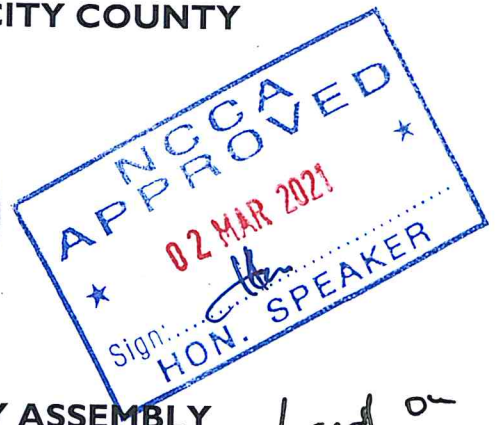


**GOVERNMENT OF NAIROBI CITY COUNTY**



**THE NAIROBI CITY COUNTY ASSEMBLY**

**OFFICE OF THE CLERK**

**SECOND ASSEMBLY  
(FIFTH SESSION)**

*Laid on  
2/3/2021  
by majority leader  
[Signature]*

**NCCA/CA/TJ/2021(7)**

**2<sup>nd</sup> March 2021**

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**PAPER LAID**

---

Pursuant to Standing Order 204(3), I beg to lay the following Paper on the Table of the Assembly, today Tuesday 2<sup>nd</sup> March, 2021:

- **THE REPORT OF THE SELECT COMMITTEE ON LIAISON ON  
CONSIDERATION OF ASSEMBLY COMMITTEES' ANNUAL  
REPORTS FROM JANUARY TO DECEMBER 2020.**

**(Chairperson, Select Committee on Liaison)**

Copies to:  
The Speaker  
The Clerk  
Hansard Editor  
Hansard Reporters  
The Press



GOVERNMENT OF NAIROBI CITY COUNTY



THE NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY  
(FIFTH SESSION)

2<sup>nd</sup> March 2021

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NOTICE OF MOTION

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Subject: Adoption of a report of a Select Committee

Hon. Speaker, I beg to give notice of the following motion:-

— **THAT** this Assembly adopts **THE REPORT OF THE SELECT COMMITTEE ON LIAISON ON CONSIDERATION OF ASSEMBLY COMMITTEES' ANNUAL REPORTS FROM JANUARY TO DECEMBER 2020**, laid on the Table of the Assembly on Tuesday, 2<sup>nd</sup> March 2021.

(Chairperson, Select Committee on Liaison)





**NAIROBI CITY COUNTY GOVERNMENT**



**NAIROBI CITY COUNTY ASSEMBLY  
(SECOND ASSEMBLY- FIFTH SESSION)**

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**SELECT COMMITTEE ON LIASON**

**REPORT ON THE CONSIDERATION OF ASSEMBLY COMMITTEE'S ANNUAL REPORTS FROM  
JANUARY TO DECEMBER, 2020**

**Clerks Chambers  
Nairobi City County Assembly  
City Hall Buildings  
NAIROBI**

**FEBRUARY, 2021**

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## 1.0. PREFACE

### *Committee mandate*

01. The Select Committee on Liaison is established pursuant to Standing Order 204 (1), and its mandate amongst others, as provided for under Standing Orders 204 (2) and (3) is to: -
- a) *guide and co-ordinate the operations, policies and mandates of all Committees;*
  - b) *deliberate on and apportion the annual operating budget among the Committees;*
  - c) *consider the programmes of all Committees, including their need to travel and sit away from the precincts of County Assembly;*
  - d) *ensure that Committees submit reports as required by these Standing Orders;*
  - e) *determine, whenever necessary, the committee or committees to deliberate on any matter;*
  - f) *give such advice relating to the work and mandate of select committees as it may consider necessary;*
  - g) *Consider reports of Committee that have not been deliberated by the County Assembly and shall report to the County Assembly on the consideration of such reports.*

### *Committee Membership*

02. The Committee comprises of the following: -

- 1) **Hon. John Kamangu, MCA – (Chairperson of Committees)**
- 2) Hon. Abdi Hassan, MCA – (Selection Committee)
- 3) Hon. Michael Ogada, MCA – (Minority Leader)
- 4) Hon. Paul Kados, MCA - (Majority Whip)
- 5) Hon. Peter Imwatok, MCA - (Minority Whip)
- 6) Hon. Peter Wanyoike, MCA - (Loans Management Committee)
- 7) Hon. David Mberia, MCA – (Implementation Committee)
- 8) Hon. Daniel Ngengi, MCA – (Trade Tourism & Co-operatives Committee)
- 9) Hon. James Kiriba, MCA – (Water & Sanitation Committee)
- 10) Hon. Wilfred Odalo, MCA – (Public Accounts Committee)
- 11) Hon. Peter Wahinya, MCA- (Committee on Delegated Legislation)
- 12) Hon. Peter Warutere , MCA – (Health Services Committee)
- 13) Hon. Anthony Ngaruiya, MCA– (Labour & Social Welfare Committee)
- 14) Hon. Sylvia Museiya , MCA – (Children, Early Childhood Education & Vocational Training)



- 15) Hon. Anthony Kiragu, MCA – (Planning & Housing Committee)
- 16) Hon. Geoffrey Majiwa, MCA - (Energy and ICT)
- 17) Hon. Robert Mbatia, MCA – (Finance, Budget and Appropriations Committee)
- 18) Hon. Mwangi Njihia, MCA – (Culture & Community Services Committee)
- 19) Hon. James Mwangi, MCA – (Transport & Public Works Committee)
- 20) Hon. John Kamau, MCA – (Environment & Natural Resources)
- 21) Hon. Joseph Komu, MCA – (Justice & Legal Affairs Committee)
- 22) Hon. Mary Arivitsa, MCA– (Agriculture, Livestock & Fisheries)
- 23) Hon. Stazo Elijah Omungala Angila, MCA – (Public Investments Committee)
- 24) Hon. Patricia Mutheu Musyimi, MCA – Ward Development Fund Committee)
- 25) Hon. Naftaly Mathenge, MCA - (Powers and Privileges Committee)
- 26) Hon. Nancy Muthami, MCA – (Members Services and Facilities Committee)
- 27) Hon. Doris Kanario, MCA - (Women Caucus)
- 28) Hon. Paul Ndungu, MCA - (Appointments Committee)

### *The Annual Report*

03. This Report outlines the business conducted by Assembly Committees during the whole year of the Fifth Session. This session began from 4<sup>th</sup> February, 2020 in accordance with the Assembly calendar. The report is prepared in accordance with the provisions of Standing Order 192 which requires Select Committees to prepare and submit to the Select Committee on Liaison progress reports annually/biannually or on a regular basis.
04. To prepare this report, the Liason Committee **retreated to Kisumu at Ciala Resort from 11<sup>th</sup> to 15<sup>th</sup> February, 2021**, where each Chairperson submitted a report on what his/her Committee had undertaken during the period under review.

### *Key issues considered by Committees*

05. An analysis of the Committee's reports revealed the following as the key business during the period under review: -
  - Statement requests.
  - Budget estimates and related documents.
  - Auditor General Reports.
  - Induction/training on Committee mandates.
  - Bills.
  - Petitions
  - Site Visits

### Challenges

06. Committees also identified the following as some of the challenges encountered in the course of their work: -

- Productivity of most committees had greatly reduced in terms of participation due to the COVID 19 pandemic;
- Delay of responses to statements from the County Executive;
- Inadequate responses from the County Executive and the Nairobi Metropolitan Services;
- The County Executive has continuously failed to implement County Assembly resolutions since the inception of the Assembly;
- Failure to adhere to committee work plans due to upcoming business in between the stipulated time;
- Delays in submission of regulations to the County Assembly; and
- Incessant Committee reshuffles.

### Appreciation

07. The Committee wishes to thank the offices of the Speaker and the Clerk of the County Assembly for facilitating the retreat and enable the committee prepare this report.

08. On behalf of the Committee, I wish to present this consolidated annual report of all the Assembly Committee for the second session of the second assembly to the Assembly for adoption.

Signed .....

Hon. John Kamangu Nyumu, MCA

Chairperson, Liaison Committee

Date .....



## 2.0. INTRODUCTION

09. This report is based on the provisions of Standing Order 192 of the Nairobi City County Assembly Standing Orders which requires Select Committees to prepare and submit to the Select Committee on Liaison progress reports annually/biannually or on a regular basis.
10. The County Assembly Committees, which are extensions of the Assembly established under the County Assembly Standing Orders and in accordance with Section 14 of the County Governments Act, 2012, are required to perform functions that the Assembly is not well fitted to consider in plenary. However, they must report back to the Assembly (plenary) their work in form of reports for ratification.
11. The following are the Assembly Committees during the period under review: -

### *Sectoral Committees*

- i) Water and Sanitation
- ii) Agriculture, Livestock & Fisheries
- iii) Health Services
- iv) Trade, Tourism and Cooperatives
- v) ICT and Energy
- vi) Housing and Planning
- vii) Labour and Social Welfare
- viii) Children, Early Childhood Education & Vocational Training
- ix) Justice and Legal Affairs
- x) Transport & Public Works
- xi) Culture & Community Services
- xii) Environment & Natural Resources

### *Select Committees*

- i) Selection Committee
- ii) Implementation Committee
- iii) County Legislation
- iv) Public Accounts
- v) Wards Development Fund
- vi) Public Investment

- vii) Finance, Budget & Appropriations
- viii) Loans Committee
- ix) House Business
- x) Powers and Privileges
- xi) Assembly rules and procedure
- xii) Appointments
- xiii) Members Services and Facilities
- xiv) Women Caucus

### 3.0. CONSIDERED BUSINESS

12. The following is a summary of considered business as reported by each Committee: -

#### A. Sectoral Committee on Environment and Natural Resources

##### *Committee mandate*

The Committee's mandate as outlined under the Third Schedule of the Standing Orders includes; *"investigate, inquire into and report on all matters related to implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation and forestry and control of air pollution, noise pollution, other public nuisances and refuse removal, refuse dumps and solid waste disposal."*

##### *Committee Membership*

The Committee is comprised of 25 Members and 1 Senior Clerk Assistant.

##### *Considered business*

The table below represents the business considered by the Committee during the period under review: -

Business	No.	Description
Sittings	67	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business
Statements	4	Four (4) statement requests were directed to the Committee of which all are still pending.
Reports	5	– Report on the consideration of the Nairobi City County Estimates FY 2020/21.

		<ul style="list-style-type: none"> <li>– Report on the consideration of the Nairobi City County Annual Development Plan FY 2020/21.</li> <li>– Report on the consideration of the County Fiscal Strategy Paper FYI 2020/21.</li> <li>– Report of the consideration of the Nairobi City County Public Nuisance Bill, 2020</li> <li>– Report on the Committee's retreat from 15<sup>th</sup> to 18<sup>th</sup> October, 2020</li> </ul>
Retreats	3	<ul style="list-style-type: none"> <li>– Retreat held at Mombasa (27<sup>th</sup> February to 1<sup>st</sup> March, 2020) to enable the Committee understand the mandate of the Committee</li> <li>– Retreat held at Travellers Hotel (15<sup>th</sup> to 18<sup>th</sup> October, 2020) to enable the Committee undergo induction with the environment and Natural Resources Sub-sector</li> <li>– Attended a retreat organized by Strathmore University, Stockholm Environment Institute and United Nations Environmental Program to consider the draft Air Quality Policy which was laid on the table of the Assembly on 23rd November, 2020.</li> </ul>
Sessional Papers	1	<ul style="list-style-type: none"> <li>– The Committee is currently considering a sessional Paper on Air Quality Policy which was laid on the table of the Assembly on 23rd November, 2020. Pursuant to Article 196(1)(b), the Environment and Natural Resources Committee invites interested members of the public to submit any representation they may have on the Sessional Paper No. 2 of 2020 Nairobi City County Air Quality Policy</li> </ul>

### Pending business

The Committee reported the following as pending business: -

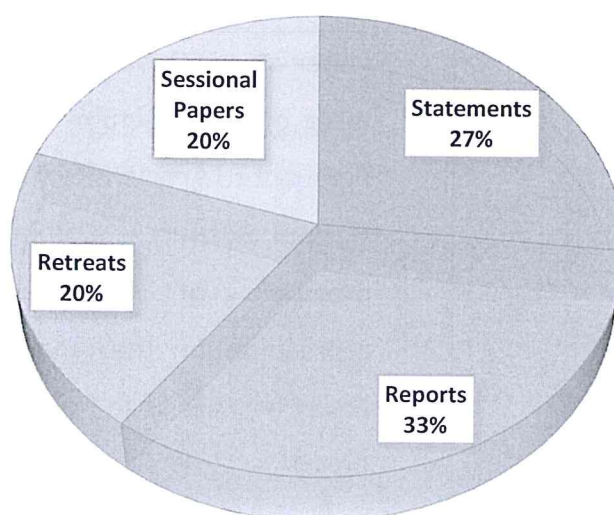
	Pending business	Status	Remarks
1.	The Nairobi City County Public Nuisance Bill, 2020	- The Bill underwent 2nd reading - The Committee adopted the report on the said Bill.	- The enacted of the Bill into a law by the Assembly is expected by 16th February, 2021
2	ADP 2021/22	- The NMS Sector on Water, Energy and Environment had promised the Committee to include some missing key items in the documents before they make their final submissions in regard to the ADP	

### Challenges

The Committee reported the following as their challenges: -

- i.) Delay by the NMS to respond to Committee requests, especially statement requests by Hon. Members;
- ii.) Non commitment of some Members towards Committee work. Further continued changes in the membership of the Committee do not guarantee consistency in the output.; and
- iii.) Failure to adhere to the committee work plans due to upcoming business in between the stipulated time.

COMMITTEE'S OUTPUT IN 67 SITTINGS





## B. Sectoral Committee on Water and Sanitation

### *Committee mandate*

The Committee's mandate as outlined under the Third Schedule of the Standing Orders includes; "investigate, inquire into and report on all matters related to *Water and Sanitation Services; water distribution, regulation, marketing and sewerage services*". The Committee exercises oversight role on the work and administration of the Water and Sanitation Sub Sector.

### *Committee Membership*

The Committee is comprised of 25 Members and 2 Senior Clerk Assistants

### *Considered business*

The table below represents the business considered by the Committee during the period under review: -

Business	No.	Description
Sittings	58	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Statements	5	Two (2) statements were responded to and found satisfactory while three (3) are still pending.
Reports	2	- Report on the consideration of the Nairobi City County Estimates FY 2020/21. - Report on the consideration of the County Fiscal Strategy Paper FYI 2020/21..
Retreats	2	— Retreat held at Pride Inn Hotel, Mombasa (20 <sup>th</sup> to 23 <sup>rd</sup> February, 2020,) refresher training mandate course. — Retreat held at Sai Rock hotel, Naivasha (30 <sup>th</sup> October to 2 <sup>nd</sup> November, 2020)training on diplomatic etiquette and protocol for legislatures.

### *Pending business*

The Committee reported the following as pending business: -

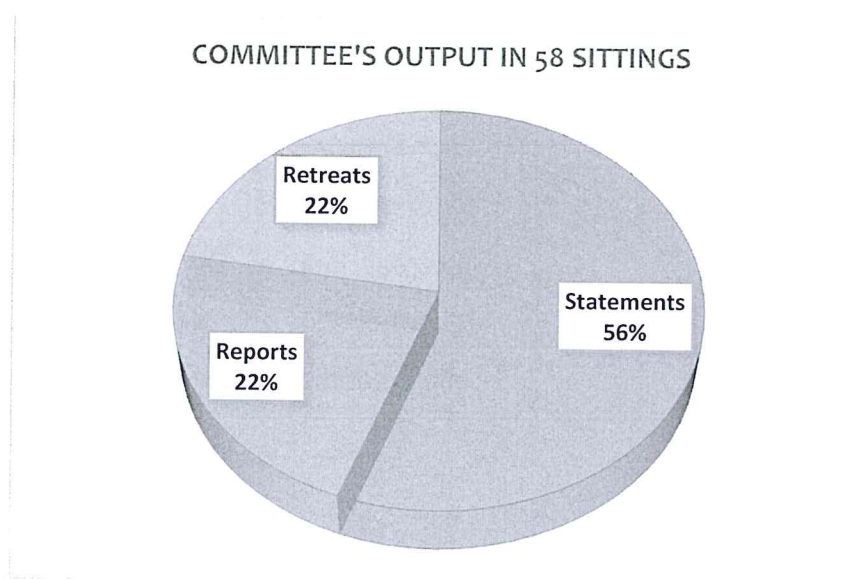
Pending business	Status	Remarks
Statement requested by Hon. Redson Otieno, MCA regarding the deplorable state of	Responses forwarded to	Waiting for Nairobi Metropolitan Services to

sewerage system in the County and in particular Ngei Ward.	the Committee but were not satisfactory	forward a satisfactory response
Statement requested by Hon. Mwangi Njihia, MCA regarding the perennial water shortages in Woodley / Kenyatta Golf Course Ward.	Responses forwarded to the Committee but were not satisfactory	Waiting for Nairobi Metropolitan Services to forward a satisfactory response
Statement requested by Hon. Peter Wanyoike, MCA regarding the perennial challenges facing water supply in the County, particularly Dandora 1 Ward	Waiting for Nairobi Metropolitan Services to forward a satisfactory response	Waiting for Nairobi Metropolitan Services to forward a satisfactory response

## Challenges

The Committee reported the following as their challenges: -

- The delay by the County Executive/ NMS to submit timely and satisfactory reports, documents and information as requested by the Committee; and
- The Executive never implements at times recommendations made by the Committee as it only implements what is favorable to them and disregards most of what the Committee recommends.



### C. Sectoral Committee on Planning and Housing

#### Committee mandate

The Committee's mandate as outlined under the third schedule of the Standing Orders includes; *"investigate, inquire into and report on all matters related to all matters related to county planning and development, including statistics, land survey and mapping, boundaries and fencing, housing and outdoor advertisement."*

#### Committee Membership

The Committee is comprised of 23 Members and 1 First Clerk Assistant.

#### Considered business

The table below represents the business considered by the Committee during the period under review:-

Business	No.	Description
Sittings	51	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Statements	20	The Committee received 20 statements and responded to 14 requests. Some of the responses were unsatisfactory and more clarification has since been sought from the Sector while others are being handled jointly with other Committees.
Bills	2	The Nairobi City County Evictions and Demolitions Bill, 2020
Petitions	1	- Petition by Imara Daima Residents on influx of Kiosks & grabbing and encroachment on road reserves and walkways within the Imara Daima area. - Petition by Pumwani Majengo Residents
Reports	2	- Report on the Examination of County Annual Development Plan for the Year 2020/2021. - Report of the retreat of the Sectoral Committee on Planning And Housing- to be held From 15 <sup>th</sup> - 18 <sup>th</sup> October, 2020 in Mombasa County



Retreats		- Report of the retreat of the Sectoral Committee on Planning And Housing– to be held From 15th - 18th October, 2020 in Mombasa County
Sessional Paper	2	- The Sessional Paper No.1 of 2020 on the New Draft Valuation. - The Eastlands Urban Renewal Plan and Nairobi City Railways Land use development plan

### *Pending business*

The Committee reported the following as pending business: -

It is also key to note that the Executive is in the process of presenting the following Bills before the Committee for consideration; -

- (i) The Housing Bill;
- (ii) Review of Nairobi City County Regulation of Developments Act 2015;
- (iii) Nairobi City County Housing Policy;
- (iv) The Valuation and Rating Bill; and
- (v) Nairobi Sectional properties Bill

### *Challenges*

During the time under review in this report, it is wise to note that the Covid 19 outbreak disrupted the way the Committee conducts its business. The Committee had to move rapidly to holding meetings virtually in line with government regulations on managing the Covid 19 pandemic.

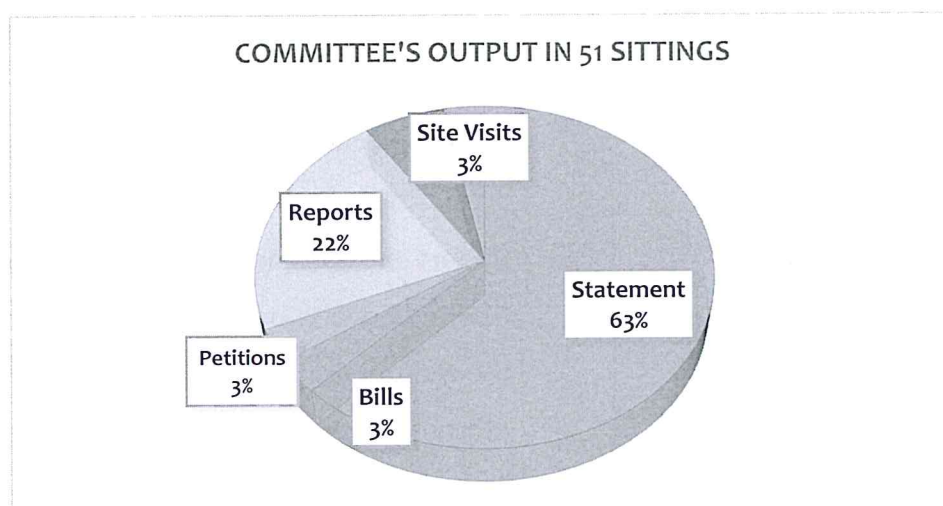
In terms of implementing the oversight mandate and holding meeting sessions, the Committee faced the following challenges; -

- i. The inability to dispense of with business that involves consideration of bulky documents via the virtual platform. This Committee frequently receives volumes of documents responding to either Statements or simply forwarding Plans for approval by the Assembly. The introduction of the zoom meetings has impeded the consideration of documents and plans from the sector within reasonable timelines;
- ii. Some Members barely keeping up with the zoom meetings due to network challenges. This did pose a major challenge in terms of realizing maximum input from Members in terms of decision making;
- iii. Coordinating meetings between the Executive and the newly formed NMS agency remained the greatest challenge due to the raging supremacy battles at the time between



the NMS and the County Executive. The executive oversight which entails reviewing, monitoring, and supervision of operations and activities could not be optimally realized by the Committee during this period; and

- iv. Lack of adequate funding to transact the pending business before the Committee. As highlighted above in the Policies and Bills sections, it is notable that the Committee has a number of Bills and Policies that need to be considered and all this need additional resources to the Committee workshop kitty.



#### **D. Select Committee on Public Accounts**

##### **Committee mandate**

The Committee derives its mandate from Standing Order 197 (2) of the Nairobi City County Assembly, which provides that:-

*“The Public Accounts Committee shall be responsible for the examination of the accounts showing the appropriations of the sum voted by the County Assembly to meet the public expenditure and of such other accounts laid before the County Assembly as the Committee may think fit”.* The Committee executes its mandate on the basis of annual and special audit reports prepared by the Kenya National Audit Office (KENAO). Its primary mandate is therefore to oversight the expenditure of public funds by Nairobi City County entities, to ensure value for money and adherence to government financial regulations and procedures.

##### **Committee Membership**

The Committee is comprised of 25 members, (1) Senior Clerk Assistant and (1) Clerk Assistant.

##### **Considered business**

The table below represents the business considered by the Committee during the period under review:-

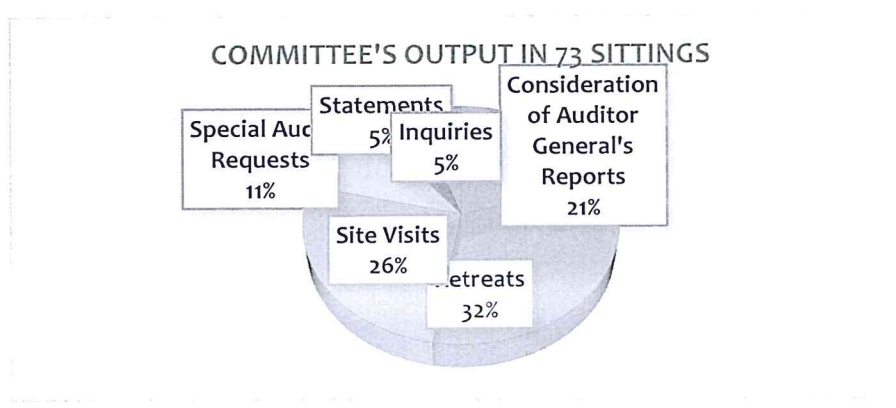
Business	No.	Description
Sittings	73	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Consideration of Auditor General's Reports	3	<p>The Committee considered the following AGs reports (2 Committee reports were tabled and adopted and 1 is pending to be tabled) :-</p> <ul style="list-style-type: none"> <li>– Report on Consideration of the Report of the Auditor General on the Financial Statements of the Nairobi City County Assembly Service Board Car Loan Scheme Fund for the Year ended 30th June, 2018.</li> <li>– Report on Consideration of the Report of the Auditor General on the Financial Statements of the Nairobi City County Assembly Service Board Mortgage Scheme Fund for the Year ended 30th June, 2018.</li> <li>– Report on Consideration of the Report of the Auditor General on the Financial Statements of the Nairobi City County Assembly for the year ended 30th June, 2018.</li> </ul>
Retreats	3	The retreats were to consider the Audit reports, Induction and capacity building of Members.
Petition	1	- Petition from a resident of Baba Dogo Ward regarding irregular acquisition of land LR. No. 7879/9.
Reports	3	<ul style="list-style-type: none"> <li>– Inquiry on a Public Petition from a resident of Baba Dogo Ward regarding irregular acquisition of land LR. No. 7879/9</li> <li>– Inquiry on a Public Petition by a resident of Nairobi County regarding the irregular ownership and use of land LR. No. 209/12077.</li> <li>– Retreat for purposes of inducting new Committee Members and considering Reports of the Auditor General on the</li> </ul>

		– Financial Statements of the Nairobi City County Assembly Service Board Car Loan and Mortgage Scheme Funds for the Year ended 30th June 2018.
Statements	1	Statement requested by Hon. Fredrick Okeyo regarding the financial statements of the Nairobi City County Liquor Board for the FY 2018/2019 and FY 2019/2020. Committee invited the Chairperson of the Liquor Board to a meeting on 26th October 2020.  The Chairman of the Board requested for rescheduling of the meeting due to absence of the Board accountant on 26th October 2020 to respond sufficiently.
Inquiries	1	The Committee has initiated an inquiry into illegalities and irregularities committed with respect to garbage collection in the County leading to loss of public funds.

### Challenges

The Committee reported the following as their challenges: -

- Getting information sought which aims at deterring potential loss of public funds. Some witnesses failed to appear before the Committee despite being issued with summons. An example is the CECM for Finance and Economic Planning who was summoned on 6th May 2020 after failing to honor two Committee invitations;
- Government restriction on physical meetings in the wake of the covid 19 pandemic. Following the transition from physical to virtual meetings, it was not possible to hold effective meetings via Zoom owing to the nature of the business transacted by the Committee; and
- Members had challenges operating Zoom due to constant internet failure. This greatly affected quorum and the quality of discussion during meetings.





## E. Labour and Social Welfare Committee

### *Committee mandate*

The Committee's mandate as outlined under the third schedule of the Standing Orders includes; "investigate, inquire into and report on all matters related to labour, trade union relations, manpower or human resource planning; County Public Service; gender and social welfare, youth". The Committee exercises its oversight role on the operations of the Public Service Management Sector, the County Public Service Board and the Social Services Sector.

### *Committee Membership*

The Committee is comprised of 25 Members and 1 Senior Clerk Assistant.

### *Considered business*

The table below represents the business considered by the Committee during the period under review:-

Business	No.	Description
Sittings	70	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Statements	2	Statement requested by Hon. David Mberia, MCA regarding the insurance premium of the County Executive Staff which is being handled by the Committee; and Statement requested by Hon. Geoffrey Majiwa, MCA regarding the financial statements, disbursement and management of the Pension Fund by the County. Status: Both Statements have been responded to by the County Executive Committee Member for Public Service Management but the Members were not satisfied
Bills	1	The Nairobi City County Sexual & Gender based Violence Management and Control Bill, 2020
Reports	8	The reports addressed the following: -

		<ul style="list-style-type: none"> <li>– The Report on the County Fiscal Strategy Paper for the FY 2020-21 that was laid in the County Assembly on the 3rd March, 2020;</li> <li>– The Report on the County Budget Estimates for the FY 2020/21 tabled before the County Assembly for approval on 16th June 2020;</li> <li>– The report of the ADP for FY 2020/21 Public Service Management, Public Service Board, County Executive Committee Member for Social Services and Gender Sectors;</li> <li>– The Report on the vetting of Mr. Philip Polland George Kaingu,s name as nominee to the position of secretary to the County Public service Board for approval by the County Assembly;</li> <li>– The Vetting report of Mr. Babji Owino as nominee to the position of a Member to the Nairobi City County Public Service Board for approval by the County Assembly;</li> <li>– The Report on the site inspection visit to Mji wa Huruma Home for the aged in Runda on Wednesday, 11th March, 2020 in order to inspect the status of the said home for the elderly;</li> <li>– The Report on workshop of the Sectoral Committee on Labour and Social Welfare on the consideration of the submissions on the Nairobi City County Sexual and Gender Based Violence Management and Control Bill, 2019 held from 5th – 8th March, 2020, at Pride Inn Hotel, Mombasa County; and</li> <li>– The Report of the Committee retreat of the Sectoral Committee on Labour and Social Welfare on the Committee mandate held from 19th to 22nd October 2020.</li> </ul>
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Retreats	3	– Induction Workshop at Sawela Lodge, Naivasha on the Strategic Plan Development workshop and review of Committee progress for the last one year, Pride Inn Mombasa.
Site visits	1	- The Committee conducted a site inspection visit to Mji wa Huruma Home for the aged in Runda on Wednesday, 11th March, 2020 in order to inspect the status of the said home for the elderly. A report on the same was tabled

### ***Pending Business***

The following business is still under consideration by the Committee: -

- Follow up on pending Statements in regards to the responses given and the invitation of stakeholders to meetings;
- Adopt and table report on the Nairobi City County Sexual and Gender Based Violence Management and Control Bill, 2019; and
- Consideration and review of Sector's Work plan by inviting CEC and other relevant stakeholders in the Committee Meetings; and iv. Capacity building - The Committee is planning to undertake a foreign visit in attempt to learn other best practices e.g. System of Devolution.

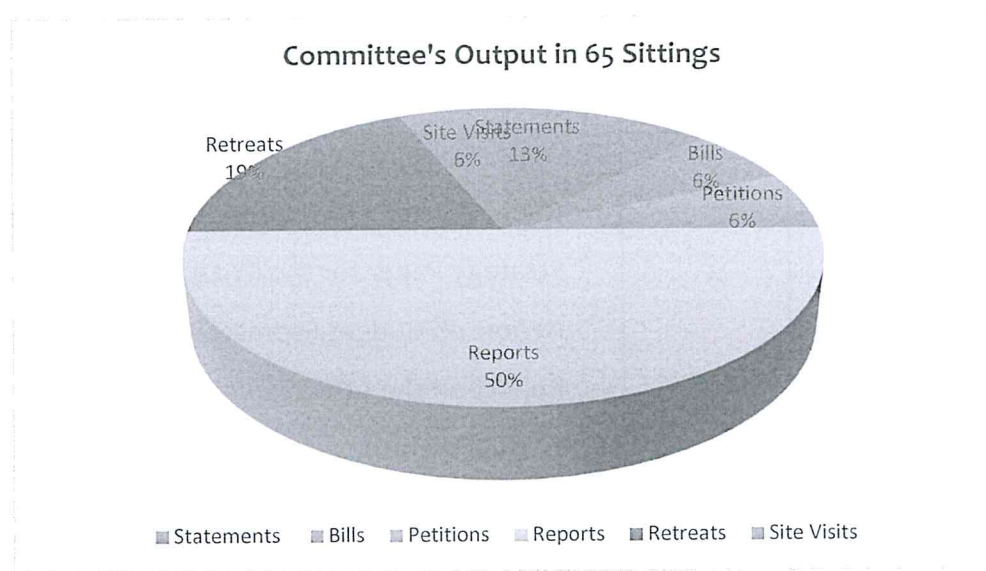
### ***Challenges***

The Committee reported the following as their challenges: -

- Members who requested for the two Statements were not satisfied with the responses due to incomplete information provided and the strict measures of Covid-19 which canceled physical meetings thus the committee was unable to effectively conclude on the statements through virtual meetings;
- Many a times recommendations made by the Committee are never implemented by the Executive as it only implements what is favorable to it and disregards most of what the Committee recommends;
- Failure to adhere to the committee work plans due to upcoming business in between the stipulated time;



- Failure to meet constitutional timelines due to changes in Committee membership, though Members benefited from the trainings offered by the Assembly and the support of the Secretariat; and
- Unable to get both the NMS and the Public Services Management Sector for a meeting to agree on the employment status of the seconded staff regarding their welfare and payments.



## F. Justice and Legal Affairs Committee

### Committee mandate

The Committee's mandate as outlined under the third schedule of the Standing Orders includes; *"Constitutional affairs, the administration of law and justice, including the elections, ethics, integrity and anti-corruption and human rights; city inspectorate and enforcement."*

### Committee Membership

The Committee is comprised of 25 Members and 1 Senior Clerk Assistant.

### Considered business

The table below represents the business considered by the Committee during the period under review:-

Business	No.	Description
Sittings	55	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.

Statements	2	The Committee considered the 2 responses from the County Executive and is yet to make a conclusive report on the same.
Petitions	1	<p>Petition by Eastleigh Market Traders on demolition of Stalls at the Market. Committee meeting with the traders.</p> <p>The Committee is reviewing the report which is yet to be concluded as the committee could not meet the county Executive physically due to Covid 19.</p>
Reports	3	<p>The reports addressed the following: -</p> <ul style="list-style-type: none"> <li>– Report of the consideration of the County Fiscal Strategy Paper for the FY 2020/21</li> <li>– Report on Budget Estimates 2020/21</li> <li>– Report on the ADP 2020/21</li> </ul>
Retreats	2	<ul style="list-style-type: none"> <li>- 8<sup>th</sup> to 9<sup>th</sup> February, 2020 Induction at Imperial Express Hotel, Kisumu. <b>Workshop report tabled</b></li> <li>- 23rd to 26th October, 2020 at Pride Inn Paradise Hotel, Mombasa to undertake induction/refresher training on the Committee Mandate as well as go through the Nairobi City County monthly crime reports. <b>Workshop report to be tabled</b></li> </ul>
Site visits	1	Site inspection visit to Eastleigh Market Traders on demolition and forceful eviction from stalls at Eastleigh city county market and the alleged allocation of Eastleigh market to private developers; and to assess the project and its impact on the surrounding area and its implications on the business of Eastleigh Market Traders.
Inquiry	1	- Investigation into activities at the construction by Ten Commodities Wholesale Limited next to Eastleigh High School without involving stakeholders.

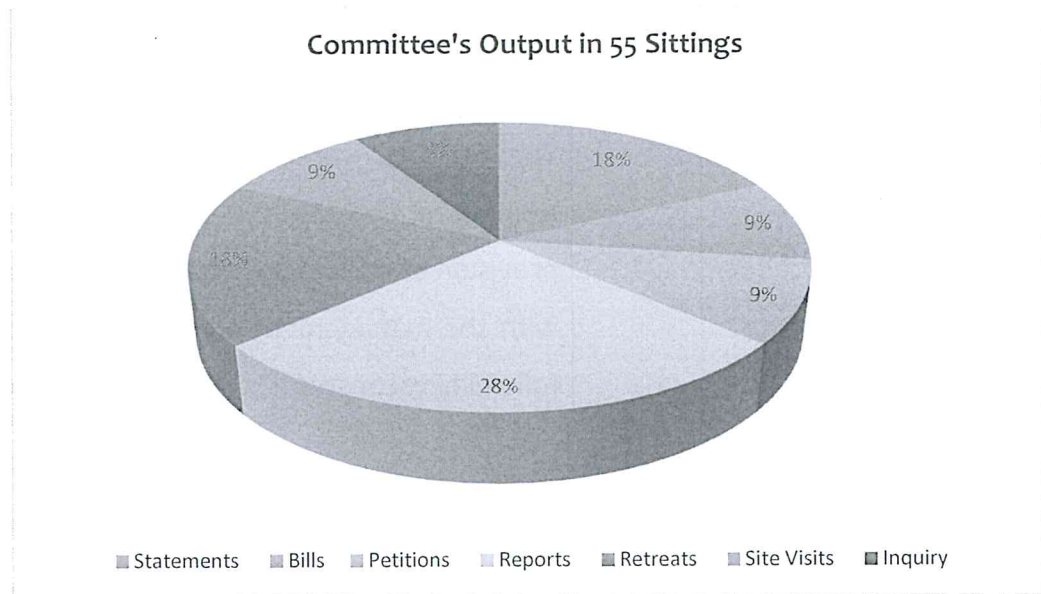


		- Committee is to meet jointly with Planning Committee to conclude on the said inquiry.
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## Challenges

The Committee reported the following as challenges facing the Committee: -

- Delays and or failure to remit responses by the County Executive;
- Un-coordinated functioning of shared functions I.E City Inspectorate, enforcement; and
- Delays and failure to raise quorum in time to consider committee business.



## G. Public Investment Committee

### Committee mandate

The Committee derives its mandate from Standing Order 197 (2) of the Nairobi City County Assembly, which provides that: - *“The Public Accounts Committee shall be responsible for:-*

- examine the reports and accounts of the County public investments;*
- examine the reports, if any, of the Auditor General on the County public investments; and*
- examine, in the context of the autonomy and efficiency of the county public investments, whether the affairs of the county public investments, are being managed in accordance with sound financial or business principles and prudent commercial practices”*

### Committee Membership

The Committee is comprised of 25 members, one (1) First Clerk Assistant.

### *Considered business*

The table below represents the business considered by the Committee during the period under review:-

Business	No.	Description
Sittings	66	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Consideration of Auditor General's Reports	1	Report of the Auditor General on the Financial Statements of Nairobi City Water and Sewerage Company Limited for the year ended 30th June, 2018.
Retreats	2	The retreats were to enable Members undergo a training on consider the performance audit report on provision of sewerage in major towns and to familiarize with the management and overview of the company following reconstitution of the committee.

### *Pending business*

The Committee reported the following as pending business: -

Pending business	Status
Performance Audit Report on Provision of Sewerage in Major Towns in Kenya: A Case Study of Nairobi City.	Pending due to lack of capacity building on Performance Audit.

### *Challenges*

The Committee reported the following as their challenges: -

- Underfunding during the apportionment of Committee budgets which greatly hindered the operations of the Committee; and
- Failure to meet constitutional timelines due to delays by witnesses to provide required documents/responses with respect to the audit queries raised by the Auditor General. The Committee has resolved that in future it shall resort to issuing summons to rogue witnesses and further seek services of the Director of Public

Prosecutions pursuant to the provisions of the County Assemblies Powers and Privileges Act.



#### H. Committee on Delegated Legislation

##### **Committee mandate**

The Select Committee on Delegated County Legislation is established under Standing Order 202 to among other functions, consider in respect of any statutory instrument whether it-

- is in accord with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written law;
- infringes on fundamental rights and freedoms of the public;
- contains a matter which in the opinion of the Committee should more properly be dealt with in an Act of Parliament;
- contains imposition of taxation;
- Directly or indirectly bars the jurisdiction of the Courts;
- gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power;
- involves expenditure from the Consolidated Fund or other public revenues;
- is defective in its drafting or for any reason the form or purport of the statutory instrument calls for any elucidation;
- appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made;

##### **Committee Membership**

The Committee is comprised of 25 members, (1) Clerk Assistant.



### Considered business

The table below represents the business considered by the Committee during the period under review: -

Business	No.	Description
Sittings	51	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Reports	2	The Committee developed reports on the following: - <ul style="list-style-type: none"><li>– Report on the training workshop held from 20th to 23rd February ,2020 at Travellers Beach Hotel, Mombasa. <b>(Report tabled)</b></li><li>– Report on the training workshop held from 23rd to 26th October ,2020 at Sai Rock Beach Hotel, Mombasa. <b>(Ready for tableting)</b></li></ul>
Retreats	2	The retreats were for the following purposes: - <ul style="list-style-type: none"><li>– Induction of Members- Capacity Building and Committee Mandate</li><li>– Training on Diplomatic Etiquette and Protocol for Legislature.</li></ul>

### Pending business

The Committee reported the following as pending business: -

Pending business	Status
Pre-publication scrutiny of the Regulations on the Nairobi City County Urban Agriculture Promotion and Regulation Act, 2015.	Relevant Department is in the process of preparing draft regulations.
Pre-publication scrutiny of the Regulations on the Nairobi City County Alcoholic Drinks Control and Licensing Act, 2014.	Regulations ready for submission to the Assembly.
Pre-publication scrutiny of the Regulations on the Nairobi City	Relevant Department is in the process of preparing draft regulations.

County Disaster and Emergency Management Act, 2015.	
Pre-publication scrutiny of the Regulations on the Nairobi City County Betting, Lotteries and Gaming Act, 2014.	Relevant Department is in the process of preparing draft regulations.
Pre-publication scrutiny of the Regulations on the Nairobi City County Public Participation Act, 2015.	Relevant Department is in the process of preparing draft regulations.
Pre-publication scrutiny of the Regulations on the Nairobi City County Child Care Facilities Act, 2017.	Relevant Department is in the process of preparing draft regulations.
Pre-publication scrutiny of the Regulations on the Nairobi City County Sports Management Act, 2017.	Relevant Department is in the process of preparing draft regulations.
Pre-publication scrutiny of the Regulations on the Nairobi City County Cultural Heritage Act, 2017.	Relevant Department is in the process of preparing draft regulations.
Pre-publication scrutiny of the Regulations on the Nairobi City County Early Childhood Education Act, 2017.	Relevant Department is in the process of preparing draft regulations.
Pre-publication scrutiny of the Regulations on the Nairobi City County Persons with Disabilities Act, 2015.	Relevant Department is in the process of preparing draft regulations.
Pre-publication scrutiny of the Regulations on the Nairobi City County Office of the County Attorney Act, 2017.	Relevant Department is in the process of preparing draft regulations.

Pre-publication scrutiny of the Regulations on the Nairobi City County Inspectorate Service Act, 2017.	Relevant Department is in the process of preparing draft regulations.
Pre-publication scrutiny of the Regulations on the Nairobi City County Regularization of Developments Act, 2015.	Relevant Department is in the process of preparing draft regulations.
Pre-publication scrutiny of the Regulations on the Nairobi City County Neighborhood Associations Engagement Act, 2016.	Relevant Department is in the process of preparing draft regulations.
Pre-publication scrutiny of the Regulations on the Nairobi City County Flag and Other Symbols Act, 2013.	Relevant Department is in the process of preparing draft regulations.
Pre-publication scrutiny of the Regulations on the Nairobi City County Solid Waste Management Act, 2015.	Relevant Department is in the process of preparing draft regulations.

### Challenges

The Committee reported the following as their challenges: -

#### – Delays in presentation of regulations to the County Assembly

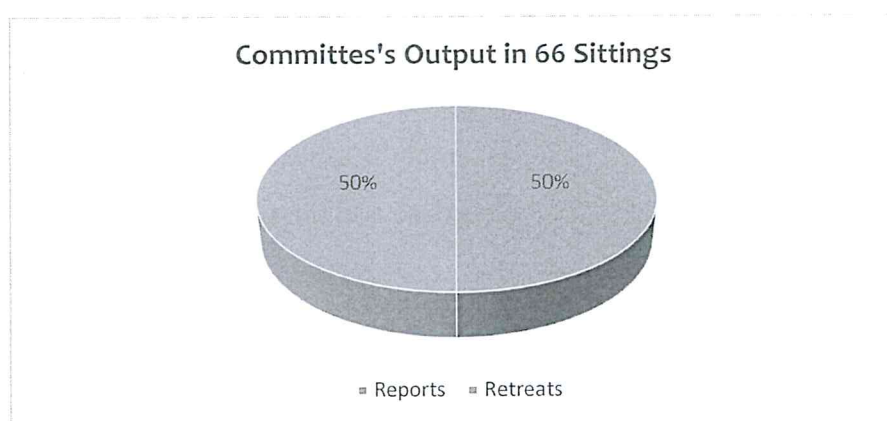
The County Executive has so far not submitted a single regulation to the County Assembly therefore the Committee has not scrutinized any regulation. However, as a recommendation from the Workshop held on 23rd to 26th October, 2020, Hon. Jeremiah Themendu tabled a Motion ;***Development of regulations for County Acts by the County Executive within 90 Days*** , which highlighted that Article 185(1) of the Constitution of Kenya 2010, provides that; the legislative authority of a County is vested in, and exercised by, its County Assembly, and that with regards to County delegated legislation, the County Executive Committee Member is required by various County Acts to develop Regulations for effective operationalization of certain County Acts and in



line with the Statutory Instrument Act, 2013,. The Committee hopes that the County Executive will present the regulations as requested.

– **Lack of motivation**

There is a notion by Members that the Committee is not a busy Committee and that being placed in the Committee is a form of punishment. This notion has led to some members being de-motivated and showing little interest in the Committee. However, this notion is slowly changing thanks to the facilitators who have demystified the Committee.



## I. Transport and Public Works Committee

### **Committee mandate**

The Committee's mandate as outlined under the third schedule of the Standing Orders includes; *"Investigate, inquire into and report on all matters related to County transport, including county roads, street lighting, traffic and parking, public road transport, county public works and services including storm water management systems in built-up areas."*

### **Committee Membership**

The Committee is comprised of 25 Members and 1 Senior Clerk Assistant.

### **Considered business**

The table below represents the business considered by the Committee during the period under review:-

Business	No.	Description
Sittings	61	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.

Statements	12	The Committee was requested 12 statements where correspondences sent to NMS and County Executive and no responses received. The matter and others escalated to the Liaison Committee for intervention and lack of corporation form NMS.
Reports	6	<ul style="list-style-type: none"> <li>– Site visit to Pokomo Lane in Industrial Area regarding the allegedly improper construction of a bridge across Pokomo Lane. The Committee undertook an investigation into the matter, compiled a report and Tabled the same in the Assembly for debate. The Select Committee on Assembly Business in yet to allocate the report time date and time for debate.</li> <li>– The Committee considered, processed and reported on the Nairobi City Annual Development Plan FY 2020/2021, the Nairobi City County Fiscal Strategy Paper FY 2020/2021 and the Budget Estimates FY 2020/2021.</li> </ul>
Retreats	2	<p>The retreats were for the following reasons: -</p> <ul style="list-style-type: none"> <li>– Workshop that was held from 7th to 10th February 2020 on the Nairobi City County Transport Bill. The report was compiled and Tabled in the Assembly.</li> <li>– Workshop of the Committee that was held from 30th October to 1st November 2020 on etiquette and protocol. The report has been compiled and awaiting Consideration and adoption by the Committee and Tabling in the Assembly.</li> </ul>
Site visits	1	<ul style="list-style-type: none"> <li>– Site visit to Pokomo Lane in Industrial Area regarding the allegedly improper construction of a bridge across Pokomo Lane .</li> </ul>

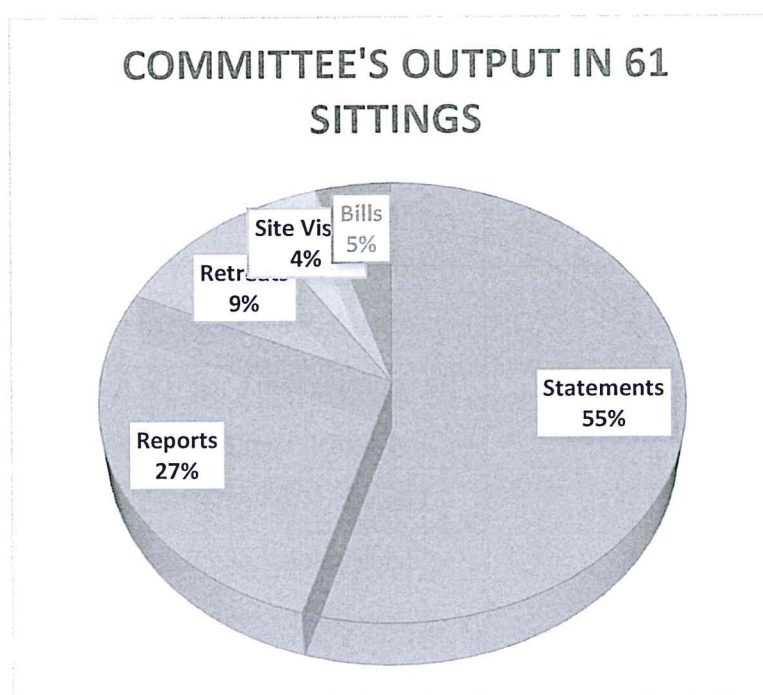


Bills	1	– During the period, the Committee processed and passed the Nairobi City County Transport Bill, 2020. The same was assented to by the Governor but yet to be gazette for it to take effect.
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## Challenges

The Committee reported the following as their challenges: -

- Oversighting NMS has come with its challenges. Particularly, the Committee has made attempts to make interventions to ensure that relevant documents and information necessary for the kick start projects in the Wards. Then process has not borne fruits after several scheduled meetings aborted due to refusal to appear by NMS relevant officials.
- In terms of Statements, the Committee has sought to engage the NMS officers to respond to particular questions to no avail. Hence, all the Statements requested from the Committee by Members have not been responded to, to date. The Committee has since held joint sitting with that of WDF to discuss the matters and resolved to escalate the same to the Assembly Liaison Committee and the Assembly Leadership for intervention. The Committee hopes that a resolution will be reached to ensure that projects resume in the Wards to the benefit of the people.



J. Agriculture, Livestock & Fisheries Committee

## Committee mandate

The Committee's mandate as outlined under the third schedule of the Standing Orders includes; "agriculture, including crop and animal husbandry, livestock sale yards, county abattoirs, plant and animal disease control and welfare, including licensing of dogs and facilities for the accommodation, care and burial of animals"

#### **Committee Membership**

The Committee is comprised of 25 Members and 1 Senior Clerk Assistant.

#### **Considered business**

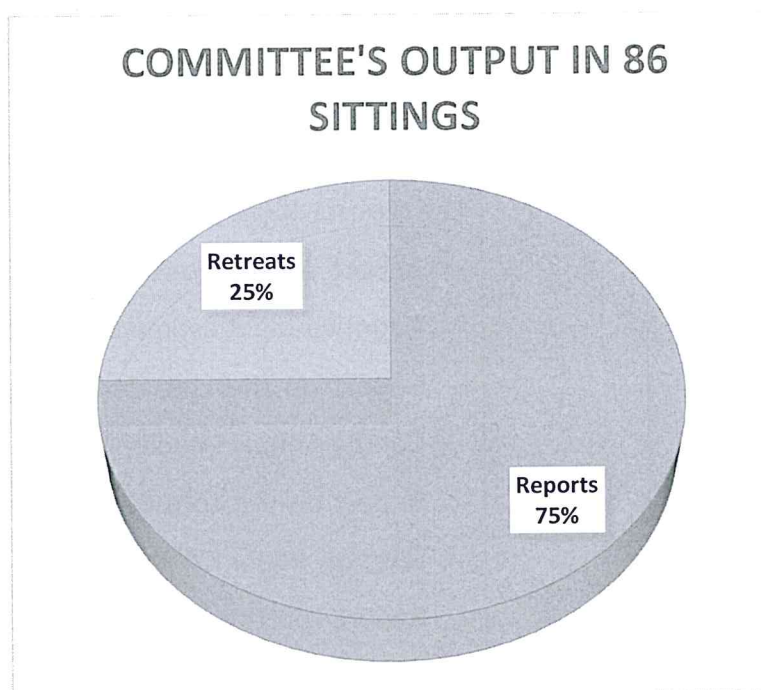
The table below represents the business considered by the Committee during the period under review: -

Business	No.	Description
Sittings	86	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Reports	6	The reports addressed the following: - <ul style="list-style-type: none"> <li>– Induction workshop for Members of Agriculture, Livestock &amp; Fisheries Committee,</li> <li>– Stock taking progress with the County Executive department responsible for Food and Agriculture and Chief Officer, Livestock and Fisheries</li> <li>– The Committee considered, processed and reported on the Nairobi City Annual Development Plan FY 2020/2021, the Nairobi City County Fiscal Strategy Paper FY 2020/2021 and the Budget Estimates FY 2020/2021</li> </ul>
Retreats	2	The retreats were for the following reasons: - <ul style="list-style-type: none"> <li>– Induction workshop for Members of Agriculture, Livestock &amp; Fisheries Committee,</li> <li>– Stock taking progress with the County Executive department responsible for Food and Agriculture and Chief Officer, Livestock and Fisheries</li> </ul>

#### **Challenges**

The Committee reported the following as their challenges: -

- Non commitment of some members toward Committee work. Further continued changes in the membership of the Committee do not guarantee consistency in the output.
- Failure to adhere to the committee work plan due to upcoming business in between the stipulated time.



#### K. Sectoral Committee on Culture & Community Services

##### **Committee mandate**

The Committee's mandate as outlined under the third schedule of the Standing Orders includes; *"investigate, inquire into and report on all matters related to Cultural activities, public entertainment and public amenities, including, racing, liquor licensing, cinemas, video shows and hiring, libraries, museums and cultural activities and facilities and county parks, and recreation facilities; firefighting services and disaster management, control of pornography; 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"*.

##### **Committee Membership**

The Committee is comprised of 25 Members and 1 Clerk Assistant.

##### **Considered business**



The table below represents the business considered by the Committee during the period under review:-

Business	No.	Description
Sittings	90	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Statements	2	The Committee was requested 2 statements and they are still under committee consideration.
Reports	4	The reports addressed the following: - <ul style="list-style-type: none"> <li>– Report on the consideration of the Nairobi City County budget estimates FY 2020/21.</li> <li>– Report on the consideration of the Nairobi City County Annual Development Plan FY 2020/21.</li> <li>– Report on the consideration of the County Fiscal Strategy Paper FY 2020/21.</li> <li>– Report on the consideration of the Nairobi City County Betting, Lotteries and Gaming Bill, 2020</li> </ul>
Retreats	1	The retreats were for the following reasons: - <ul style="list-style-type: none"> <li>– From 19<sup>th</sup> to 22<sup>nd</sup> October, 2020 to consider the Nairobi City County Betting, Lotteries and Gaming Bill, 2020.</li> </ul>

### *Pending business*

The Committee reported the following as pending business: -

Pending business	Status
Statement requested by Hon. Francis Ngesa, MCA regarding the refurbishing of stadia in the County specifically Dandora stadium.	Response received not satisfactory. Awaiting the consideration of the response by the Committee.
Statement requested by Hon. Benson Mwangi, MCA regarding the disregard of the Government's	Scheduled to hold a virtual meeting with the CEC Member Commerce, Tourism and Cooperatives on Monday, 7th December, 2020.

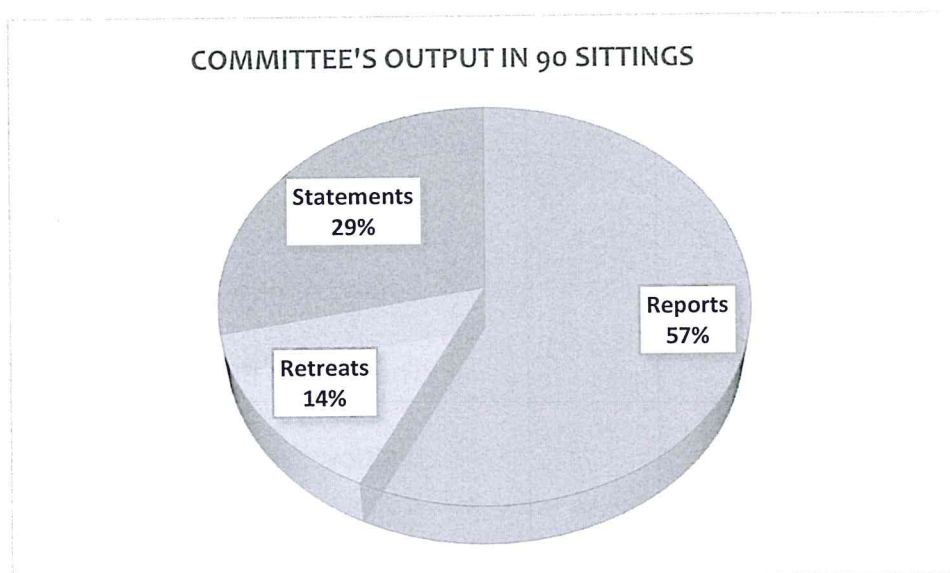


COVID-19 containment measures at QUIVER Lounge along Thika Road.	
<b>Bills:</b> The Nairobi City County Public Open Spaces Use and Maintenance Bill, 2020	With Legal Department.
<b>Legislative Proposals</b> The Nairobi City County Alcoholic Drinks Control and Licensing (Amendment) Bill, 202	Under Committee consideration.

### Challenges

The Committee reported the following as their challenges: -

- Failure to meet constitutional timelines due to delays by the Executive to provide required documents/responses with respect to the request to statement raised by Members;



### L. Finance Budget and Appropriations Committee

#### Committee mandate

The Committee is established pursuant to Standing Order 199 of the Nairobi City County Assembly with the following specific mandate:-

- Investigate, inquire into and report on all matters related to coordination, control and monitoring of the of the county budget;

- ii) Discuss and review the estimates and make recommendations to the County Assembly;
- iii) Examine the County Fiscal Strategy Paper presented to the County Assembly;
- iv) Examine Bills related to the county budget, including Appropriations Bills; and
- v) Evaluate tax estimates, economic and budgetary policies and programs with direct budget outlay.

### **Committee Membership**

The Committee is comprised of 19 members, (2) Fiscal Analysts,

### **Considered business**

The table below represents the business considered by the Committee during the period under review: -

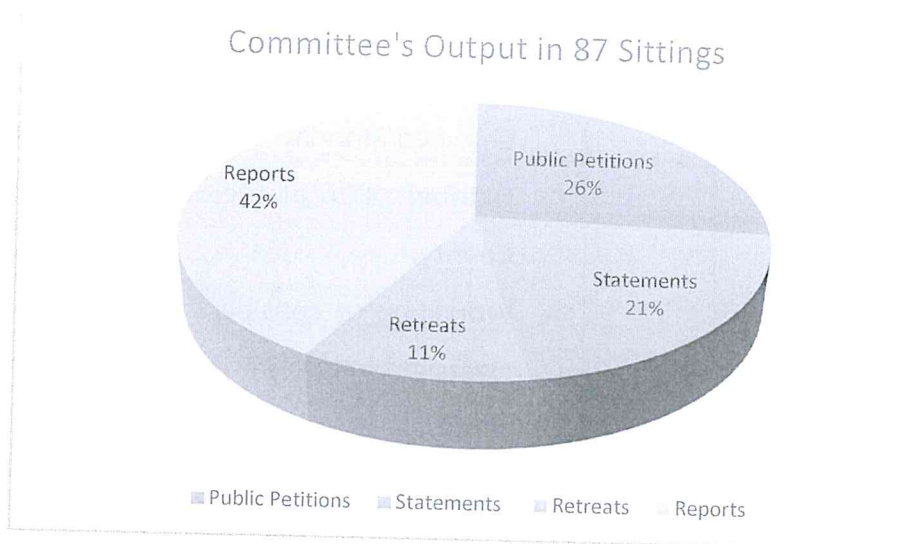
<b>Business</b>	<b>No.</b>	<b>Description</b>
Sittings	80	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Public Petitions/ Memoranda	5	During the period the Committee received and considered various memoranda from members of public and civil society on: <ul style="list-style-type: none"> <li>– County Fiscal Strategy Paper 2020; and</li> <li>– Budget estimates for the FY 2020/21</li> <li>– County Annual Development Plan 2021/2022;</li> <li>– The Finance Bill, 2020</li> <li>– Petition from Old Ngara Estate, New Ngara Estate and Old Council houses welfare on rent waivers.</li> </ul>
Statements	4	The Committee considered 4 request for statements and in most cases delivered responses to the County Assembly.
Retreats	2	During the duration under consideration the Committee undertook the following local workshops:

		<ul style="list-style-type: none"> <li>– Workshop to Consider the Controller of Budget Report 2019/20 and Legislative Proposal held between Monday 26th October and Thursday 29th October, 2020 at the Sai Rock Resort, Mombasa County.</li> <li>– Workshop to consider matters related to Budget Oversight held from Thursday 23rd to Sunday 26th July, 2020 at Windsor Hotel, Kiambu County</li> </ul>
Reports	8	<ul style="list-style-type: none"> <li>– Report on the CFSP 2020;</li> <li>– Report on the Debt Management Strategy Paper 2020;</li> <li>– Report on the Supplementary Estimates 2019-2020;</li> <li>– Report on the Budget Estimates 2020-21.</li> <li>– Report on the Appropriation Bill,2020</li> <li>– Report on the Memorandum by the Governor on the Refusal to Assent to Nairobi City County Appropriations Bill,2020</li> </ul>

### ***Pending business***

The Committee reported the following as pending business:-

Pending business	Status
<p>The Committee is still considering the following document whose reports (where appropriate) would be tabled in the Assembly in due time:</p> <ul style="list-style-type: none"> <li>i. County Annual Development Plan 2021/2022;</li> <li>ii. The Finance Bill,2020</li> </ul>	Ongoing



### M. Children, Early Childhood Education & Vocational Training

#### Committee mandate

The Committee's mandate as outlined under the third schedule of the Standing Orders includes; "to investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned department. The committee is also mandated to deal with matters related to primary education, childcare facilities, village polytechnics, home craft centers and children welfare."

#### Committee Membership

The Committee is comprised of 25 Members, 1 Senior Clerk Assistant and 1 Clerk Assistant.

#### Considered business

The table below represents the business considered by the Committee during the period under review: -

Business	No.	Description
Sittings	55	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Statements	3	The Committee received 3 statements requests and responded satisfactorily to all.
Reports	6	The reports addressed the following: - <ul style="list-style-type: none"> <li>Report on the examination of the County Annual Development Plan for the Financial Year 2020/2021;</li> </ul>



		<ul style="list-style-type: none"> <li>– Report on the examination of the County Fiscal Strategy Paper for the Financial Year 2020/2021;</li> <li>– Report on the examination of the Budget Estimates for the Financial Year 2020/2021</li> <li>– Report on the training workshop held from 7th to 10th February, 2020 at Pride Inn Paradise Beach Hotel, Mombasa County;</li> <li>– Report on the inquiry into the alleged transfer of the Nairobi Early Childhood Education Teacher Training Centre to Nairobi Milimani Secondary School; and</li> <li>– vi. Report on the workshop held from 23rd to 26th October, 2020 at Sai Rock Beach Hotel in Mombasa County to consider prepublication scrutiny of the proposed Nairobi City County Polytechnics and Home-craft Centers Bill, 2020 and the Nairobi City County Early Childhood Development and Education Bill, 2020.</li> </ul>
Retreats	2	<p>The retreats were for the following reasons: -</p> <ul style="list-style-type: none"> <li>– Training workshop is to acquaint members of the Committee on the development and consideration of legislative proposals,</li> <li>– Workshop on prepublication scrutiny of the proposed Nairobi City County Polytechnics and Home-craft Centers Bill, 2020 and the Nairobi City County Early Childhood Development and Education Bill, 2020.</li> </ul>
Site visits	3	<ul style="list-style-type: none"> <li>– Site inspection visit to inquire into the alleged transfer of the Nairobi Early Childhood Education Teacher Training Centre to Nairobi Milimani Secondary School</li> </ul>

Inquiry	1	- Inquiry into the alleged transfer of the Early Childhood Education Teacher Training Centre to Nairobi Milimani Secondary School.
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### *Pending business*

The Committee reported the following as pending business: -

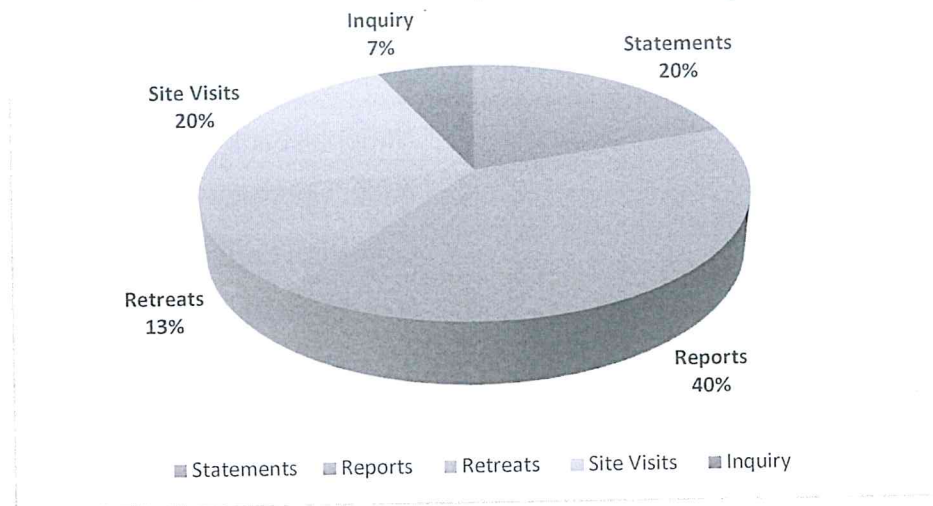
Pending business	Status
The Nairobi City County Polytechnics and Home-craft Centres Bill, 2020; and The Nairobi City County Early Childhood Development and Education Bill, 2020.	The following legislative proposals are in advance stage
Implementation status of the Sector projects for the financial year 2020/2021	Committee received reports from the County Executive Sector
Statement requested by Hon. Moses Ogeto, MCA regarding the usage of bursary funds for the FY 2019/2020	Under consideration by the Committee
Consideration of the Sector Annual Development Plan for the Financial Year 2021/2022	Under consideration by the Committee

### *Challenges*

The Committee reported the following as their challenges: -

- The delay by the County Executive to submit timely and satisfactory reports and information as requested by the Committee;
- Lack of quorum hampered the operations of the Committee to a large extent; and
- Covid-19 pandemic has affected the effectiveness of the Committee as it has cumbersome of Members to consider bulky reports during virtual meetings.

## Committee's Output in 55 Sitzings



### N. Sectoral Committee on Energy and ICT Committee

#### Committee mandate

In accordance with the Third Schedule of the Standing Orders, the Committee is mandated to consider all matters relating to: - *“Electricity and gas reticulation, and energy regulation, Communication, information, broadcasting and Information, Communications, Technology (ICT) Management”*.

#### Committee Membership

The Committee comprised of 25 members, (2) Senior Clerk Assistants.

#### Considered business

The table below represents the business considered by the Committee during the period under review:-

Business	No.	Description
Sittings	60	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Reports	6	The reports addressed the following: - <ul style="list-style-type: none"> <li>– Report on the consideration of the Nairobi City County ADP FY 2020/21.</li> <li>– Report on the consideration of the Nairobi City County budget estimates FY 2020/21</li> </ul>



		<ul style="list-style-type: none"> <li>– Report on the consideration of the County Fiscal Strategy Paper FY 2020/21</li> <li>– Report of the joint retreat with The ICT Sector and National Bank of Kenya regarding the National Bank 5-Year running Automated Revenue Collection Contract with the County Government</li> <li>– Report on The Sessional Paper No. 1 of 2020 on the Policy framework for Revenue Collection and Management for Nairobi City County</li> <li>– Report of the retreat of Sectoral Committee on Energy and ICT to evaluate the ICT and E-Government's Sectors progress reports</li> </ul>
Retreats	3	<p>The retreats were for the following reasons: -</p> <ul style="list-style-type: none"> <li>– Refresher mandate course for the members;</li> <li>– To deliberate on the Sessional Paper No. 1 of 2020 on the Policy framework for Revenue Collection and Management for Nairobi City County</li> <li>– Joint retreat with the ICT Sector and National Bank of Kenya regarding the National Bank 5-Year running Automated Revenue Collection Contract with the County Government</li> <li>– Evaluation Annual Development Plan 2020/2021 for the ICT an E-government Sector and evaluation of Sector's programs Induction retreat of the Committee with ICT and E-Government sector</li> </ul>

#### *Pending business*

The Committee reported the following as pending business: -

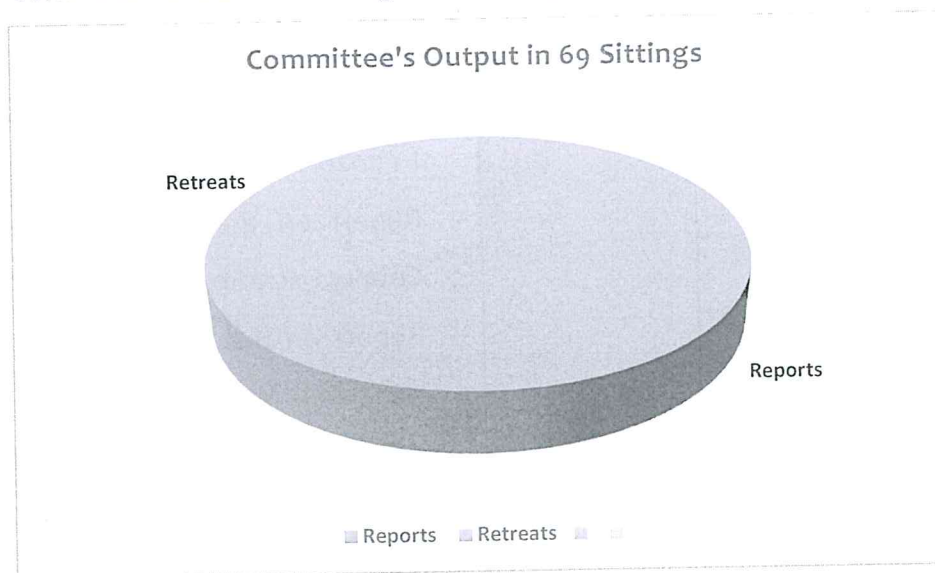
- ADP submissions for the Energy sub-sector for the FY 2021-22 2; and
- Adoption of the Report of the ADP for the FY 2021-022 for the ICT and e-Government Sector.

#### *Challenges*



The Committee reported the following as challenges facing the Committee and the Sector it oversees: -

- Recommendations made by the Committee through reports sometimes are not implemented by the Executive;
- Failure to adhere to the committee work plans due to upcoming business in between the stipulated time;
- Failure to meet constitutional timelines due to changes in Committee membership, though Members benefited from the trainings offered by the Assembly and the support of the Secretariat; and
- Committee unable to oversight the Energy Sub-Sector due to pending projects.



#### O. Sectoral Committee on Trade, Tourism and Cooperatives Committee

##### **Committee mandate**

In accordance with the Third Schedule of the Standing Orders, the Committee is mandated to consider all matters relating to: - *“trade development and regulation, including markets, trade licenses (excluding regulation of professions), fair trading practices, local tourism and cooperative societies, Betting and Casinos and other forms of gambling and liquor licensing”*.

##### **Committee Membership**

The Committee is comprised of 25 members, (1) Senior Clerk Assistant.

##### **Considered business**

The table below represents the business considered by the Committee during the period under review: -

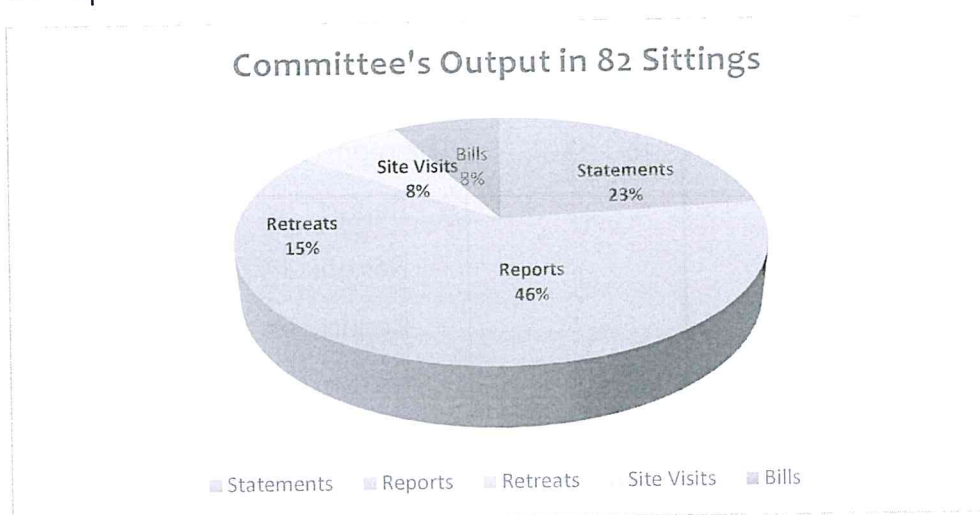
Business	No.	Description
Sittings	37	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Statements	3	The members were not satisfied with the responses. The Committee is following up on the responses.
Reports	6	<p>The reports addressed the following: -</p> <ul style="list-style-type: none"> <li>– Report on the consideration of the Nairobi City County ADP FY 2020/21.</li> <li>– Report on the consideration of the Nairobi City County budget estimates FY 2020/21</li> <li>– Report on the consideration of the County Fiscal Strategy Paper FY 2020/21</li> <li>– Report on the site inspection visit to Westlands Market.</li> <li>– Report on the Committee's retreat on the consideration of The Nairobi City County Pop-up Markets and Street Vendors Bill, 2019</li> <li>– Report on the consideration of stakeholders submissions of The Nairobi City County Pop-up Markets and Street Vendors Bill, 2019.</li> </ul>
Retreats	2	<p>The retreats were for the following reasons:-</p> <ul style="list-style-type: none"> <li>– Consideration of stakeholders submissions of The Nairobi City County Pop-up Markets and Street Vendors Bill, 2019</li> </ul>

		– Consideration of The Nairobi City County Pop-up Markets and Street Vendors Bill, 2019
Site visits	1	– Westlands Market – Ascertain the allocation of space/stalls to traders in the market
Bills	1	The Nairobi City County Pop-up Markets and Street Vendors Bill, 2019

### Challenges

The Committee reported the following as challenges facing the Committee and the Sector it oversees: -

- Incomplete information and delay by the Executive to respond to Committee requests, especially statement requests by Hon. MCAs. Some questions are responded to when matters have been overtaken by events;
- Many a times recommendations made by the Committee are never implemented by the Executive as it only implements what is favorable to it and disregards most of what the Committee recommends; and
- Failure to adhere to the committee work plans due to upcoming business in between the stipulated time.



### P. Select Committee on Ward Development Fund Committee

#### Committee mandate

The Select Committee on Wards Development Fund is established pursuant to Section 35(5) of the Wards Development Fund Act, 2014 and is mandated, among others, to: -



- a) Consider and recommend to the County Assembly any matter requiring action by the County Assembly pursuant to the provisions of this Act;
- b) Oversee the implementation of this Act and in this respect, shall after every two years submit a report to the County Assembly and where necessary propose any amendments to this Act, in particular with respect to the Quantum of funds repayable into the Fund in accordance with section 4 of the Act;
- c) Oversee the policy framework and legislative matters that may arise in relation to the Fund;
- d) Continually review the framework set out for the efficient delivery of development programmes financed through the Fund;
- e) Consider and report to County Assembly with recommendations, names of persons required to be approved by County Assembly under this Act.

#### **Committee Membership**

The Committee is comprised of 11 members, (1) Clerk Assistants

#### **Considered business**

The table below represents the business considered by the Committee during the period under review:-

Business	No.	Description
Sittings	52	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Reports	3	The reports addressed the following: - <ul style="list-style-type: none"> <li>– Report on the consideration of the Nairobi City County ADP FY 2020/21.</li> <li>– Report on the consideration of the Nairobi City County budget estimates FY 2020/21</li> <li>– Report on the consideration of the County Fiscal Strategy Paper FY 2020/21</li> </ul>
Retreats	3	The retreats were for the following reasons: - <ul style="list-style-type: none"> <li>– Induct Members on various aspects that relate to the mandate of the and</li> </ul>



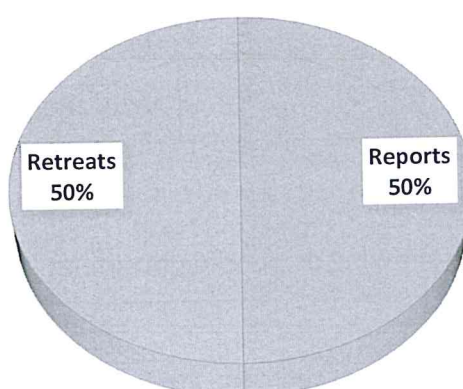
		<p>understand the dynamics of the Nairobi City County Wards Development Fund Act 2014 and the subsequent amendments of 2014, 2015 and 2016</p> <ul style="list-style-type: none"> <li>– To review on the committee mandates and also to review on the challenges faced by the executive and to do a progress review on all the pending and completed projects.</li> <li>– Meeting between the Assembly, County Executive and NMS hosted by NMS to consider the progress of implementation of NMS programs</li> </ul>
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### Challenges

The Committee reported the following as their challenges: -

- Incomplete operationalization of the WDF Act, 2014 due issues raised by Controller of Budget on utilization of funds and establishment of County Management Committee; and
- There is lack of optimal participation of Members on the virtual platform occasioned by guidelines of the government on COVID-19.

COMMITTEE'S OUTPUT IN 46 SITTINGS



### Q. Select Committee on Implementation

#### Committee Mandate

The Select Committee on Implementation is established under Standing Order No. 201 and its mandate amongst others, "to 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.

#### **Committee Membership**

The Committee is comprised of 24 members, (1) Senior Clerk Assistant, and (1) First Clerk Assistant.

#### **Considered business**

The table below represents the business considered by the Committee during the period under review: -

<b>Business</b>	<b>No.</b>	<b>Description</b>
Sittings	43	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Retreats	1	The retreat was to enable Members undergo induction and consider pending business.
Reports	1	Report on the workshop held at Sai Rock Hotel, Mombasa from 27 <sup>th</sup> to 30 <sup>th</sup> October, 2020. (Report is tabled)

#### **Pending business**

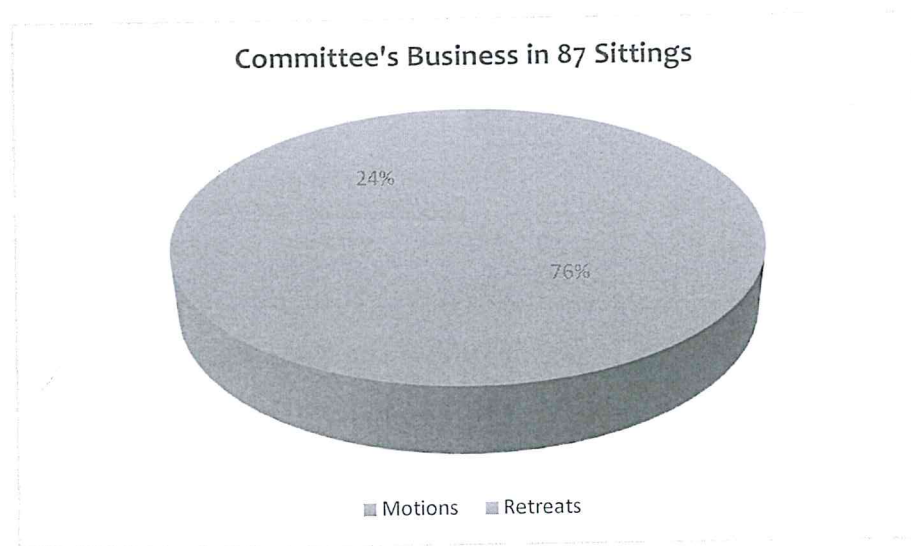
The Committee reported the following as pending business: -

<b>Business</b>	<b>Status</b>
Consideration of Resolutions passed by the Assembly	The Committee is prioritizing their scrutiny

#### **Challenges**

The Committee reported the following as challenges facing the Committee and Implementation of Assembly resolutions: -

- The Covid-19 pandemic has affected the effectiveness of the Committee as it has been cumbersome for Members to consider bulky reports during virtual meetings;
- Delay in consideration of draft regulations by the Legal Department hinders the implementation of some regulations; and
- Lack of prioritization of the Assembly resolutions by the County Executive hinders the implementation of the resolutions; this hampers the Committee to follow up on the implementation of the resolutions as there are no consistent periodic reports from the County Executive.



## R. Select Committee on Powers and Privileges

### **Committee mandate**

The Powers and Privileges Committee derives its mandate from Section 16 (1) the County Assemblies Powers and Privileges Act, 2017, which provides that: -

*“There is established for each county assembly, a committee known as the Committee of Powers and Privileges consisting of the Speaker, who shall be the chairperson of the Committee and such other members of the county assembly as may be provided in the Standing Orders of the county assembly”.*

The Committee executes its mandate on the basis of a complaint or its own motion made by any person on inquiring into the conduct of a Member whose conduct is alleged to breach the house privilege. The Committee further aims at ensuring that there is discipline amongst members in the Nairobi City County Assembly.

### **Committee Membership**

The Committee is comprised of (13) members, Deputy Clerk, Principal Clerk L&P, (1) Senior Clerk Assistant.



### Considered business

The table below represents the business considered by the Committee during the period under review:-

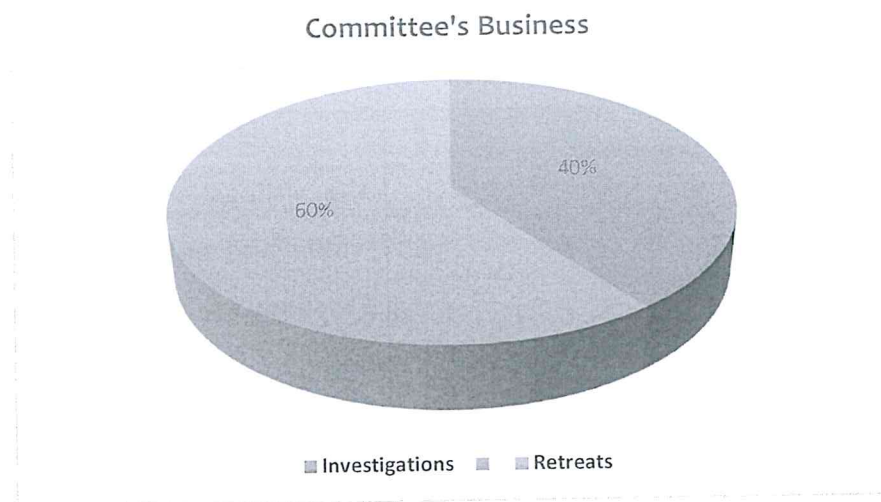
Business	No.	Description
Sittings	30	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Investigations	2	<ul style="list-style-type: none"><li>– Investigation into the alleged absenteeism from Assembly plenary sittings by Hon. Abdi Hassan.</li><li>– The report on allegations of absenteeism of Hon. Members from plenary sittings</li></ul>
Retreats	3	<ul style="list-style-type: none"><li>– Report writing regarding allegations of absenteeism of Hon. Members from the Plenary Sittings. <b>The Report was compiled and Tabled in the Assembly.</b></li><li>– Report writing regarding the investigations into the alleged absenteeism from the Assembly Plenary Sittings by the Member of Matopeni/Spring Valley Ward, Hon. Abdi Ibrahim Hassan, MCA. <b>The report was compiled and Tabled in the Assembly.</b></li><li>– Induction workshop for the re-constituted Committee. <b>The report to be considered by the Committee for adoption and Tabling in the Assembly.</b></li></ul>

### Challenges

The Committee reported the following as their challenges: -

- There is lack of optimal participation of Members on the virtual platform occasioned by guidelines of the government on COVID-19.





## **S. Select Committee on House Business**

### **Committee mandate**

The Assembly Business Committee is mandated to;-

- a) *Prepare and, if necessary, from time to time adjust the County Assembly Calendar with the approval of the County Assembly;*
- b) *monitor and oversee the implementation of the County Assembly Business and programmes;*
- c) *implement the Standing Orders respecting the scheduling or programming of the business of the County Assembly and the functioning of the Committees of the County Assembly;*
- d) *determine the order in which the reports of Committees shall be debated in the County Assembly;*
- e) *may take decisions and issue directives and guidelines to prioritize or postpone any business of the County Assembly acting with the concurrence of the Leader of the Majority Party or the Leader of the Minority Party, as the case may be; and,*
- f) *Consider such matters as may from time to time arise in connection with the business of the County Assembly and shall have and perform such powers and functions as are conferred on and ascribed to it by these Standing Orders or from time to time by the County Assembly.*

### **Committee Membership**

The Committee is comprised of (19) nineteen members, (2) Senior Clerk Assistant.

### **Considered business**

The table below represents the business considered by the Committee during the period under review: -

Business	No.	Description
Sittings	21	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Reports	1	Report of the Committee workshop on mandate refresher, review of Assembly business and preparation of work plan held at Travellers Beach Hotel, Mombasa from 26th to 30th November, 2020.
Retreats	1	The retreats were for the following reasons:- – Enable Members undergo induction



#### T. Members Services and Facilities

##### *Committee mandate*

The Select Committee on Members Services and Facilities is established under Standing Order No. 204 (3), and its mandated to:-

- (3) The County Assembly Committee on Members Service and Facilities shall be responsible for;
  - a) receiving and considering views of Members on the services and facilities provided for their benefit and wellbeing, including catering, sports and health club; and

- b) advising and reporting on all matters connected to the services and facilities provided for Members.

(4) In exercising its mandate, the committee shall liaise and consult with the County Assembly Service Board from time to time

#### **Committee Membership**

The Committee is comprised of (15) Fifteen members, (1) Clerk Assistant.

#### **Considered business**

The table below represents the business considered by the Committee during the period under review: -

Business	No.	Description
Sittings	13	The sittings were held both via zoom, within and outside the precincts of the Assembly to consider Committee business.
Reports	2	Report of the Select Committee on Members Services and Facilities on evaluating the performance of First Assurance Company on provision of insurance cover for the Members of County Assembly; and Report on the induction retreat for Members Services and Facilities Committee;
Retreats	1	The retreats were for the following reasons: - – Enable Members undergo induction

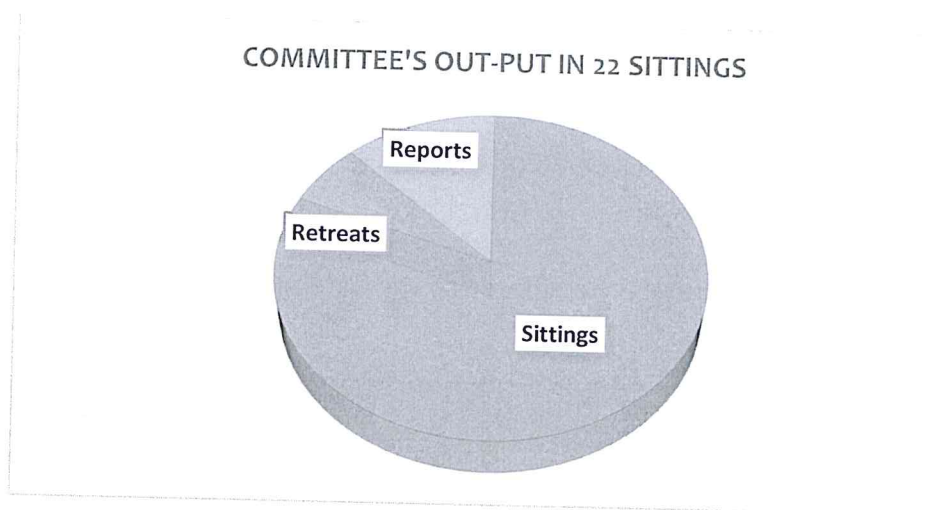
#### **Pending business**

Business	Status	Remarks
Canteen management	Under consideration by the Committee	Under Consideration by the Committee

#### **Challenges**

- Lack of quorum hampered the operations of the Committee to a large extent; and

- Covid-19 pandemic has affected the effectiveness of the Committee as it has cumbersome of Members to consider bulky reports during virtual meetings.



## U. Women Caucus

### *Mandate*

Women Caucuses have been created in the Parliaments and County Assemblies with the aim of increasing women's impact on political decisions. The mission of the caucus is to enhance and facilitate the attainment of gender equity in decisions making structures and elective leadership. The caucus is committed to mobilizing, lobbying, advocating and sensitizing of women to enable women to influential political, economic and social services.

### *Committee Membership*

The Caucus is comprised of (40) members and (1) Senior Clerk Assistant.

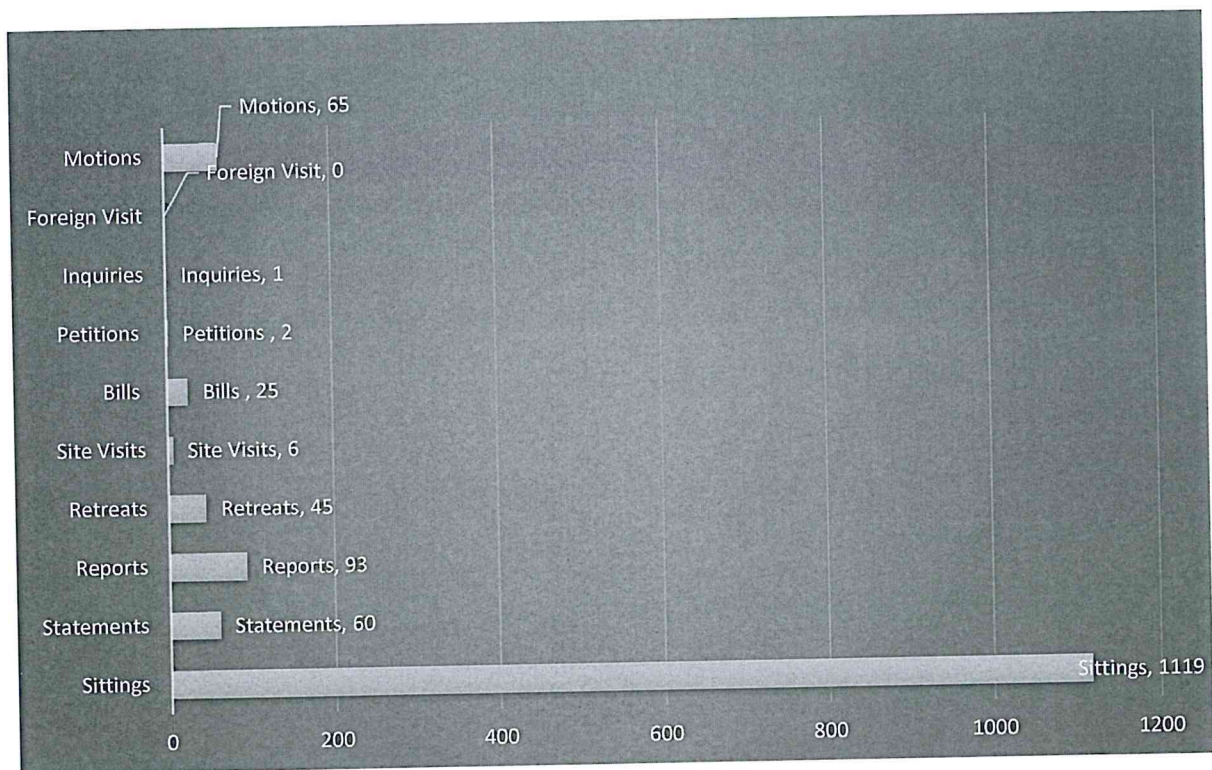
### *Considered business*

The table below represents the business considered by the Committee during the period under review: -

Business	No.	Description
Retreats	1	The retreat was for the following reasons: – Enable Members undergo capacity building



#### 4.0. LIAISON COMMITTEE OBSERVATIONS ON THE REPORTS



#### 13. The Committee made the following observations with respect to the reports presented by the respective Chairpersons: -

- i) All Committees were inducted on their mandates and they are well equipped to perform their functions. However, they require refresher trainings especially on critical issues such as the legislative process;
- ii) Statements formed the majority of the business conducted by the Committees especially the Sectoral Committees. However, not all statement requests had been responded to. Most Chairpersons cited delays by the Executive in responding to their requests or failure to provide satisfactory responses;
- iii) Committees had only conducted 6 site visits. And site visits being an important oversight tool, there is need to increase the site visits which further translates to reports;
- iv) Most Committees had not tabled their reports on their retreats they held which may raise audit queries;
- v) The Executive had not implemented most of the resolutions of Committees. In addition, projects passed in the budget had not commenced;
- vi) Productivity of most committees has greatly reduced in terms of participation due to the COVID 19 pandemic;

- vii) Delay of responses from the County Executive;
- viii) Lack of quorum despite most meetings being held online via zoom;
- ix) Inadequate responses from the County Executive and the Nairobi Metropolitan Services;
- x) The County Executive has continuously failed to implement County Assembly resolutions since the inception of the Assembly;
- xi) Failure to adhere to committee work plans due to upcoming business in the between the stipulated time;
- xii) The Office of the County Attorney doesn't have enough officers who are able to draft county regulations therefore delays in submission of regulations to the County Assembly; and
- xiii) Incessant Committee reshuffles.

#### 5.0. RECOMMENDATIONS

##### **14. In view of the above observations, the Committee recommends the following to the County Assembly**

- i. All Committees to fast-track finalizing of the pending business and to report on any impediments to their work to the Office of the Speaker and the Liaison Committee for necessary actions to be taken;
- ii. The Implementation Committee to urgently follow-up with the Executive to seek a way forward on Committee/Assembly resolutions that are yet to be implemented;
- iii. Committee Chairpersons to be very strict with members logging into meetings;
- iv. Members to be encouraged to login to meetings and actively participate;
- v. Committee Clerks to continuously remind their respective committees of responses due through statements trackers;
- vi. Chairpersons and their relevant Committee Clerks to enforce Standing Order 179 to Members who fail to attend committee sittings;
- vii. That Chairpersons to prioritize time and consider implementing their work plans;
- viii. The Office of the Clerk through the Legal Office to liaise with the County Attorney's office and come up with a work plan on how best to draft and submit the pending regulations;
- ix. The Office of the Clerk to follow-up on the publication of already enacted laws that are yet to be published thus impending their implementation;



- x. The Liaison Committee to immediately inform the County Attorney on the issue regarding lack of drafters and come up with a way forward; and
- xi. The Liaison Committee Chair and the Clerk to notify the Assembly leadership on the low productivity of Committees due continued changes in Committee membership.

**15. In view of the above observations, the Committee recommends the following to the County Executive and Nairobi Metropolitan Services**

- i) The Liaison Committee to hold a meeting with all the CECMS and Chief Officers to deliberate and come up with guidelines on how responses required by the County Assembly shall be dispensed off with to avoid the continuous delays;
- ii) The Liaison Committee to immediately inform the County Executive and the Nairobi Metropolitan Services that the County Assembly shall take serious actions to Officers who fails to attend County Assembly meetings when summoned and also those who respond poorly to County Assembly queries;
- iii) The Liaison Committee to immediately hold a meeting with H.E the Governor & NMS to deliberate on how best the County Assembly resolutions shall be implemented;
- iv) The Implementation Committee to immediately hold a meeting with the relevant key sectors from the County Executive and the Nairobi Metropolitan Services to deliberate on the status of the implementation of County resolutions; and
- v) County Assembly to allocate funds for the drafting function under the County Attorney's Office.

