



**COUNTY GOVERNMENT OF NAIROBI CITY**

**THIRD ASSEMBLY – (FIRST SESSION)**

**NAIROBI CITY COUNTY ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, NOVEMBER 8, 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 ASSEMBLY**

The Speaker having confirmed that there was a Quorum at the commencement of the Assembly called the Assembly to order.

**3. COMMUNICATION FROM THE CHAIR**

**WELCOMING DELEGATION FROM KITUI COUNTY ASSEMBLY**

The Speaker conveyed the following Communication: -

“Hon. Members our Assembly has been graced by a delegation from Kitui County Assembly on a benchmarking visit. The delegation is comprised of the following:

1. **Hon. Kevin Kinengo Katisya- Speaker, Kitui County Assembly**
2. Hon. Harrison Maluki – Leader of Majority Party
3. Hon. Alex Nganga – Leader of Minority Party
4. Hon. Hussein Mwandira- Member of County Assembly
5. Hon. Mary Mbithe - Member of County Assembly
6. Hon. Cyrus Musyoka – Member of County Assembly

Further Hon. Members, we have the following delegation from the County Assemblies forum (CAF) on a visit to our Assembly:

- 1) **Hon. Philemon Kiplagat Sabule - Speaker of County Assembly of Elegayo-Marakwet County Assembly and Chairperson, County Assemblies Forum.**

**2) Hon. Omar Mohamed - Speaker of Mandera County Assembly and Treasurer, County Assemblies Forum.**

You are all warmly welcome to the Nairobi City County Assembly and I wish you the very best in your various missions in our legislature”.

**4. NOTICES OF MOTION -- HON. WAITHERA CHEGE, MCA**

***Subject: Protection of the Children in the County from socio-economic exploitation.***

**AWARE** that Article 21 (3) of the Constitution of Kenya 2010 provides that all State organs and public officers have the duty to address the needs of vulnerable groups within the society, including women, older members of society, persons with disabilities, **children**, youth, members of minority or marginalized communities, and members of particular ethnic, religious or cultural communities” **FURTHER AWARE** that Article 53 (1) of the same Constitution dictates that every child has a right *inter-alias* to free and compulsory basic education, basic nutrition, shelter and health care, protection from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment, punishment and hazardous or exploitative labour; **CONCERNED** that according to the 2019 Kenya Population and Housing Census Report for the exercise conducted in April, 2018 indicated that Kenya had a total of 46,639 street persons, out of whom the majority of the street persons being 21,550 were aged between 10 and 34 years, and those below 19 years being 15,752, **FURTHER CONCERNED** that the highest concentration of street persons according to the said report was found in Nairobi (15,337 persons), Mombasa (7,529), Kisumu (2,746), Uasin Gishu (2,147) and Nakuru (2,005). **DISTURBED** that street children population in Nairobi City County has increased over the years which has seen them thrust into a bleak, harsh and deprived environment often fraught with constant and imminent danger in various forms such as; Harassment, Violence, Drug abuse, trafficking, sexual exploitation, loneliness, fear, physical and emotional abuse, neglect, starvation, early pregnancy, poor hygienic and sanitation conditions; **FURTHER DISTURBED** most Street Children in the County and in particular, the Central Business District (CBD) have been subjected to socio-economic exploitation, resulting them into hawking and begging, depriving them the right to basic education; this Assembly resolves that the County Executive undertake the following measures;-

- i. Issue a one month Public Notice be issued to the General Public on removal of all the street children dwelling and purporting to engage in socio-economic activities in the County;
- ii. Fast track the construction and equipping the of Ruai Rehabilitation Centre;

- iii. Apprehend and direct to Ruai Rehabilitation Centre any street children upon the expiry of one month notice; and,
- iv. Develops a County Street Children exploitation prevention policy that will seek to deter street children exploitation and promotion of school enrollment forthwith.

#### **5. STATEMENTS PURSUANT TO STANDING ORDER 45 (2) (C):-**

**Pursuant to Standing Order 47 (2) (c) the following Member requested for Statement: -**

- i) Hon. Stephen Gitau, MCA requested for a Statement from the Chairperson of the Sectoral Committee on Planning and Housing regarding illegal demolition of a residential home built on Land LR. No. 1570/111/86 and the irregular acquisition of the same land by Lariak Properties in School Lane, Parklands Highridge Ward. **(Response due in 2 weeks)**
- ii) Hon. Hashim Kamau, MCA requested for a statement from the Chairperson of Sectoral Committee on Labour and Social Welfare regarding alleged outsourcing of employees in County Health Facilities. **(Response due in 2 weeks)**

#### **6. PROCEDURAL MOTION – REDUCTION OF PUBLICATION PERIOD**

**Motion Made and Question Proposed;**

**THAT,** Notwithstanding the provisions of Standing Order 131, this Assembly resolves to reduce the publication period of the Nairobi City Appropriation Bill, 2022 (Assembly Bill No.7 of 2022) from seven (7) days to two (2) days.

*(Hon. Peter Imwatak, MCA – Leader of Majority)*

Debate ensued;  
Mover replied;  
Question put and **agreed to;**

#### **7. BILL – THE NAIROBI CITY COUNTY APPROPRIATION BILL, 2022 (ASSEMBLY BILL NO.7 OF 2022)**

The Nairobi City County Appropriation Bill, 2022 (Assembly Bill No.7 of 2022)  
Order for First Reading read–

The Bill Read a First Time

(Chairperson, Select Committee on County Finance, Budget & Appropriations)

The Bill Read a First Time

**8. MOTION – EARLY VOLUNTARY RETIREMENT FOR THE ELDERLY WORKFORCE**

Motion Made and Question Proposed;

**AWARE** that Section 57 of the County Governments Act, 2012 established the County Public Service Board of each County Government, as a body corporate with perpetual succession and a seal, capable of suing and being sued in its corporate name; **FURTHER AWARE** that Section 59 (1) (h) of the same Act, requires the County Public Service Board to *inter-alia*; advise the County Executive on human resource management and development; **NOTING** that out of the current County Executive Workforce estimated at **14,000**, with **60%** of it being of the age of 50 to 60 years; **FURTHER NOTING** that according to the County Public Service previous years reports, annually, an average of 651 officers retiring as 2019- 572 retired, 2020- 550retired, 2021 -535 retired, 2022 – 682 retired and 2023 – 950 expected to retire; **FURTHER NOTING** that with an annual estimated mortality rate of 41 cases and with a dismissal rate of 20 persons, bringing an estimated total of 712 persons leaving service against an average recruitment of 300 persons hence hindering continuity in service delivery in the County, particularly for the fore-front service providers such as Environment sector workfare; **APPRECIATING** the efforts and services currently being offered by the existing workforce, notwithstanding their advanced age, health and other hindering conditions against their work expectations; **FURTHER APPRECIATING** the need to facilitate their timely early retirement benefits and encourage a dignified early retirement; **DEEPLY CONCERNED** that with the aged workforce, with a further 25% of it battling with health issues, alcohol addiction and minor case of officers absconding duties; **DISTURBED** that with such a workforce, service delivery to ‘*Nairobians*’ is not at it’s optimum; **NOWTHEREFORE**; this Assembly **RESOLVES** that County Public Service Board develops **a clear retirement Policy and procedure and Pre-retirement Counseling and Job Separation Psycho-social Support** and early voluntary retirement package, **preparing** the elderly workforce for early voluntary retirement with a view of employing a younger workforce for effective service delivery in the County.

Debate ensued;

Mover replied;

Question put and **agreed to**;

And the time being fifty six minutes Past Four O’clock the Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

**9. ASSEMBLY ROSE** - at fifty six minutes past four O’clock.

---

**M E M O R A N D U M**

The Speaker will take the Chair on

Wednesday, November 8<sup>th</sup>, 2022 at 2.30 p.m