



COUNTY GOVERNMENT OF NAIROBI CITY

SECOND ASSEMBLY – (SIXTH SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY APRIL 5TH, 2022 AT 9:30 A.M.

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

QUORUM OF THE ASSEMBLY

The presiding Chair (Hon. John Kamangu, MCA) having confirmed that there was Quorum called the Assembly to order.

3. PAPERS LAID:-

The following Paper was laid on the Table:-

- I. **THE REPORT OF THE SECTORAL COMMITTEE ON EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING ON CONSIDERATION OF NAIROBI CITY COUNTY POLYTECHNICS AND HOME CRAFTS CENTERS BILL 2021, ASSEMBLY BILL NO. 3 OF 2021** laid on the table of the Assembly on 5th April, 2022.
(Hon. Kabiro Mbugua, MCA)

4. NOTICES OF MOTION

The following Notices of Motion were given:-

- I. **THAT**, aware that Article 55 of the Constitution provides for the State to take measures, including affirmative action programmes to ensure that the youth have opportunities to associate, be represented and participate in political, social, economic and other spheres of life, access employment and are protected from harmful cultural practices and exploitation; cognizant that Part Two of the Fourth Schedule to the Constitution provides for the functions of the County Government which include ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level; concerned that the quality, quantity and nature of public

participation conducted by the County Government on the County development programmes especially youth related programmes are still low and should be improved not just to realize the minimum standards required; acknowledging that the County Assembly enacted the Nairobi City County Public Participation Act, 2015 which provides for a comprehensive involvement of residents of the County to participate in the County Governance, this Assembly urges the County Executive to: -

1. develop youth related programmes and strategies that will ensure meaningful youth participation in decision making processes in the County; and
2. Increase scope of public participation from just planning but also implementation, monitoring and evaluation of youth development agenda

II. AWARE that Article 43 (1) of the Constitution of Kenya 2010, provides inter alias that; Every person has the right to the highest attainable standard of health, which includes the right to health care services, including reproductive health care; **FURTHER AWARE** that Paragraph 2 of Part 2 of the Fourth Schedule of the same Constitution, provides for County Health Services including but not limited to, promotion of primary health care as devolved functions for execution by the County; **NOTING** that recent years have witnessed major advances in medical technologies that have been responsible for earlier and more accurate diagnoses, more effective treatments, and the ability of people to live longer, healthier lives; **CONCERNED** that the management of the County medical devices have remained sub-optimal resulting to under-utilization of huge-investment medical devices, wastage of resources as a result of investing in medical devices that do not meet priority health needs of a given section of the populace, investment in medical devices which are incompatible with existing infrastructure, sometimes low quality, or do not function properly; **ACKNOWLEDGING** that medical devices and equipment are critical components of healthcare system and play a critical role to ensure delivery of quality health services in line with the Constitution, this Assembly urges the County Executive in conjunction with the Nairobi Metropolitan Services to develop a policy on management and standardization of County hospital equipment including valuation, servicing and replacement.

(Hon. Mbugua Kabiro, MCA)

5. MOTION- MECHANISMS TO FACILITATE PAYMENT OF RATES FOR DISPUTED LANDS

Motion made and Question proposed;

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)

Debate ensued;

Mover replied;

Question put and **agreed to**

There being no other business and the time being Thirty Eight Minutes past Ten O'clock, the Chair adjourned the Assembly without Question put pursuant to the Standing Orders.

6. ASSEMBLY ROSE - at Ten Minutes to Eleven O'clock.

MEMORANDUM

The Speaker will take the Chair on

Tuesday, 5th April, 2022 at 2.30pm

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