



**COUNTY GOVERNMENT OF NAIROBI CITY**

**SECOND ASSEMBLY – (FIRST SESSION)**

**NAIROBI CITY COUNTY ASSEMBLY**

**VOTES AND PROCEEDINGS**

**THURSDAY, NOVEMBER 30, 2017**

1. The Assembly assembled at Thirty Minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **NOTICE OF MOTION – (Chairperson Sectoral Committee on Planning and Housing)**

**AWARE**, that *Part XI* of the County Governments Act, 2012 provides extensively for County Planning, flowing from the Devolved functions of County governments under *Part II* of the Fourth Schedule to the Constitution, **FURTHER AWARE** that *Part V* of the Urban Areas and Cities Act, 2011 provides for Integrated County Planning, amongst which are obligations bestowed on the County spatial planning amongst others; **NOTING** that Nairobi has over the years metamorphosed with an ever increasing population and greater demand for housing and consequently for physical planning services; **DEEPLY CONCERNED** that physically planning throughout the City has largely not kept pace with the ever changing City landscape and demand for housing, especially as regards the City's zoning policy. with areas that initially had no proper public infrastructure such as sewerage system not allowed to have multi-dwelling developments; **FURTHER NOTING** that currently many parts of Nairobi city are experiencing immense development pressure, which population growth rate is particularly exerting pressure on the low-density residential neighborhood; **BEARING IN MIND** that Nairobi City has not had a comprehensive plan since the Metropolitan Growth Strategy of 1973, which expired in the year 2000; **UNDERSCORING** that its expiry points to the urgency for a review of the Zoning policy formulated in the 1970s when Nairobi had a small population, which was since tripled tenfold; **RECOGNIZING** that if the zoning policy is not reviewed to allow the development of affordable multi-dwelling housing to meet demand in low density neighborhoods, the housing crisis will continue to grow, for instance the re-zoning of Zones 4, including Spring Valley, Riverside Drive, Kileleshwa, Kilimani, Thomson and Woodley and zone 5, which includes Upper Spring Valley, Kyuna, Loresho and Lavington/Bernard Estate and Zone 15, which includes Dagoretti; **OBSERVING** that since both the National and County

Government have already heavily invested in infrastructure development in the said zones it is prudent that the zoning policy be reviewed to reflect existing circumstances and allow the County benefit from the development of more housing in the said areas; this Assembly urges the County Executive to amend the zoning policy to allow for multi-dwelling developments in areas that public infrastructure as developed by the County and National government allows.

#### **4. STATEMENTS PURSUANT TO STANDING ORDER 45(2)(c)**

Pursuant to Standing Order 45 (2) (c) the following requests to statements were made:-

- i. Hon. Nicholas Okumu requested for a statement from the Chairperson of the Sectoral Committee on Environment and Natural Resources regarding the piled up garbage waste along Embakasi-Soweto Bridge in Lower Savanna Ward;
- ii. Hon. Nicholas Okumu requested for a statement from the Chairperson of the Sectoral Committee on Transport and Public Works regarding damaged part of the road adjacent to Embakasi-Soweto Bridge in Lower Savanna Ward;
- iii. Hon. Nicholas Okumu requested for a statement from the Chairperson of the Sectoral Committee on Environment and Natural Resources and Water and Sanitation regarding illegal dumping of solid waste and raw sewer at Jacaranda Gardens on the night of 27<sup>th</sup> November 2017;
- iv. Hon. Francis Ngesa Otieno requested for a statement from the Chairperson of the Sectoral Committee on Transport and Public Works regarding the dilapidated state of street lighting in Dandora area IV Ward;
- v. Hon. John Kamangu requested for a statement from the Chairperson of the Sectoral Committee on Transport and Public Works regarding the tarmacking of roads especially in Ruai Ward;
- vi. Hon. John Kamangu requested for a statement from the Chairperson of the Sectoral Committee on Water and Sanitation regarding the lack of a sewerage system in Ruai despite hosting main sewers for the greater Nairobi County and insufficient water connection to residential households;
- vii. Hon. John Kamangu requested for a statement from the Chairperson of the Sectoral Committee on Environment and Natural Resources regarding the health hazard associated with hosting main sewers for Nairobi County; and
- viii. Hon. John Kamangu requested for a statement from the Chairperson of the Sectoral Committee on Health Services regarding the equipping of maternities and dispensaries.

**5. STATEMENTS PURSUANT TO STANDING ORDER 45(2)(c)**

Pursuant to Standing Order 45 (2) (c) the following responses to statements were due:-

- i. Statement requested by Hon. Mwangi Njihia from the Chairperson of the Select Committee on Finance, Budget and Appropriations regarding Bank Accounts of Nairobi City County Government.

**6. MOTION – APPOINTMENT OF MEMBERS TO THE ASSEMBLY COMMITTEE ON CAR LOAN AND MORTGAGE** (The Leader of the Majority Party)

*Motion made and Question proposed;*

**THAT**, pursuant to the provisions of Regulation 6 of the Public Finance Management (Nairobi City County Assembly Car Loan and Mortgage Scheme Fund) Regulations, 2017, **this Assembly approves the appointment of the following Members to the Assembly Committee on Car Loan and Mortgage, in addition to the membership contemplated under Regulation 6:-**

1. **The Hon. Ibrahim I. Hassan, MCA - (Chairperson)**
2. **The Hon. Elias O. Otieno, MCA - (Vice Chairperson)**
3. The Hon. Chege Mwaura, MCA
4. The Hon. Peter Imwatok, MCA
5. The Hon. James Kariuki, MCA
6. The Hon. Margaret Mbote, MCA
7. The Hon. Catherine Ann Akinyi, MCA
8. The Hon. Fuad Hussein, MCA

*(Hon. Chege Mwaura, the Majority Whip)*

*Debate ensued;*

*Mover replied;*

*Question put and **agreed to.***

**7. MOTION – HON. MWANGI ABRAHAM NJIHIA (MCA)**

Motion made and Question proposed;

**THAT**, aware that commercial sex work in Nairobi City County has been on the rise over the years; **FURTHER AWARE** that commercial sex work has become prevalent in most Sub-Counties and Wards in the County; **DEEPLY CONCERNED** that Section 153 and 154 of the Penal Code (Chapter 63 of the Laws of Kenya) prohibits men and women from living wholly or partly on earnings or from soliciting through commercial sex work; **FURTHER CONCERNED** that implementation of the said provisions of the penal code remains unproductive; **NOTING** that the unlawful practice is today happening rampantly and openly within our communities without repercussions on the

Offenders as provided for in law; this Assembly urges the County Executive to move with speed and robustly enforce the provisions of the law to deter commercial sex work in the County.

(Hon. Mwangi Abraham Njehia- MCA)

*Debate ensued;*

*Mover replied;*

*Question put and **Agreed to.***

There being no other business and the time being thirty minutes to Five O'clock, the Speaker adjourned the assembly without Question put pursuant to the Standing Orders.

**8. ASSEMBLY ROSE** - thirty Minutes past Four O'clock.

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

The Speaker will take the Chair on  
Tuesday, 5<sup>th</sup> December, 2017 at 2.30p.m

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