTEEISM CASES COMMITTED FROM 2007 TO 2009

The Chairperson, Councillor J. Kunashe MOVED, seconded by Councillor S. Mhetu –

That the matter be REFERRED BACK to the Human Resources and General Purposes Committee for further consideration.

The MOTION to REFER BACK Item 12 was PUT and CARRIED unanimously.

RESOLVED – accordingly.

ITEM 13: AUTHORITY TO ENGAGE IN COUNCIL RE-ENGINEERING TOWARDS VISION 2025

The Chairperson, Councillor J. Kunashe MOVED, seconded by Councillor S. Mhetu –

That the matter be REFERRED BACK to the Human Resources and General Purposes Committee for further consideration.

The MOTION to REFER BACK Item 13 was PUT and CARRIED unanimously.

(B) RESOLUTIONS

The Chairperson, Councillor J. Kunashe reported on the decisions recorded in Items 1 to 7 inclusive of the Minutes of the Human

Resources and General Purposes Committee dated 23rd November 2020 which did not involve recommendations to Council.

11. RESCISSION OF COUNCIL RESOLUTION REGARDING RE-INSTATEMENT OF THE HUMAN CAPITAL DIRECTOR INTO COUNCIL SERVICE

On 5th November 2020, the Human Resources and General Purposes Committee (Item 21) had resolved -

“That the Acting Human Capital Director reports on the status of the case of four (4) senior executives of the Harare City Council.”

On 19th November 2020, Council (Item 11) (Minutes of the Human Resources and General Purposes Committee dated 10th November 2020 – Item 11) had resolved –

- (1) *“That Council notes the status of the cases of its four (4) executive personnel named in paragraph 5 of the strictly confidential report (10th November 2020) by the Acting Town Clerk.*
- (2) *That on the basis of reasons outlined in the preamble above, and paragraph 22 of the Legal Opinion by its legal practitioners named in the preamble above, copies of which are filed with the Acting Chamber Secretary and Acting Human Capital Director, Council approves the reinstatement of the senior executive named first in the table under paragraph 5.1 of the strictly confidential report referred to in recommendation (1) above into Council service.*
- (3) *That any Council resolution which is in consistent with recommendation (2) above in connection with the case of the first senior executive referred to in recommendation (1) above, be rescinded in so far as the inconsistency exists.”*

Arising from consideration of the Minutes of the Human Resources and General Purposes Committee dated 23rd November 2020 referred to elsewhere in these Minutes, Councillor T. Mhetu noted that some pertinent issues concerning the case of the Human Capital Director had not been considered when the decision to reinstate him was made. The Councillor cited the subsequent Supreme Court judgement which had ruled that the suspension of the Human Capital Director from Council service was above board. He had then proposed that Council considers rescinding its decision to reinstate the incumbent into Council service.

The Acting Chamber Secretary advised that Council could not rescind the decision in question during that meeting and that the procedure was to refer the proposal for consideration by the Human Resources and

General Purposes Committee and to await the recommendation of that committee or to proceed by way of a motion.

Councillor T. Mhetu accordingly MOVED as a MOTION which was unanimously agreed to –

That the proposed rescission of Council resolutions recorded under Item 11 of its Minutes dated 19th November 2020 regarding reinstatement of the Human Capital Director into Council service as outlined in the preamble above, be and is hereby referred to the Human Resources and General Purposes Committee for consideration in terms of section 89 of the Urban Councils Act (Chapter 29:15).

The MOTION was PUT and CARRIED unanimously.

RESOLVED – accordingly.

12. INFORMATION AND PUBLICITY COMMITTEE (6.G)

The Information and Publicity Committee did not meet during the month of December 2020.

13. AUDIT COMMITTEE MINUTES: 26th NOVEMBER 2020 (6.H)

(A) RECOMMENDATIONS

The Chairperson, Councillor T. Matafi reported on the decisions recorded in Item 7 of the Minutes of the Audit Committee dated 26th November 2020 which involved a recommendation to Council and he MOVED the ADOPTION of the recommendation.

The RECOMMENDATION in Item 7 was PUT and ADOPTED unanimously.

(B) RESOLUTIONS

The Chairperson, Councillor T. Matafi reported on the decisions recorded in Items 1 to 6 inclusive of the Minutes of the Audit Committee dated 26th November 2020 which did not involve recommendations to Council.

14. FINANCE AND DEVELOPMENT COMMITTEE MINUTES: 18th DECEMBER 2020 (6.(I))

(A) RECOMMENDATIONS

The Vice Chairperson, Councillor S. Wutawunashe reported on the decisions recorded in Items 13 to 20 inclusive of the Minutes of the Finance and Development Committee dated 18th December 2020 which involved recommendations to Council and he MOVED the ADOPTION of the recommendations.

ITEM 13: PROPOSED LEASE OF STANDS 11536 TO 11540 WARREN PARK TOWNSHIP TO NAWNER TRADING (PVT) LTD., TATENDA MAPUNGA, LOVENESS NYANYIWA AND RICHARD MUNYORO FOR COMMERCIAL PURPOSES.

The Vice Chairperson, Councillor S. Wutawunashe MOVED seconded by Councillor M. S. Mutizwa-

That Item 13 be REFEREED BACK to the Finance and Development Committee for further consideration.

The MOTION to REFER BACK Item 13 was PUT and CARRIED unanimously.

RESOLVED- accordingly.

ITEM 14: PROPOSED LEASE OF STANDS 41556 AND 41557 S.T.L (ENTERPRISE ROAD) TO RUZVIDZO CHIZENGEYA AND PERSUADE JECHE FOR CAR SALE PURPOSES.

The Vice Chairperson, Councillor S. Wutawunashe MOVED seconded by Councillor M. S. Mutizwa-

That Item 14 be REFEREED BACK to the Finance and Development Committee for further consideration.

The MOTION to REFER BACK Item 14 was PUT and CARRIED unanimously.

RESOLVED- accordingly.

The RECOMMENDATIONS in Item 15 were PUT and ADOPTED unanimously.

ITEM 16: PROPOSED LEASE OF STANDS 22293, 22297, 22298 AND 22299 KUWADZANA TOWNSHIP TO SIMON MUTIZWA, STANILIOUS BARAMASIMBE, BLESSING MUSHORE AND SAMANTHA R. CHIPERE FOR COMMERCIAL PURPOSES.

The Vice Chairperson, Councillor S. Wutawunashe MOVED seconded by Councillor M. S. Mutizwa-

That Item 16 be REFEREED BACK to the Finance and Development Committee for further consideration.

The MOTION to REFER BACK Item 16 was PUT and CARRIED unanimously.

RESOLVED- accordingly

ITEM 17: LEASE OF STANDS 776 AND 777 GREENCROFT TOWNSHIP TO J. MUTIZWA AND BRIGHTON MAVHAIRE FOR CAR SALE PURPOSES

The Vice Chairperson, Councillor S. Wutawunashe MOVED seconded by Councillor M. S. Mutizwa-

That Item 17 be REFEREED BACK to the Finance and Development Committee for further consideration.

The MOTION to REFER BACK Item 17 was PUT and CARRIED unanimously.

RESOLVED- accordingly.

The RECOMMENDATIONS in Items 18 to 20 inclusive were PUT and ADOPTED unanimously.

(B) RESOLUTIONS

The Vice Chairperson, Councillor S. Wutawunashe reported on the decisions recorded in Items 1 to 12 inclusive of the Minutes of the Finance and Development Committee dated 18th December 2020 which did not involve recommendations to Council.

ITEM 7: CONFIRMATION AND IMPLEMENTATION OF MINISTERIAL DIRECTIVES. (D.9)

On 18th December 2020, the Finance and Development Committee (Item 7) had noted the discussion that had taken place at the Urban Councils Association of Zimbabwe (UCAZ) Annual General Meeting that was held in Victoria Falls from 11th to 13th December 2020 regarding the handling of directives, circulars, letters and other correspondences from the Honourable Minister of Local Government and Public Works.

A member now drew the attention of Council to the above matter. He reported that the Honourable Minister had clarified at the UCAZ conference referred to above, that communication from his Ministry which included directives and circulars should be addressed to Mayors of Local Authorities by himself. Clarification ought to be sought from him when there was need including on all other correspondences addressed to the local authorities.

Councillor T. Mhetu then MOVED as MOTIONS which were unanimously agreed to –

- (1) That Council notes the clarification by the Honourable Minister of Local Government and Public Works on handling of communications from the Ministry as outlined in the preamble above.
- (2) That the resolution recorded under Item 7 of the Minutes of the Finance and Development Committee dated 18th December 2020 regarding this matter be amended to reflect the clarification referred to in the preamble.

The MOTION was PUT and CARRIED unanimously.

RESOLVED – accordingly.

ITEM 11: AUTHORITY TO ENGAGE IN COUNCIL RE-ENGINEERING TOWARDS VISION 2025

The Vice Chairperson, Councillor S. Wutawunashe MOVED seconded by Councillor M.S. Mutizwa -

That Item 11 be REFERRED BACK to the Finance and Development Committee for further consideration.

The MOTION to REFER BACK Item 11 was PUT and CARRIED

unanimously.

RESOLVED – accordingly.

15. BUSINESS COMMITTEE

The Business Committee did not meet during the month of December 2020.

16. VALEDICTORY REMARKS

In his year-end closing remarks, the Acting Mayor, Councillor L. Mukunguma thanked all Councillors and Officials for their effort and commitment during the year 2020. He also acknowledged the COVID-19 challenges faced in year 2020 and encouraged Council and its employees to remain strong and resilient in order to achieve the World Class City status vision of the Harare City Council.

NOTED

17. CLOSING PRAYER

The closing prayer was led by Councillor T. Mhetu.

THE MEETING ENDED AT 12:10PM

LSC/spm