



COUNTY GOVERNMENT OF NAIROBI CITY

SECOND ASSEMBLY – FIFTH SESSION

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, NOVEMBER 11, 2021 AT 2:30 P.M

1. The Assembly assembled at Thirty Minutes past Two O'clock.
2. The Proceedings were opened with Prayer.

QUORUM OF THE COUNTY ASSEMBLY

The Temporary Speaker (Hon. Immapet Kemunto, MCA) having confirmed that there was quorum, proceeded with the Business as it was in the order paper.

3. COMMUNICATION FROM THE CHAIR

The Speaker issued the following communication:-

DELEGATION FROM KILIFI COUNTY ASSEMBLY

“Hon. Members, today we are delighted to be visited by Members of the County Assembly of Kilifi. They have not arrived yet but we want to recognize them and appreciate their coming.

I want to recognize Hon. Maitha Maisha, Hon. Loise Ngare, Hon. Felistas Messu, Hon. Hon. Winfred Mwangome, Hon. Margaret Ndama, Hon. Christopher Mwambire, Hon. Hassan Seid, Hon. Reuben Katana, Hon. Dickson Sabana, Hon. Elina Baro and the secretariat. On behalf of the Speaker of the Nairobi City County Assembly, I wish you fruitful deliberations and safe stay in Nairobi. Remember to observe the Covid 19 guidelines and protocols as directed by the Ministry of Health.

Welcome and we appreciate you.”

4. PAPERS:-

The following papers were laid:-

- I. **THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENT OF THE NAIROBI CITY COUNTY EXECUTIVE FOR THE YEAR ENDED 30TH JUNE, 2018.**

(Hon. Wilfred Odalo, MCA)

II. THE REPORT OF THE SECTORAL COMMITTEE ON PLANNING AND HOUSING ON THE CONSIDERATION OF THE NAIROBI CITY COUNTY EVICTIONS, RESETTLEMENTS AND DEMOLITIONS BILL 2020.

(Hon. Peter Wanyoike, MCA)

5. NOTICES OF MOTION – HON.MILLICENT OKATCH, MCA

The following notices were given:-

I. THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENT OF THE NAIROBI CITY COUNTY EXECUTIVE FOR THE YEAR ENDED 30TH JUNE, 2018.

(Hon. Wilfred Odalo, MCA)

II. THAT, aware that the constitution of Kenya 2010 under Paragraph II of the Fourth Schedule provides for roads as a function of the County Government whose purview primarily deals with county roads under the enabling legislation; **NOTING THAT** the Nairobi Metropolitan Services and the county government as well as the national government has provided support which has various roads across the county tarmacked or brought to the motorable standards to the great benefit of the residents; **DEEPLY CONCERNED** that in some estates across the city residents associations have instead blocked off access and easement of the newly paved roads under the pretext of security measures effectively privatizing public roads and greatly inconveniencing other users; **RECOGNIZING THAT** some of the residents associations are demanding gate passes or even charging for roads use and erecting barriers preventing some vehicles and pedestrian traffic from accessing the said public roads; aware that the assembly in 2014 passed a resolution requiring that all barriers erected on public roads within residential areas be removed without condition the same opened to public use; **REITERATING THAT** while the county took action to implement these resolutions, seven years have since lapsed and residents associations seem to have gone back to business as usual with every estate currently with public access road now blocked or barriers erected and passing only possible through the gate passes. This assembly resolves that the County Executive with conjunction with the Nairobi Metropolitan Services take immediate action to remove any barrier erected on public roads within the residential estates with a view to restore such roads to public use and to ensure that no such barriers are erected in future in public roads with the county authority.

(Hon. Paul Kados, MCA)

III. THAT, aware that Article 43 of the Constitution of Kenya 2010 provides that every person has the right to education; **FURTHER AWARE** that Part II of the Second Schedule of the County Government Act 2010 apportion the education function of village polytechnics and home craft centres to county government and that, the social pillar of Kenya's Vision 2030 underscores the importance of education and training to the realization of the objective of realizing of a newly industrialized middle income country providing a high quality of life to all its citizens by 2030 in a clean and secure environment; **COGNIZANT THAT** technical and training institution offer a unique opportunity to students who graduate from secondary schools, who failed to meet the requisite threshold to join tertiary institutions; **ACKNOWLEDGING THAT** in response to demand for technical and vocational training in Kenya, Parliament passed The Technical and Vocational Education Act, 2013 that is comprehensive on the overall government objective towards educating its citizens; **OBSERVING THAT** the National Government in its quest to enhance enrolment into primary and secondary school rolled out raft of measures, including provision of subsidies, and whereas this is the help loaned to university students is repayable advancement, it has helped many students to realize their potential in eliminating the interruption factor of the fee arrears; **CONCERNED THAT** the bursaries advanced to trainees by the County Government notwithstanding, many students are currently missing out on the training programs offered by the village polytechnics because of lack funding; this Assembly urges the County Executive to domesticate the National Government subsidy and scholarship program for students being enrolled or already enrolled in village polytechnics and home craft centers that are under purview of County Government mandate.

(Hon. Peter Wanyoike, MCA)

6. STATEMENTS PURSUANT TO STANDING ORDER 45(2)(F)

Pursuant to Standing Order 45(2) F, the following Member responded to a Statement: -

- i. The Chairperson of the Sectoral Committee on Justice and Legal Affairs responded to a statement requested by the Hon. Abdi I. Hassan, MCA regarding inquiry into the administration of staff affairs at the County Assembly on or about the year 2020. **(Response due in 1 week)**

7. STATEMENTS PURSUANT TO STANDING ORDER 45(2)(C)

Pursuant to Standing Order 45(2) C, the following Member requested for a Statement: -

- i. Hon. Jared Akama, MCA requested for a statement from the Chairperson of Sectoral on Planning and Housing regarding an arranged grabbed Public land plot LR.No./BLK/60/493 in

Mugumoini Ward meant to be a playing ground. **(Response due in 2 weeks)**

- ii. Hon. Moses Ogeto, MCA requested for a statement from the Chairperson of the sectoral committee on Planning and Housing regarding increase grabbing of public land across the city by private developers. . **(Response due in 2 weeks)**

8. MOTION - MEASURES TO EQUIP INFORMAL SETTLEMENTS WITH FIREFIGHTING FACILITIES

THAT, aware that Part 2 of the Fourth Schedule to the Constitution provides for firefighting services and disaster management as a function of the County Governments: **DEEPLY CONCERNED** that there is increasingly numerous cases of fire outbreaks, particularly affecting markets and informal settlements across the county; **NOTING** that these fire outbreaks have caused heavy losses for residents, some of whom have had these incidents affect them repeatedly; **RECOGNIZING** that if the County Executive were to take measures to ensure fire safety precautions are taken in all markets and informal settlements it would help curb the scope of damage caused by the repetitive fires since the response will be timely; **REALIZING** that these measures ought to include mapping out hot spots across informal settlements and markets where the repetitive fire outbreaks are notorious; **CONVINCED** that the County can do this by equipping Nyumba Kumi and select volunteers under it, with the necessary facilities such as fire extinguishers to act as first responders in case of fire or other emergency outbreaks; this Assembly urges the County Executive to urgently take measures to identify, train and equip Nyumba Kumi members and such volunteers under them with the necessary skills and equipment as appropriate to enable them to respond faster to fire and emergencies in Nairobi City County especially the informal settlements where rescue services take longer to respond.

(Hon. Patriciah Mutheu, MCA)

(Motion differed)

There being no other business and the time being five Minutes past Three O'clock the Temporary Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

ASSEMBLY ROSE - Five Minutes past Three o'clock

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, November 16th, 2021 at 9.30 a.m.

