

# COUNTY GOVERNMENT OF NAIROBI CITY



## NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY – SECOND SESSION

SESSIONAL REPORT  
OF THE  
SELECT COMMITTEE ON IMPLEMENTATION  
ON  
THE IMPLEMENTATION OF THE ASSEMBLY RESOLUTIONS  
BY THE COUNTY EXECUTIVE

*Pursuant to*

*The Provision of Standing Order No. 201*

Clerk's Chambers,  
CITY HALL,  
NAIROBI.

December , 2018

## 1.0 Preface

The Select Committee on Implementation is established pursuant to the Provisions of Standing Order No. 201 and is mandated to:-

- The Committee shall scrutinize the resolutions of the County Assembly (including adopted committee reports), petitions and the undertakings given by the County Executive Committee and examine –
  - (a) whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented; and whether such implementation has taken place within the minimum time necessary; and
  - (b) whether or not legislation passed by the County Assembly has been operationalized and where operationalized, the extent to which such operationalization has taken place within the minimum time necessary.

The Committee may propose to the County Assembly, sanctions against any member of the County Executive Committee who fails to report to the relevant select Committee on implementation status without justifiable reasons.

## 1.1 Background

The Committee in its 2<sup>nd</sup> Quarter set out part of its program to review the Sector's progress on implementation of the Assembly resolutions and to undertake an evaluation of the key challenges faced in implementation and way forward.

In the above regard, the Committee at its meeting held on Wednesday, 21<sup>st</sup> November 2018, resolved to examine status of the implementation of the Assembly's resolution and compile a Sessional report with its recommendations therein.

The objective of the exercise was to amongst other things; -

- a) To review the Assembly resolutions, Communication and follow-up mechanism on the passed resolution for implementation;
- b) To explore Monitoring and Evaluation techniques on the implementation of the resolutions passed by the Assembly;
- c) To enable an understanding of the environment through (SWOT, PEST & Stakeholders Analysis) and Strategic Objective;
- d) To review Sector's performance during the Second Session;
- e) To engage the Committee in evaluating resolutions by the 2<sup>nd</sup> Assembly against the First Assembly' 2<sup>nd</sup> Session and on the implementation status;
- f) To follow-up previous meetings with the Executive and undertakings therein;
- g) To recommend actions to a passive and non-responsive sector; and,
- h) Development of an Implementation matrix and its next work plan.





## **1.2 Committee Members**

The Select Committee on Implementation comprises of the following Members;

- i. The Hon. Elias Otieno Okumu, MCA
- ii. The Hon. Pius Mbono, MCA
- iii. The Hon. Samuel Mwangi, MCA
- iv. The Hon. John Kamau, MCA
- v. The Hon. Nancy Muthami, MCA
- vi. The Hon. Daniel Ngengi, MCA
- vii. The Hon. Peter Wahinya Njau, MCA
- viii. The Hon. Beatrice Gakuru, MCA
- ix. The Hon. Abdi Ibrahim Hassan, MCA
- x. The Hon. Anthony Kimemia, MCA
- xi. The Hon. Hassan Abdimaliq, MCA
- xii. The Hon. Peter Wahinya, MCA
- xiii. The Hon. David Ayo, MCA
- xiv. The Hon. Hafsa Khalif Mohamud, MCA
- xv. The Hon. Alvin Olando Palapala, MCA
- xvi. The Hon. Michael Ogada Okumu, MCA
- xvii. The Hon. Ann Catherine Akinyi, MCA
- xviii. The Hon. Fredrick Omondi Otieno, MCA
- xix. The Hon. Milicent Akinyi Okatch, MCA

### **Committee Secretariat.**

- i. Mr. Sammy Kiplimo – Clerk Assistant.
- ii. Mr. Adam Kibet Kibwana – Clerk Assistant.
- iii. Ms. Judy Aaron – Clerk Assistant.

## **1.3 Methodology;**

For the Committee to effectively achieve the aforementioned objectives, the Committee was furnished with the following records; - Assembly Motion Tracker, Assembly Bill, Tracker, Assembly Petition Tracker, Committee Minutes, Letters and Summons, Statement trackers, Statutes and Precedents.

## **1.4 Acknowledgement;**

Hon. Speaker Sir, I wish to acknowledge with gratitude the offices of the Speaker and the Clerk of the County Assembly for the support extended to it in the execution of its mandate.

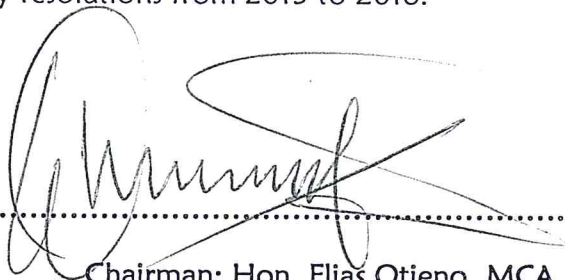
I also thank the Secretariats for their input and valuable contribution during compilation of this report.





Finally, much thanks to the Members of the Committee on Implementation for their dedication, untiring commitment and valuable contributions which has enabled them to focus on their oversight role.

Mr. Speaker Sir, it is therefore my pleasant duty and privilege, on behalf of the Committee on Implementation to present the Committee's **Sessional Report** on the implementation status of the Assembly resolutions from 2013 to 2016.

Signed.....  


Chairman: Hon. Elias Otieno, MCA

Date <sup>PH</sup> 12/018.....



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## 2.0 COMMITTEE FINDINGS

Mr. Speaker Sir, I wish to report that once a resolution is passed by the Assembly the same is forwarded to the Executive for implementation. After 60 days if a report has not been received a reminder is forwarded giving 7 days' notice for the report to be forwarded failure to which action would be taken as per the Standing Orders.

The Committee resolution in that were reviewed by the Committee includes the following:-

- i) Undertakings given in the Assembly – by the Chairperson;
- ii) Motions passed in the Assembly;
- iii) Bills passed by the Assembly;
- iv) Petitions considered and its reports adopted by the Assembly; and.
- v) Committee reports.

### 2.1 Methodology and indicators:

In the examination of the Sectors progress and implementation of the Assembly resolutions, the Committee used the following tools and methodology:-

Table 1: Methodology

Tools used by the Committee			
No.	Tools	Indicators	Objective
1.	Assembly Motion Tracker	Passed Motions & Adopted Committee Reports since September 2017 to date.	Examination of it implementation status
2.	Assembly Bill Tracker	Assented Bills –Acts since 2013 to date.	Examine the operationalized Acts
3.	Assembly Petition Tracker	Considered petition and adopted recommendations since September 2017 to date.	Examine the implementation of the recommendations passed
4.	Committee Minutes	Resolutions, Deliberations and Way forward on any meeting with the Executive since September 2017 to date.	Examine relevant Sector's feedback on the implementation of the Assembly resolutions
5.	Letters and Summons	Undertakings and Commitments since September 2017 to date.	Determine if timelines are honored
6.	Statement trackers	Sector's response to Statements sought in the Assembly & undertakings issues by the Sector heads since September 2017 to date.	Examine the sector's response to questions sought by the Assembly and Commitment issued by Sector heads.
7.	Statutes and Precedents	Previous rulings and Determinations since September 2017 to date.	To examine dictates of the law and to understand Committee's scope and powers



### 3.0 Adopted Motions and Committee Reports

Motions considered and passed by the Assembly often come in two forms; -

- i. **Substantive Motions;** a self-contained independent proposal submitted for debate in the House/Assembly expressing a decision and whose approval requires auctioning by the County Executive; and,
- ii. **Resolution Motions;** a motion containing decisions that have been agreed on by a Committee –ie. Committee Reports that is subjected to the House for debate and whose approval requires auctioning by the Executive.

### 3.1 Statutory requirements on Resolutions

It is worth noting the following statutory provisions on Assembly resolutions;-

- a) Article 183 (3) of the Constitution of Kenya, 2010, which provides as follows, that; *“The county executive committee shall provide the County Assembly with full and regular reports on matters relating to the county.”*
- b) Article 185 (1) of the Constitution of Kenya 2010, which provides that; *“The legislative authority of a county is vested in, and exercised by, its County Assembly.”*
- c) Section 8 of the County Government Act, 2012 on the Role of the County Assembly;
- d) Section 30 (2)(j) of the County Government Act, 2012 provides that the Governor **SHALL;** *“submit to the County Assembly an annual report on the implementation status of the county policies and plans.”* and,
- e) Standing Order 193 which provides the following on **Reports and Resolution of a County Assembly**, that; *“Within sixty days of a resolution of the County Assembly or adoption of a report of a select committee, the relevant Member of the Executive Committee under whose portfolio the implementation of the resolution falls, shall provide a report to the relevant committee of the County Assembly in accordance with Article 153(4) (b) of the Constitution.”*

Administratively, the Nairobi City County Assembly Tables and Journals Office is tasked on conveying Assembly resolutions to the County Executive and other relevant sector in timely manner. As at the reporting time, being 28<sup>th</sup> November 2018, the following tabulated motions had been passed by the 2<sup>nd</sup> Assembly (from September 2018);-

The Analysis of the passed Motions is as tabulated below: \_







Table 2 – Analysis of the Motions.

Analysis of the Motions passed by the 2 <sup>nd</sup> Assembly & by November 2018			
Type of Motions	No. of Motions considered	Subjects	Feedback
Substantive Motion	<b>Total: 21 Motions</b> - 17 Adopted - 3 Pending - 1 Rejected	- Resolution on various Matters - Censure Motion - State of the County Motion	None
Resolution Motion – Adoption of Committee Reports	<b>Total: 34 Reports</b> - 30 Adopted - 3 Pending - 1 Rejected	- Committee site visits - Inquiries and Investigations - Vetting Reports	None
Analysis of the passed Committee Reports (Resolution Motion) from Jan. 2018.			
Committee	Number of Motions		Feedback
County Finance, Budget and Appropriations	Six (6) Committee Reports –All Adopted		None
- Education, Early Childhood Committee - Energy and ICT Committee - Appointments Committee	- 3 reports (2 adopted 1 pending) - 3 reports All Adopted. - 3 reports All Adopted.		None
- Public Accounts Committee - Health Services Committee - Culture & Community Services Committee	- 2 Reports, All Adopted - 2 Reports, All Adopted - 2 Reports, All Adopted		None

Table 3: Details of the Motions passed by the Assembly

MOTIONS PASSED BY THE SECOND ASSEMBLY AS AT THURSDAY, 15 <sup>TH</sup> NOVEMBER 2018						
No.	Motion/resolution matter	Mover	Date Adopted	Correspondence & Date	Responsible Sector	Status
1	Urging the County Executive to move with speed and robustly enforce the provisions of the law to deter commercial sex work in the County.	Hon. Abraham Njihia, MCA	30 <sup>th</sup> Nov. 2017	NCCA/T&J/CO RR/(2)2017/ (01) dated 30 <sup>th</sup> November 2017	CECM- Education, Youth, Gender, Sports and Culture	Implementation report due on January 2018
2	Urging the County Executive to amend the zoning policy to allow for multi-dwelling developments in areas	Hon. Anthony Kiragu, MCA	6 <sup>th</sup> Dec. 2017	NCCA/T&J/CO RR/(2)2017/ (02) dated 7 <sup>th</sup> Dec. 2017	CECM- Urban Planning and Lands	Implementation report due on January 2018

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	that public infrastructure as developed by the County and National government allows.					
3	Urging the County Executive move with speed to establish Centres for Vocational Education, skills development and self-reliance for Persons with Disabilities in Nairobi City County and ensure inclusive education within the existing pre-primary and childcare facilities.	Hon. Antony Kimemia, MCA	7 <sup>th</sup> Dec. 2017	NCCA/T&J/CO RR/(2)2017/(03) dated 7 <sup>th</sup> Dec. 2017	CECM - Devolution, Public Service & Administration	Implementation report due on February 2018
4	Urging the County Executive to rename the current Ring Road Ngara to be " <i>Dr. G.W Griffin Road</i> " in recognition of his efforts and great contributions to the County and Country at large.	Hon. Osman Adow, MCA	21 <sup>st</sup> Feb. 2018	NCCA/T&J/CO RR/(2)2018/04 dated 21 <sup>st</sup> February 2018.	CECM - Roads, Public works and Transport	Implementation report due on April 2018
5	Urging the County Executive to consider devolving Planning Committees to the Ward level, with the creation of Ward Planning Committees made up of four (4) persons or as appropriate from various sectors, to endear greater public participation and help foster inclusive urban planning across the City.	Ho. Maurice Gari, MCA	27 <sup>th</sup> Feb. 2018	NCCA/T&J/CO RR/(2)2018/05 dated 28 <sup>th</sup> February 2018	CECM- Lands, Urban Planning, Urban Renewal, Housing & Project Management	Implementation report due on April January 2018
6	Urging the County Executive to consider	Hon. Pius Mbono,	21 <sup>st</sup> March	NCCA/T&J/CO RR/(2)2018/07	CECM -Roads, Infrastructure	Implementation report due on



	developing multi-storey parking lots through public private partnerships in all available County plots within the greater CBD to create additional parking space and generate additional crucial revenues as well as create job opportunities.	MCA	2018.	dated 22 <sup>nd</sup> March 2018	and Transport	May 2018
7	Adoption of the report of the Select Committee on Public Accounts on the report of the Auditor-General on the Financial Statements of Nairobi City County Assembly for the year ended 30 <sup>th</sup> June, 2016.	Chairperson, PAC	22 <sup>nd</sup> March 2018	INTERNAL MEMO FROM L&P dated 22 <sup>nd</sup> March 2018	Secretary, County Assembly Service Board.	Implementation report due on May 2018
8	Adoption of a report of the Select Committee on Finance, Budget and Appropriations on the Nairobi City County Supplementary Estimates for the Financial Year 2017/2018.	Chairperson, County Budget & Appropriations Committee	27 <sup>th</sup> March 2018	NCCA/T&J/CO RR/2018/ (10) dated 27 <sup>th</sup> March 2018  INTERNAL MEMO FROM L&P dated 28 <sup>th</sup> March 2018	-CECM - Finance and Economic Planning  -Secretary, County Assembly Service Board.	Implementation report due on May 2018
9	Adoption of a report of the Select Committee on County Finance, Budget and Appropriations on the County Integrated Development Plan – CIDP, 2018-2022 and the Annual Development Plan – ADP, 2018/2019.	Chairperson, County Budget & Appropriations Committee	29 <sup>th</sup> March 2018	NCCA/T&J/CO RR/2018/ (11) dated 29 <sup>th</sup> March 2018  INTERNAL MEMO FROM L&P dated 28 <sup>th</sup>	CECM - Finance and Economic Planning  -Secretary, County Assembly Service Board.	Implementation report due on May 2018

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				March 2018		
10	Urging the County Executive to ensure all building plans with more than 4 stories to incorporate solid waste management chutes in their architectural plans and building with less than 4 stories to incorporate a designated solid waste holding area for temporary collection henceforth.	Hon. Osman Adow, MCA	11 <sup>th</sup> April 2018	NCCA/T&J/CO RR/(2)2018/012 dated 11 <sup>th</sup> April 2018	CECM - Environment and Natural Resources	Implementation report due on June 2018
11	Adoption of a Report of the Sectoral Committee on Children, Early Childhood Education and Vocational Training on various site inspection visits to the five ECED's (Ziwani day nursery school, Tana day nursery, Starehe day nursery, Kawangware primary school and Ayany primary school) Nairobi County on Friday, 2 <sup>nd</sup> March 2018.	Chairperson Erly Childhood and Education	13 <sup>th</sup> April 2018	NCCA/T&J/CO RR/(2)2018/013 dated 13 <sup>th</sup> April 2018	CECM - Education, Youth, Gender, Sports and Culture	Implementation report due on June 2018
12	Adoption of a Report of the select Committee on Appointments on the vetting of the nominee for the position of County Secretary.	Chairperson, Committee on Appointments	12 <sup>th</sup> April 2018	LETTER FROM THE OFFICE OF THE SPEAKER dated 12 <sup>th</sup> April 2018	Office of the Governor	Implementation report due on June 2018
13	Urging the County Executive to put in place measures to ensure local youths within the County's	Hon. Silas Matara, MCA	18 <sup>th</sup> April 2018	NCCA/T&J/CO RR/(2)2018/15 dated 18 <sup>th</sup> April 2018	CECM - Finance and Economic Planning	Implementation report due on June 2018

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	major project areas such as infrastructural developments are prioritized for employment in such projects.				CECM - Roads, Infrastructure and Transport.	
14	Adoption of a report of the Sectoral Committee on Transport and Public Works on the site visit inspection to Ryosambu, Nairobi Central, Parklands, Mwiki and Clay Wards on 30 <sup>th</sup> November 2017, 7 <sup>th</sup> December 2017 and 21 <sup>st</sup> February 2018.	Chairperson, Transport and Public Works Committee	18 <sup>th</sup> April 2018	NCCA/T&J/CO RR/(2)2018/016 dated 18 <sup>th</sup> April 2018.	CECM - Roads, Infrastructure and Transport	Implementation report due on June 2018
15	Adoption of a report of the Select Committee on County Finance, Budget and Appropriations on the County Finance, Budget and Appropriations on the Nairobi City County Fiscal Strategy Paper for the FY 2018/2019 and over the Medium Term.	Chairperson, County Budget & Appropriations Committee	19 <sup>th</sup> April 2018	NCCA/T&J/CO RR/2018/ (17) dated 19 <sup>th</sup> April 2018  INTERNAL MEMO FROM L&P dated 19 <sup>th</sup> April 2018	CECM - Finance and Economic Planning  -Secretary, County Assembly Service Board.	Implementation report due on June 2018
16	Adoption of the Report of the Auditor General on the Financial Statements of Nairobi City County Executive for the year ended 30 <sup>th</sup> June, 2016	Chairperson, PAC	3 <sup>rd</sup> May 2018	NCCA/T&J/CO RR/19/2018 NCCA/T&J/CO RR/20/2018 NCCA/T&J/CO RR/21/2018 NCCA/T&J/CO RR/22/2018 NCCA/T&J/CO RR/23/2018 NCCA/T&J/CO	CECM - Finance and Economic Planning  County Secretary  All the responsible Chief Officers  DPP, EACC, NLC, DCI, CPSB	Implementation report due on July 2018

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				RR/24/2018		
17	Adoption of the consideration of the Report of the Auditor General on the Financial Statements of Nairobi City Water and Sewerage Company Limited for the year ended 30 <sup>th</sup> June, 2016" was tabled in the County Assembly on 2 <sup>nd</sup> May 2018 and thereafter committed to the Select Committee on Public Investment	Chairperson PIC	6 <sup>th</sup> June 2018	NCCA/T&J/CO RR/26/2018 dated 11 <sup>th</sup> June 2018	Ag. Managing Director,  Nairobi Water and Sewerage Co. Ltd	Implementation report due on August 2018
18	Urging the County Executive to move with speed and conduct an assessment of all the riparian lands in the County and forward a comprehensive report of the riparian lands and their development status within 60 days.	Hon. David Ayoi, MCA	7 <sup>th</sup> June 2018	NCCA/T&J/CO RR/27/2018 dated 11 <sup>th</sup> June 2018	CECM- Land, Urban Renewal & Housing	Implementation report due on August 2018
19	Urging the County Executive to establish a multi-agency Task Force to review the City Inspectorate Department's structure, Terms of Service, Policy, Legal Framework and report to the Assembly within 3 months.	Hon. Jayendra Malde, MCA	13 <sup>th</sup> June 2018	NCCA/T&J/CO RR/28/2018 dated 13 <sup>th</sup> June 2018	County Secretary	Implementation report due on August 2018
20	County Executive Committee urgently take the necessary measures pursuant to Section 13 of the Urban Areas and	Hon. Peter Imwatok, MCA	7 <sup>th</sup> June 2018	NCCA/T&J/CO RR/27/2018 dated 11 <sup>th</sup> June 2018	CECM -Land, Urban Renewal & Housing	Implementation report due on August 2018

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	Cities Act, 2011, and appoint a Nairobi City Management Board					
21	Adoption of a report of the Select Committee on County Finance, Budget and Appropriations on the Second Supplementary Estimates for the FY 2017/2018 for the Nairobi City County Government and County Assembly.	Chairperson, County Budget & Appropriations Committee	27 <sup>th</sup> June 2018	NCCA/T&J/CO RR/30/2018 dated 27 <sup>th</sup> June 2018  NCCA/T&J/ME MO/02/2018 dated 27 <sup>th</sup> June 2018	CECM - Finance and Economic Planning  Secretary, County Assembly Service Board.	Implementation report due on August 2018
22	Adoption of a report of the Select Committee on County Finance, Budget and Appropriations on the consideration of the Revenue Expenditure Estimates for the Nairobi City County Government and County Assembly for the FY 2018/2019.	Chairperson, County Budget & Appropriations Committee	27 <sup>th</sup> June 2018	NCCA/T&J/CO RR/31/2018 dated 27 <sup>th</sup> June 2018  NCCA/T&J/ME MO/01/2018 dated 27 <sup>th</sup> June 2018	CECM - Finance and Economic Planning  Secretary, County Assembly Service Board.	Implementation report due on August 2018
23	Assembly resolving to fully support the efforts of the National Government to rejuvenate Nairobi City and will take any legislative or policy measures to make that possible when called upon.	Hon. Peter Imwatok, MCA	4 <sup>th</sup> July 2018	NCCA/T&J/CO RR/32/2018 dated 4 <sup>th</sup> July 2018	County Secretary	Implementation report due on Spetember 2018
26	Urging the County Executive to develop and submit to the County Assembly for approval, a comprehensive	Hon. Silas Matara, MCA	31 <sup>st</sup> July 2018	NCCA/T&J/CO RR/33/2018 dated 1 <sup>st</sup> August 2018	Education, Youth, Gender, Sports and Culture	Implementation report due on September 2018

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	County youth empowerment policy that includes funding opportunities for young entrepreneurs to help mitigate the challenges of youth unemployment in the City					
27	<p>Assembly resolving as follows, THAT:-</p> <p><i>a.H.E the Governor of Nairobi City County to move with speed and forward a name of the nominee for the position of Deputy Governor of Nairobi City County for subsequent approval by the Assembly;</i></p> <p><i>b.The County Executive Committee (cabinet) to be proactive in development of public policies and subsequent forwarding of legislations for enacted by the Assembly for effective service delivery; and,</i></p> <p><i>c.The Management, Operations and Governance of Nairobi City County to be conducted, executed and implemented within the jurisdiction of the gazette</i></p>	Hon. Moses Ogeto, MCA	6 <sup>th</sup> Sept. 2018	NCCA/T&J/CO RR/34/2018 dated 7 <sup>th</sup> September 2018	County Secretary	Implementation report due on November 2018



	<i>headquarter of Nairobi City County, which is at City Hall save for the decentralized units.</i>					
	Assembly resolving to sanction and remove the Hon. Beatrice Elachi as holder of the office of the Speaker of the County Assembly of Nairobi City, pursuant to Section 11 of the County Governments Act, 2012, Section 21(5(c) of the Elections Act, 2011.	Hon. Anthony Karanja, MCA	6 <sup>th</sup> September 2018	NCCA/T&J/ME MO/04/2018 dated 6 <sup>th</sup> September 2018	Ag. Secretary, County Assembly Service Board.	Implementation report due on November 2018
28	Urging the County Executive to move with speed and establish a fully-fledged Electrical Engineering Directorate under the existing Energy Sector to enable the County maximize on the existing renewable energy projects in the County for cost effective gains.	Hon. Kennedy Obuya, MCA	18 <sup>th</sup> April 2018	NCCA/T&J/CO RR/(2)2018/016 dated 18 <sup>th</sup> April 2018	CECM - County Executive Committee Member	Implementation report due on June 2018
29	County Assembly conduction of election for the Acting Speaker for the Nairobi City County Assembly following the earlier censure motion on the removal of Hon. Beatrice Elachi as holder of the office of the Speaker of the County Assembly of Nairobi City, pursuant to Section 11 of the	Leader of the Majority Party	25 <sup>th</sup> September 2018	NCCA/T&J/ME MO/06/2018 dated 25 <sup>th</sup> September 2018	Ag. Secretary, County Assembly Service Board.	Implementation report due on November 2018



	County Governments Act, 2012, Section 21(5)(c) of the Elections Act, 2011 which was passed on 6 <sup>th</sup> September 2018.					
30	Adoption of the report of the Select Committee on County Finance, Budget and Appropriations on the consideration of the Revenue Expenditure Estimates for the Nairobi City County Government and County Assembly for the FY 2018/2019.	Chairperson, County Budget & Appropriations Committee	27 <sup>th</sup> June 2018	NCCA/T&J/ME MO/02/2018 dated 27 <sup>th</sup> June 2018	Ag. Secretary of the Nairobi City County Assembly Service Board.	Implementation report due on August 2018
31	Adoption of the Report of the Sectoral Committee on Health Services on an inspection visit to Mama Lucy Kibaki Hospital on 4 <sup>th</sup> August 2018	Chairperson, Health and Sanitation Committee	3 <sup>rd</sup> October 2018	NCCA/T&J/CO RR/(2)2018/041 dated 3 <sup>rd</sup> October 2018	Health Services	Implementation report due on December 2018
32	Adoption of a Procedural Motion appointing Hon. Emily Oduor, MCA to the Chairperson's (Speaker's) Panel to replace Hon. Kennedy Obuya, MCA pursuant to the provisions of Standing Order 18.	Leader of the Majority Party	9 <sup>th</sup> October 2018	NCCA/T&J/ME MO/07/2018 dated 11 <sup>th</sup> October 2018	Ag. Secretary of the Nairobi City County Assembly Service Board.	Implementation report due on December 2018
33	Adoption of a Procedural Motion appointing Members to various Sectoral Committees pursuant to Provisions of Standing Order No. 203 (1) and Select	Leader of the Majority Party	17 <sup>th</sup> October 2018	NCCA/T&J/ME MO/08/2018 dated 23 <sup>rd</sup> October 2018	Ag. Secretary of the Nairobi City County Assembly Service Board.	Implementation report due on December 2018

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	Committees pursuant to Standing Order No. 199(1), 197(1), 198(1), 201(1), 202(1) and other County statutes.					
34	Adoption of a Procedural Motion appointing Hon. Mary Njambi, MCA to the Sectoral Committee on Labour and Social Welfare to replace Hon. Habiba Hassan, MCA pursuant to the provisions of Standing Order 203(1).	Leader of the Majority Party	18 <sup>th</sup> October 2018	NCCA/T&J/ME MO/09/2018 dated 24 <sup>th</sup> October 2018	Ag. Secretary of the Nairobi City County Assembly Service Board.	Implementation report due on December 2018
35	Adoption of a Procedural Motion appointing Members to the Select Committee on Assembly Business pursuant to Provisions of Standing Order No. 163 (1).	Leader of the Majority Party	18 <sup>th</sup> October 2018	NCCA/T&J/ME MO/010/2018 dated 23 <sup>rd</sup> October 2018	Ag. Secretary of the Nairobi City County Assembly Service Board.	Implementation report due on December 2018
36	Adoption of the Report of the Sectoral Committee on Culture and Community Services on an inspection visit to Tom Mboya Fire Station to establish the capability of the fire station to put off fire in the County.	Chairperson, Culture and Community Services Committee	3 <sup>rd</sup> October 2018	NCCA/T&J/CO RR/(2)2018/04 7 dated 24 <sup>th</sup> October 2018	CECM - Disaster Management and Co-ordination	Implementation report due on December 2018
37	Adoption of the Committee consideration of the Report of the Auditor General on the Financial Statements of Nairobi City County Assembly Service Board Mortgage Scheme	Chairperson, County Budget & Appropriations Committee	24 <sup>th</sup> October 2018	NCCA/T&J/CO RR/48/2018 dated 25 <sup>th</sup> October 2018  NCCA/T&J/ME	CECM - Finance and Economic Planning  Secretary, County Assembly	Implementation report due on December 2018

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	Fund for the year ended 30 <sup>th</sup> June 2017			MO/010/2018 dated 25 <sup>th</sup> October 2018	Service Board.	
38	Adoption of the report of the Select Committee on Public Accounts on the consideration of the Report of the Auditor General on the Financial Statements of Nairobi City County Assembly Service Board Car Loans Scheme Fund for the financial year ended 30 <sup>th</sup> June 2017.	Chairperson, County Budget & Appropriations Committee	24 <sup>th</sup> October 2018	NCCA/T&J/CO RR/49/2018 dated 25 <sup>th</sup> October 2018  NCCA/T&J/ME MO/011/2018 dated 25 <sup>th</sup> October 2018	CECM - Finance and Economic Planning  Secretary, County Assembly Service Board.	Implementation report due on December 2018
39	Adoption of the Report of the Sectoral Committee on Children, Early Childhood Education and Vocational Training on the site inspection visit to Juja Road & Pangani primary school, Dr. Aggrey primary school, Muslim primary school and cerebral palsy unit in Pangani Ward and St. Elizabeth primary school & Star of Hope primary school, Viwandani Ward on 20 <sup>th</sup> February, 2018.	Chairperson, Early Childhood and Education	23 <sup>rd</sup> October 2018	NCCA/T&J/CO RR/(2)2018/050 dated 24 <sup>th</sup> October 2018	CECM- Education, Youth Affairs, Sports, Culture and Social Services	Implementation report due on December 2018
40	Urging the County Executive to designate a conducive area for Nursing and Breastfeeding in all the County establishments and service delivery points with its enabling	Hon. Doris Kanario, MCA	13 <sup>th</sup> November 2018	NCCA/T&J/CO RR/32/2018 dated 14 <sup>th</sup> November 2018	Ag. County Secretary	Implementation report due on January 2019

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	policy.					
41	Urging the County Executive to enforce the control of highly hazardous materials such as asbestos in all buildings in accordance with the NEMA guidelines on safe management and disposal of asbestos and establish robust regulations within sixty (60) days, for effective conservation of the environment including water bodies such as Nairobi River from medical waste and other harmful chemical wastes as provided in Sections 10 and 38 of the Nairobi City County Solid Waste Management Act, 2015.	Hon. John Kamau, MCA	8 <sup>th</sup> November 2018	NCCA/T&J/CO RR/(2)2018/05 3 dated 14 <sup>th</sup> Nov. 2018	CECM - Environment and Natural Resources	Implementation report due on January 2019
42	Adoption of the Report of the Sectoral Committee on Agriculture, Livestock and Fisheries on its inspection visit to assembled greenhouses and installed fish tanks in the County.	14 <sup>th</sup> Nov. 2018	14 <sup>th</sup> November 2018	NCCA/T&J/CO RR/(2)2018/05 4 dated 14 <sup>th</sup> Nov. 2018	CECM - Food, Agriculture and Forestry	Implementation report due on January 2019

### 3.2 Passed Bills by the Assembly

The Implementation Committee is also required to follow up on the operationalization of any passed Legislation. The Committee examined all the passed Bills since 2013 to 2018. This is as tabulated below;-

Sessional Report the Select Committee on Implementation



**Bill tracker**

The Committee noted with concern on the operationalization of the Bills passed by the 1<sup>st</sup> Assembly and 2<sup>nd</sup> Assembly.

Bills considered by the 2<sup>nd</sup> Assembly is as tabulated below;

*Table 4 – Considered Bills*

S/No	BILL	SPONSOR	CA/Bill No.	DATED	PASSED	ASSENT	REMARKS
01	THE NAIROBI CITY COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2018 (ASSEMBLY BILL NO. 1 OF 2018)	Hon. Robert	No.1	28 <sup>th</sup> March, 2018	28/3/'18	28/3/'18	Act Published
02	THE NAIROBI CITY COUNTY SPORTS MANAGEMENT (AMENDMENT) BILL, 2018 (ASSEMBLY BILL NO. 2 OF 2018)						
03	THE NAIROBI CITY COUNTY OUTDOOR ADVERTISING AND SIGNAGE CONTROL AND REGULATION BILL, 2018 (ASSEMBLY BILL NO. 3 OF 2018)	Hon. Anthony Kiragu	No.3	14 <sup>th</sup> May, 2018			
04	THE NAIROBI CITY COUNTY SPORTS MANAGEMENT BILL, 2018 (BILL NO. 3 OF 2018)	Hon. Pius Mbono	No.2	15 <sup>th</sup> April '18	21st June '18		
05	THE NAIROBI CITY COUNTY SPORTS MANAGEMENT (AMENDMENT) BILL, 2018 (BILL NO. 3 OF 2018)				June 26th '18		
06	THE NAIROBI CITY COUNTY				June 28th '18		





	SUPPLEMENTARY APPROPRIATIONS BILL, 2018 (Assembly Bill No. 4 of 2018)						
07	THE NAIROBI CITY COUNTY APPROPRIATIONS BILL, 2018 (Assembly Bill No. 5 of 2018)				June 28th '18		
08	THE NAIROBI CITY COUNTY SPORTS MANAGEMENT (AMENDMENT) BILL, 2018 (Bill No. 3 of 2018)				July 3rd '18		
09	THE NAIROBI CITY COUNTY SPORTS MANAGEMENT (AMENDMENT) BILL, 2018 (Bill No. 3 of 2018)				July 5th '18		
10	THE NAIROBI CITY COUNTY SPORTS MANAGEMENT (AMENDMENT) BILL, 2018 (Bill No. 3 of 2018)						

### Petition tracker

The Committee observed that the following petition reports were conveyed to the respective sector but the Committee was **YET** to be furnished with the implementation report on the same. This is as tabulated below:-

Table 5: Considered Petitions

SUBJECT OF PETITION	PRESENTED BY	RELEVANT COMMITTEE	REMARKS
Gazettement of Health Management Committee (Mukury Community Health Center)	Hon. Kennedy Obuya	Committee on Health Services	Not responded to
Dilapidated infrastructure,	Mukuru Kwa Njenga Ward Residents	Committee on Environment and Natural Resources.	Not responded to



## Observations

Upon examination and deliberation of the findings, the Committee made the following observations, THAT:-

- i. **On implementation of passed Motions;** Most Members of the County Executive Committee failed to comply with the provision of Standing Order No. 193, which require the relevant CECM whose portfolio the implementation of the resolution falls to implement;
- ii. A number of County Executive Committee Members, have failed to honor Committee invitations to its meetings to deliberate on the sector's implementation progress. A case in particular, Five (5) CEC Members; **CECM in charge of Health Services, CECM in charge of Lands, CECM in charge of Environment and Natural Resource; CECM in charge of Roads & Infrastructure; and, CECM in charge of Finance & Economic Planning** failed to honor 1<sup>st</sup> and Second invitation to the Committee meeting and its subsequent SUMMONS issued on 31<sup>st</sup> October 2018;
- iii. The County Executive has failed to submit to the County Assembly its annual report on the implementation status of the County Policies and plans as provided for in Section 30 (2)(j) of the County Government Act, 2012;
- iv. The frequent and unprecedented transfer and suspension of the sector's representatives and other managerial officers is affecting the general performance of the sector and more precisely in the implementation of the Sector's resolutions;
- v. A number of the County Executive Committee Members are not able to respond to issues affecting their sectors;

## 4.0 General Recommendations

On the foregoing, the Committee recommends as follows, THAT:-

- a) The Assembly strongly censures the under listed five (5) County Executive Committee Members for persistently and willfully ignoring invites for Committee meetings, including summons, having been duly summoned to appear before the Committee on 31<sup>st</sup> October 2018 in line with Section 18 of the County Assemblies Powers and Privileges Act, 2017 and failing without sufficient cause to attend at the time and place specified in the summons, in addition to the recommended prosecution of the said officers, including the current acting County Executive Committee Member in line with Section 34 of the Act, namely;







- i. Ag. CECM in charge of Health Services –Mr. Charles Kerich;
  - ii. CECM in charge of Lands – Mr. Charles Kerich;
  - iii. CECM in charge of Environment and Natural Resource – Mr. Larry Wambua;
  - iv. CECM in charge of Roads & Infrastructure –Mr. Mohammed Dagane; and,
  - v. CECM in charge of Finance & Economic Planning – Mr. Allan Igambe.
- b) The County Executive forthwith establish a Liaison Office between the Assembly and the Executive with a purpose of coordinating Assembly resolutions and executive feedback on the same;
- c) The County Assembly takes note of delays in forwarding statutory reports by the County Executive – as coordinated by the Office of the County Secretary (Head of Public Service), as provided in Article 183 of the Constitution of Kenya, 2010 and Section 20(2)(j) of the County Government Act, 2012, and hereby now reprimand the said office for such delays;
- d) The Office of the County Attorney publishes and operationalizes all Acts passed since 2013, including the establishment of Boards contained therein, forward all Acts to the Assembly within sixty days of adoption of this report; and,
- e) The County Executive submit to the County Assembly its annual report on the implementation status of the County Policies and plans as provided for in Section 30 (2)(j) of the County Government Act, 2012 within 60 days of adoption of this report.

END



