



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY – (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, SEPTEMBER 27, 2023 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statement

8. *MOTION – CHAIRPERSON, SELECT COMMITTEE ON COUNTY FINANCE, BUDGET & APPROPRIATIONS

Subject: To extend the period for consideration of the County Finance Bill, 2023

THAT, Notwithstanding the provisions of Section 133 of the Public Finance Management Act, 2012 and Standing Orders 235 and 236 and pursuant to the provision of Section 90 of the Public Finance Management Act, 2012, this Assembly **resolves to extend the consideration of the Nairobi City County Finance Bill, 2023 by a period of thirty (30) days from 28th September, 2023.**

9. *MOTION – HON. PERPETUA MPONJIWA, MCA

Subject: Policy and programmes on child headed households within the County

THAT, aware that the United Nations Convention on the Rights of the Child (UNCRC), is the most complete statement of children's rights ever produced and is the most widely-ratified international human rights treaty in history, ratification which Kenya is party to; **noting that** the Convention has 54 articles that cover all aspects of a child's life and set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to and also explains how adults and governments must

work together to make sure all children enjoy all their rights; **concerned that** ensuring child rights in Kenya is still a challenge, thirty-one years after ratification of the treaty, and efforts by the State to enforce these rights have not been sufficient as evidenced by rampant cases of abuse and neglect; **further concerned that** there are many children heading households (CHH) in urban informal settlements facing specific vulnerabilities shaped by limitations on their opportunities and capabilities within the context of urban inequities, which affect their wellbeing; **noting that** Section 62 of the Children Act, 2022 provides for the County Government to establish welfare schemes to provide or facilitate the provision of childcare facilities and programmes for children including children with disabilities; **recognizing that** if County Governments do not supplement efforts to address Child Rights by National Government the implementation of the UNCRC charter will remain a mirage; **considering** the huge mandate that the Nairobi City County has in respect to the Children and **acknowledging that** the County is in the process of enacting a policy and legislation on children welfare, this Assembly urges that the County Executive to: -

1. develop a comprehensive policy that will promote sustainable solutions to child headed households; and
2. develop programs which will create awareness and address needs of child headed households, skills training on issues of reproductive health, children's rights, drug abuse, home management and conflict resolution for children in child headed households within the County.

NOTICES

I. The Assembly resolved on Tuesday, 21st February, 2023 as follows: -

- a) **THAT**, each speech in a debate on any **Motion**, including a Special motion be limited in the following manner:-A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.

* Denotes Orders of the Day*

NOTICE PAPER I

Tentative business for **Thursday, 28th September, 2023 at 2.30p.m.**

(Published pursuant to Standing Order 41(1))

IT IS NOTIFIED that the Select Committee on Assembly Business, at its last meeting, approved the following ***tentative*** business to appear in the Order Paper for Thursday, 28th September, 2023 at 2.30 p.m.: -

A. *MOTION – HON. PAUL KIGUATHI KADOS, MCA – DEPUTY SPEAKER

Subject: *Inefficiencies and delays in the delivery of County Government Services*

THAT, aware that Article 232 (1) (c) of the Constitution of Kenya as read together with Section 7 (1) of the Public Service (Values and Principles) Act, 2015 provides that public services shall be provided promptly, effectively, impartially, and equitably; **FURTHER AWARE** that, Section 56 of the County Governments Act, 2012 requires each County Government to establish its own public service responsible for delivering county government services across various departments; **RECOGNIZING** that pursuant to Section 46 of the County Governments Act, 2012, the Nairobi City County Government has created various departments for purposes of performing County Government functions; **NOTING** that in the recent past, there have been unwarranted delays in the provision of public services by the County Government of Nairobi City, characterized by:-

- a) Failures in service payment systems such that service seekers make payments for various taxes, charges, levies, and license fees at various payment points but the payments take longer periods than expected to reflect and get acknowledged by the County Treasury or County Government departments and the subsequent issuance of receipts thus delaying their access to a County service;
- b) Delays in the settlement of dues owed to service providers and suppliers of goods and services due to an unreliable payment system adopted by the County Treasury;
- c) Delays in the issuance of development approvals for a period spanning up to six (6) months or more after the application is lodged and the requisite payments are made thus inconveniencing property developers who end up incurring huge losses, especially those with commercial loans;
- d) Unreliable revenue collection system that is shrouded in secrecy with little control by the County Government thus leading to unaccountability in revenue collection and potential loss of revenues, hence affecting overall service delivery; and
- e) General lethargy among County Government departments;

NOW THEREFORE, in order to address the said inefficiency, the County Assembly resolves that:

- i. The County Treasury adopts a service payment system that will shield service seekers from unnecessary delays, instantly acknowledge receipt of service fee payments made, and allow various departments to issue receipts and offer services paid for in the event of a system downturn. Alternative measures must be put in place to ensure the seamless provision of services;

..../Notice Paper I

- ii. All payments to service providers and suppliers of goods and services should be decentralized to respective sectors or departments and executed by sector or departmental accountants through the Online Purchase Order under IFMIS, and eradicating the manual LPO system to ensure efficiency and accountability;
- iii. The Physical Planning department should take deliberate steps to ensure timely processing of development approvals and undertake to clear all pending approvals within the next three months of the adoption of this Motion and submit a report to the County Assembly;
- iv. That the County Executive Committee Member for Finance and Economic Planning should; first disclose to the County Assembly the automated revenue collection system currently in place, and secondly, demonstrate that the system is foolproof, under the control of the County Government, and can generate instant reports for audit and accountability within the next one month of adoption of this Motion and submit a report to the County Assembly;
- v. That the County Executive Committee Member for Finance and Economic Planning in conjunction with the Nairobi City County Revenue Administration Authority should expedite the drafting rules and Regulations pursuant to Section 44 of the Nairobi City County Revenue Administration Act, 2019 for effective implementation of the Act; and
- vi. That each County Government sector, department, or agency should develop a service charter, share it with the public, and submit the same to the County Assembly within three) months of the adoption of this Motion.

