



COUNTY GOVERNMENT OF NAIROBI CITY

SECOND ASSEMBLY – (SIXTH SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, FEBRUARY 17, 2022 AT 2.30 PM

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

QUORUM OF THE COUNTY ASSEMBLY

The Deputy Speaker having confirmed that there was Quorum proceeded with the Business as it was in the order paper.

3. PAPERS LAID:-

The following papers were laid

I. THE NAIROBI CITY COUNTY FISCAL STRATEGY PAPER FY 2022/2023

(Deputy Majority Whip)

II. THE REPORT OF THE SECTORAL COMMITTEE ON CHILDREN EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING; AND JUSTICE AND LEGAL AFFAIRS ON THE CONSIDERATION OF THE NAIROBI COUNTY PREVENTION OF THE NAIROBI CITY COUNTY PREVENTION OF VIOLENT EXTREMISM BILL, 2021.

(Hon. Millicent Jagero, MCA)

III. THE REPORT OF THE SECTORAL COMMITTEE ON CHILDREN EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING ON THE CONSIDERATION OF THE NAIROBI CITY COUNTY EARLY CHILDHOOD DEVELOPMENT AND EDUCATION BILL, 2021.

(Hon. Esther Nyangweso, MCA)

4. NOTICES OF MOTION:-

The following notices of Motion were given;

- I. **THAT**, aware that Article 186 () of the Constitution of Kenya 2010 and Paragraph Five of the Fourth Schedule to the Constitution provides for the functions and powers of the County Government on county

transport including county roads, streets, lighting, public roads, transport, traffic and parking; further aware that the county has since independence been honoring her eminent citizens who have had remarkable contribution to the development of the republic by not only naming or renaming of facilities or roads after them but also unveiling of statues that offer constant reminiscence and recollection of their unique attributes; **OBSERVING THAT** by honoring them in such a manner is national expression of gratitude for their outstanding deeds; appreciating that the County Assembly has in recent times moved to evoke its legislative and representation mandate to pass motions urging for the recognition of such distinguished and industrious citizens; noting that there are heroes and heroines who have not only roads or streets renamed after them but also statues unveiled in the elevated act of honoring them, for instance we have Dedan Kimathi, the Tom Mboya and most recently the Ronald Ngala statue Acknowledging that the late Hon. Kenneth Matiba was among conspicuous person in the second liberation which culminated into Kenya becoming a multi-party state and commencement of the clamor of the current celebrated Constitution 2010 alongside former Prime Minister Rtd. Raila Amollo Odinga, the late Charles Rubia, the late Martin Shikuku and Senior Counsel Paul Muite. **FURTHER ACKNOWLEDGING THAT** he has a remarkable record in industrial, hospitality and education sectors, and an accomplished public servant having served as the first indigenous African Permanent Secretary in 1963, Permanent Secretary for Commerce, Chairman of the Kenya Football Federation from 1974 to 1978, a Member of Parliament for Kiharu Constituency, Cabinet Minister for Health, Culture and Social Services and Transport and Communication; **APPRECIATING THAT** as a result of this distinguished stature in the society of Kenya, in 2021 he was honored by the Nairobi City County Assembly which passed a motion to have Accra Road renamed after him; **RECOGNIZING THAT** heroes and heroines in whose honors statues have been installed and unveiled have their personalities, character, outstanding abilities and distinguished deeds more accentuated and memorized locally. This Assembly urges the Nairobi Executive in conjunction with Nairobi Metropolitan Services (NMS) to construct, install and unveil the statue of the late Kenneth Matiba along the recently renamed Kenneth Matiba Road as an act of elevated honor of the locally globally celebrated legend for the inspiration of the young generation.

(Hon. Daniel Muturi, MCA)

5. STATEMENTS:-

The following Members requested for statements: -

- i. Hon. Wilfred Odalo, MCA will request for a Statement from the Chairperson of the Sectoral Committee on Labour and Social Welfare and Justice and Legal Affairs regarding the understaffing of the legal personnel working in the office of County Attorney and advertisement of

posts within the said office. **(Response due in 2 weeks)**

- ii. Hon. Waithera Chege, MCA will request for a Statement from the Chairperson of the Sectoral Committee on Environment and Natural Resources regarding cleaning and garbage collection in Nairobi County specifically in Nairobi South Ward. **(Response due in 1 week)**

6. BILL:- THE NAIROBI CITY COUNTY PREVENTION OF VIOLENT EXTREMISM BILL, 2021 (ASSEMBLY BILL NO. 13 OF 2021)

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Nairobi City County Air Quality Bill, 2021 (Assembly Bill No.12 of 2021) be now read a Second Time.

(Hon. Waithera Chege, MCA)

Debate ensued;

Mover replied;

Question put and agreed to;

Bill read a Second Time and committed to the Committee on the Whole Assembly.

7. MOTION – MECHANISMS TO FACILITATE PAYMENT OF RATES FOR DISPUTED LANDS

THAT, AWARE that many parcels of land within Nairobi county do not have titles or other final ownership documents; **DEEPLY CONCERNED** that many landowners only have letters of allotment, certificates of ownership, share certificates, other similar provisional documents; **NOTING** that many pieces of land have ownership disputes, some pending in the courts and other dispute resolution tribunals and institutions which take years to be resolved; **RECOGNIZING** that many of such parcels of land have already been developed with the owners of such land willing to pay land rates and indeed the law requires rates to be paid by whoever is claiming ownership of any such property; **APPRECIATING** that the County through the Deed of Transfer of Functions engaged the services of the Kenya Revenue Authority (KRA) to collect rates, by which the KRA has required ownership and identity documents and KRA Pin Certificates before permitting payment of rates; **REGRETTING** that the demand for these documents has seen many land holders remain unable to provide the documents required by KRA hence are barred from paying rates, even though these parties remain willing to pay rates, notably during the penalty waiver arrangements; **REALIZING** that the County is losing revenue running into hundreds of millions of shillings due to the aforesaid failure to pay rates owing to the demands by KRA; **NOW THEREFORE**, this Assembly **URGES** the County Executive and the NMS to put in place measures to ensure rates are collected from all land holders including where only provisional ownership documents are available, including where there are ownership disputes pending in court or other tribunal/institutions.

(Hon. Paul Kados, MCA)

There being no other business and the time being Thirty Minutes past Four O'clock, the Deputy Speaker adjourned the assembly without Question put pursuant to the Standing Orders.

8. ASSEMBLY ROSE - at Thirty Minutes past Four O'clock.
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MEMORANDUM

The Speaker will take the Chair on
Tuesday, February 22nd, 2022 at 9.30 a.m