

GOVERNMENT OF NAIROBI CITY COUNTY



Paper laid by:
Hon. Member for Chairperson
Implementation
on 21/5/2024
EPL

THE NAIROBI CITY COUNTY ASSEMBLY

OFFICE OF THE CLERK

THIRD ASSEMBLY
(THIRD SESSION)

NCCA
APPROVED
★ 02 MAY 2024 ★
Sign: _____
HON. SPEAKER

NCCA/TJ/PL/2024(16)

2ND MAY 2024

PAPER LAID

SUBJECT: REQUEST TO BORROW

Pursuant to Standing Order 196, I beg to lay of the following Paper on the Table of this Assembly, today Thursday 2nd May 2024:

— THE REPORT OF THE SELECT COMMITTEE ON IMPLEMENTATION ON WORKSHOP THAT WAS HELD FROM 21ST TO 23RD MARCH 2024 IN NAKURU COUNTY.

(Chairperson, Select Committee on Implementation)

- Copies to:
The Speaker
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NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY – THIRD SESSION



REPORT OF THE SELECT COMMITTEE ON IMPLEMENTATION COMMITTEE
WORKSHOP HELD AT LAKE NAIVASHA HOTEL, NAKURU COUNTY FROM 21ST – 23RD
MARCH, 2024

Clerk's Chambers
Nairobi City County Assembly
City Hall Buildings
Nairobi

APRIL, 2024



1.0. PREFACE

1.1. Establishment and Mandate

Hon. Speaker,

The Select Committee on Implementation is established by Standing Order No. 207, and mandated, amongst others, *“to scrutinize the resolutions of the County Assembly, include adopted committee reports, petitions and the undertakings given by the County Executive Committee and examine implementation of such decisions and to 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.”*

1.2. Committee Membership

The Committee on Implementation comprises the following members:

1. Hon. Geoffrey Majiwa, MCA –Chairperson
2. Hon. Peter Imwatok, MCA – Leader of the Majority Party
3. Hon. Anthony Kiragu, MCA - Leader of the Minority Party
4. Hon. Mwangi Joy Muthoni , MCA
5. Hon. Allan Maina Gathuku , MCA
6. Hon. Kennedy Swaka , MCA
7. Hon. Nancy Mwaura , MCA
8. Hon. Jane Wanjiru, MCA
9. Hon. Hellen Awuor, MCA
10. Hon. Rachel Maina, MCA
11. Hon. Joel Munuve, MCA
12. Hon. Francis Kimondo, MCA
13. Hon. Patrick Mwangi Macharia, MCA
14. Hon. James Kariuki, MCA
15. Hon. Nicholas Juma , MCA
16. Hon. Peter Wahinya , MCA
17. Hon. Overa Peter, MCA
18. Hon. Alvin Palapala , MCA
19. Hon. Abass Khalif, MCA
20. Hon. Anthony Kimemiah, MCA
21. Hon. Paul Mathu , MCA

1.3. Committee Secretariat

The Committee is currently facilitated by:-

1. Ms. Judith Aron – Secretariat
2. Ms. Rose Edna Kanana – Secretariat



2.1 Background of the Committee Induction Workshop

Hon. Speaker,

The County Assembly Committees are extensions of the Assembly established under the County Assembly Standing Orders and in accordance with Section 14 of the County Governments Act, 2012. The Committees are supposed to perform functions that the Assembly is not well fitted to consider in plenary.

The Liaison Committee in its workshop held in Mombasa adopted a schedule of quarterly retreats for all Assembly Committees. In the said schedule, Select Committee on Implementation was scheduled to have its quarterly workshop from 21st – 23rd March, 2024 in Nakuru County.

In this regard, the select committee on implementation retreated to Lake Naivasha Resort, Nakuru County on the above dates as approved by the speaker. The objective of the retreat was to review Committee business in terms of the implementation status of the Assembly resolutions.

2.2 Acknowledgement.

Hon. Speaker,

I wish to acknowledge with gratitude the Offices of the Speaker and the Clerk of the County Assembly for the support extended to the Committee in execution of its mandate.

Hon. Speaker, I also thank the Secretariat for their input and valuable contribution during compilation of this report.

Hon. Speaker, finally, I would like to appreciate the Members of the Committee on Culture and Community Services for their commitment and valuable contributions towards ensuring the Committee implements its mandate

Hon. Speaker, it is therefore my pleasant duty and privilege, on behalf of the Members of the Select Committee on Implementation to present the report of the induction workshop which was held from 21st – 23rd March, 2024 in Nakuru County.

Signed.....

THE HON. GEOPHREY MAJIWA, MCA (CHAIRPERSON)

Date16/4/24.....



BACKGROUND AND MANDATE

The Committee on Implementation is a select Committee of the Assembly established pursuant to Standing Order 207 of the County Assembly Standing Orders.

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:

- 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*
- *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.
- Standing Order 199 further provides 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.

INTRODUCTION

The Committee wrote to various Sectors on 6th November , 2023 and again on 20th February 2024 seeking an update on the implementation status of resolutions Seeking an update on the implementation status of the Assembly resolutions under their purview: - Assembly resolutions including reports (inquiries and petitions), Petitions, Motions and Adopted Committee Reports passed by the Assembly.

The status of implementation included in the reports contains submissions by various sectors. The report entails a compilation of the responses received and their status of implementation as at the time of adoption of the report.

The Committee commenced to appraise itself on the implementation status of House resolutions pursuant to Standing Order 207 which requires the Committee to scrutinize the resolutions of the County Assembly_(including adopted committee reports), petitions and the undertakings given by the County Executive Committee and examine;

- i) 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*
- ii) *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.*

Motions

- (1) Resolution that the County Public Service Board develops and early voluntary retirement package, sensitize the elderly workforce for early voluntary retirement with a view of employing a younger workforce for effective service delivery in the County;
- (2) Resolution that the County Executive in liaison with the Nairobi Water and Sewerage Company moves with speed to introduce and roll-out digital water meters in the County and have such intervention prioritized in the subsequent Annual Development Plan for timely implementation;
- (3) Resolution that the County Executive to urgently develop regulations that would enable award of Solid Waste collection service contracts granted to registered Youth SACCOs and Community Based Organizations (CBOs) at the Ward level to enable residents access effective solid waste management services;
- (4) Resolution that the County Executive in conjunction with the National Construction Authority conducts a Building Safety and Structural Audit of all the residential buildings in the County with an aim of highlighting the risks and recommending ways to address the identified risks;
- (5) Resolution that the County Executive undertake the following measures; -
 - i) Issue a one-month Public Notice be issued to the General Public on removal of all the street children dwelling and purporting to engage in socio-economic activities in the County;
 - ii) Fast track the construction and equipping the of Ruai Rehabilitation Centre;
 - iii) Apprehend and direct to Ruai Rehabilitation Centre any street children upon the expiry of one-month notice; and,
 - iv) Develops a County Street Children exploitation prevention policy that will seek to deter street children exploitation and promotion of school enrollment forthwith.
- (6) Resolution that the County Executive to prioritize implementation of all pending or incomplete Ward Development Fund projects from FY 2017/18 to FY 2022/2023 including capital projects and ensure payment of completed and certified Ward Development Fund projects and other capital projects across the County;
- (7) Resolution Urging the County Public Service Board to urgently advertise, recruit and forward the names of the nominees for the County Policing Authority pursuant to Section 41 (1)(e) of the Police Service Act, 2011 for vetting and subsequent approval by the Assembly as a way of augmenting policing initiatives in the county;
- (8) Resolution Urging the County Executive to urgently develop regulations to provide for:-
 - i) Mandatory sharing of the Ward-specific documents to be discussed in public participation forums well in advance and in a concise and easily understandable manner to enable members of the public to peruse the documents and adequately prepare for the public participation forums; and
 - ii) Mandatory virtual public participation in all County Government public participation operations across the County to complement the usual physical public participation forums.



- (9) Resolution Urging the County Executive to urgently move with speed to identify and map public spaces originally set aside for public utilities from planning approvals and reclaim those that were irregularly acquired by private development. Furthermore, the County Executive to liaise relevant national government agencies to compulsorily acquire land where such doesn't exist for purposes of building public utilities and amenities for the people of Nairobi;
- (10) Resolution Urging the County Executive to:
- i. Erect or put bumps and signals along County roads that are near schools and other social amenities to safe vulnerable school children from accidents on roads; and
 - ii. Deploy traffic marshals at all the zebra crossing lanes on all major roads in Nairobi City to help school children to safely close the roads to and from school on or before the beginning of the new 2023 school calendar.
- (11) Resolution Urging the County Executive to:
- i) Implement all the legislations both at the County and National Levels on noise pollution to control all forms of public nuisance which has resulted in public outcry;
 - ii) Develop regulations on noise mitigating measures pursuant to provisions of Section 35 of the Nairobi City County Public Nuisance Act, 2021 to curb all forms of noise pollution in residential areas in the County; and
 - iii) Mandate proprietors to effect and install noise reduction and containment measures such as soundproofing, cut-offs, installing glass shields, repositioning of speakers and internal self-regulation mechanisms to minimize noise within the County.
- (12) Resolution Urging the County Executive to establish a public resource centre (mini library) at the newly refurbished Uhuru Park to act as an open-source library stocked with reading materials for all age categories, a free area for board games and other appropriate indoor amenities that shall be accessible by all members of the public free-of-charge;
- (13) Urging the County Executive to: -
- i) develop strategies and education programmes on adaptability to climate change within the County;
 - ii) develop a policy on climate change; and
 - iii) Implement the National Climate Change Plan across all the Sector in the County.
- (14) Urging the County Executive to establish and designate more parking slots for taxicabs and picking and dropping areas for online taxicabs within the Central Business District and revamp the existing ones in order to ease the pressure on the available spaces, provide efficient parking services to taxicabs and boost revenue collection for the County;
- (15) Resolution that the County Executive urgently develop strategy and measures to rehabilitate all County parks across the County with a view of restoring them to: -
- i. Modern aesthetics for recreational areas;



- ii. Botanical spaces;
- iii. Facilities for outdoor events; and
- iv. ~~All such related undertakings as are essential to modernize and beautify the~~
parks.

- (16) Resolution Urging the County Executive to introduce and roll-out trainings for all County ECDE teachers on counseling and special child care trainings and incorporate such programs in their subsequent Annual Development plan for continuous implementation;
- (17) Resolution Urging the County Executive to fulfil the provisions of Article 43 of the Constitution on the right to accessible and adequate housing, this Assembly urges the County Executive to undertake a comprehensive public participation on the proposed projects in the identified areas to address pending questions by the residents before commencing the works;
- (18) Urging the County Executive to:-
- i. Conduct an assessment on the number of Water hydrants in the County and conduct continuous routine inspection and repairs of water hydrants;
 - ii. Construct/Install water hydrants in all the informal settlements that lack water hydrants; and
 - iii. Immediately submit the Fire Rescue and Services Policy and Bill to the County Assembly for approval.
- (19) Urging the County Executive to:-
- i. Conduct an assessment on the number of Water hydrants in the County and conduct continuous routine inspection and repairs of water hydrants;
 - ii. Construct/Install water hydrants in all the informal settlements that lack water hydrants; and
 - iii. Immediately submit the Fire Rescue and Services Policy and Bill to the County Assembly for approval.
- (20) Resolution Urging the County Executive to urgently rehabilitate and modernize all the existing County Social halls and streamline their management to ensure that youths across the County are encouraged and mentored to develop and manage their arts and talents in the County;
- (21) Resolution Urging that the County Executive:
- i. Identifies, automate and clearly mark all loading zones within the City and submit a comprehensive report on the identified loading zones to this Assembly within sixty (60) days of adoption of this Motion;
 - ii. Repossess all loading zones with outstanding balances until the balances are cleared by concerned parties/beneficiaries;
 - iii. Develops a legal framework either in form of a legislative proposal or regulations on allocation and management of loading zones and submit the same to this Assembly for approval within sixty (60) days of adoption of this Motion; and
 - iv. Suspend any allocation or renewal of allocated loading zones until the aforementioned legal framework is enacted and/or operationalized.



- (22) Resolution Urging that the County Executive on development of a programme to train youth on repair of streetlights. In the Motion, the Assembly urges the County Executive to develop a programme to identify and train youth in every Ward in ~~repairing and maintenance of public/streetlights within the County as a way of~~ improving security and achieving a twenty-four (24) hour economy in the County;
- (23) Resolution Urging that the County Executive to conduct a special audit on the compliance and operations of the Built Environment and Urban Planning Sector. In the Motion, the Assembly resolved that the County Executive in conjunction with the Office of the Auditor-General to conduct a special audit on the compliance and operations of the Built Environment and Urban Planning Sector with a view to establishing an effective, efficient and reliable department that can better plan and organize the City and report within six (6) months upon approval of this Motion;
- (24) Resolution Urging the County Executive on installation of security lights on commercial and residential plots. In the Motion, the Assembly urges the County Executive to:
- i) Formulate a policy to provide for installation of outdoor security lighting in all buildings, gates, plots and streets to provides a safer environment for the community; and
 - ii) Ensure all building plans for residential buildings have provisions for installation of outdoor security lightings.
- (25) Urging the County Executive on designated termini for operation public transport vehicles in the County. In the Motion, the Assembly urges the County Executive to:
- i. Issue a public notice prohibiting public transport (PSVs) from using roundabouts as termini, road shoulders, laybys and/or parking areas in contravention of the law; Continuously enforce the foregoing prohibition notice using enforcement officers at the County and Sub-County levels; and
 - ii. Formulate regulations to the Nairobi City County Transport Act 2020 forthwith to provide for punitive measures for operators who illegally use roundabouts as termini, laybys, or parking.
- (26) Urging the County Executive on construction and reticulation of sewerage system in the County. In the Motion, the Assembly urges as follows, that:
- i) Nairobi City County Executive in conjunction with Athi Water Works constructs sewer trunks through informal settlements within the County;
 - ii) Nairobi City County Executive to seek partnerships with non-governmental organizations (NGOs) to install sewer lines within informal settlements and embark on a drive to connect entities and residential housing units to the sewer lines; and
 - iii) Nairobi City County Executive to formulate a sanitation policy to guide the provision of sanitation services within the county to provide a framework for accessible sanitation services and to provide the basis for a law to guide sanitation services in the County.
- (27) Resolution Urging the County Executive on provision of medical services for County contract/casual workers. In the Motion, the Assembly urges the County Executive to put in place structures, measures, and guidelines on attendance to the medical needs of staff on short-term contracts/casual workers;

(28) Resolution urging the County Executive to allocate sufficient funds from the County budget in the coming financial year 2023/2024 or seek alternative funding sources, including public-private partnerships, grants, or development loans, to finance construction of the market, ensuring its timely completion and sustainability to undertake the construction of a well-planned, purpose-built market in the affected area, with the following objectives:

- i) Enhancing safety and security measures to prevent arson attacks, such as installing;
- ii) Advanced fire suppression systems, robust security cameras, and employing adequate security personnel;
- iii) Providing proper infrastructure and facilities, including sheltered stalls, storage areas, sanitation facilities, and utilities, to ensure a conducive trading environment; and
- iv) Collaborating with administrative authorities, community leaders, and stakeholders to ensure the design and construction of the market are inclusive, meeting the specific needs of the traders and the community.

(29) Resolution urging that the County Executive moves with speed and:-

1. Partner with the National Transport and Safety Authority and the Judiciary through the City Courts towards introduction of a mandatory post-conviction community service for all the drink and drive case in the County;
2. Provide for Community service to be conducted in the existing Nairobi City County Mortuary facilities focusing on administrative and compound cleaning duties under the supervision and clearance by the facility's chief administrator;
3. Undertake a sensitization talk from the facility's chief administrator on the risk associated with drink and drive and information on death cases as result of drunk driving; and 4. Develop a policy that would see the introduction of the community services for the convicted drunk and drive cases in the County.

(30) Resolution urging the County Executive to:-

- i) Undertake an audit of County roads with a view to re-designate more speed limit areas and increase designated pedestrian cross where necessary and rehabilitate the existing ones with visible signs to ease traffic flow and minimize road carnage across all County roads; and
- ii) Enforce the speed limits and other traffic rules with the aid of modern technology.

(31) Resolution Urging the County Executive to develop regulations to provide for all building plans for residential buildings to have adequate parking spaces for tenants;

(32) Resolution Urging that the County Executive develops a Nairobi City County Broadcast Service Policy that shall seek to establish the Gubernatorial Digital Press Unit; the County Television and Radio Broadcast Directorate; and, Customer service & Complaint Directorate for effective dissemination of information, civic education and public participation for the residents in the County.

(33) Resolution Urging the County Executive: -

- 1) Issues a public notice asking the owners to remove all broken down vehicles and road construction equipment from any public spaces in the County or they be removed by the County at the owner's cost at the expiry of a period of 2 months;



2) Issues a public notice to all car yard owners to vacate any public spaces they operate in within a period of one (1) month at the expiry of which the County will enforce compliance through an operation of towing away the vehicles; and

3) Through, the County Executive Chief Officer for Security and Compliance puts in place measures for Countywide operation to enforce the foregoing vacation notices at the specified timelines; and continuously monitor any further violations for action.

(34) Resolution Urging the County Executive: -

i) Imposes a ban on all vehicles and motorbikes emitting pollutants particularly those discharging fumes and smoke to the environment from using all roads in the City; and

ii) Invests in infrastructure that promotes the use of other greener forms of transportation such as bicycles and electric cars across the entire City.

(35) Resolution 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;

ii) 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; and

v) 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.

(36) Resolution Urging the County Executive to: -

i) Develop a comprehensive policy that will promote sustainable solutions to child headed households; and

ii) 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.

(37) Resolution that the County Executive to:

- i) Operationalize the Sports Fund as envisioned under Sections 10 and 11 of the Nairobi City County Sports Management Act, 2017 and further that the funds be utilized in supporting sporting teams in the County;
- ii) Factor monies in the Budget Estimates for the FY 2024/25 for purposes of the Fund; and
- iii) Develop and submit to the County Assembly Regulations contemplated under Section 16 of the said Act within three (3) months of adoption of this Motion. The regulations should amongst other things provide for the management of the Sports fund.

(38) Resolution urging the County Executive in conjunction with the Non-Governmental Organizations Co-ordination Board to develop guidelines that will require Non-Governmental Organizations to publish and publicize programmes and projects undertaken in the Wards within the County for accountability.

(39) Resolution Urging the County Executive to:

- i) Engage the Ministry of Health and other relevant agencies towards implementing the National Policies and Guidelines on suicide prevention in the county; and
- ii) Introduce programs and interventions for suicide prevention and management in the County for consideration in the subsequent Annual Development plan for implementation.

Reports

1. The report of the Sectoral Committee on Children, Early Childhood Education and Vocational Training on the Proposed Partnership between the County Government and the Kenya Institute of Special Education, laid on the Table of the Assembly on Tuesday, 21st March, 2023.

Committee recommended that: -

- a) The County Executive Committee Member responsible for Talent, Skills Development and Care to develop a Memorandum of Understanding for partnership between the County Government and the Kenya Institute of Special Education within three months upon the approval this report by the County Assembly; and
 - b) This Assembly to approve the aforementioned areas of partnership between the County Government and the Kenya Institute of Special Education to be part of the partnership Agreement.
2. An inquiry on site inspection visits within various hotel/restaurant and clinic premises to undertake a survey on verification of food handlers' medical examination certificates.



Committee recommended that;

- i) The Ag. County Secretary to commence investigations on the ability of the Ag. Director in charge of Environmental Health, Ms. Margaret Sunguti to carry out the duties of the said office;
 - ii) The Director of Criminal Investigation to conduct investigation on Ms. Margaret Sunguti, the Ag. Director in charge of Environmental Health, for prosecution in the Courts of law for authorizing issuance of illegitimate food handlers' medical certificates within the County;
 - iii) The County Executive Committee Member for Health, Wellness and Nutrition to close down the Laboratory at Lady Northey Dispensary since it is not operational yet they were issuing illegitimate food handlers certificates;
 - iv) The Chief Officer for Public Health to put in place adequate measures at STC Casino Clinic especially at records keeping department so that all revenue paid to the County are updated in the system;
 - v) The County Executive Committee Member for Health, Nutrition and Wellness Sector to ensure efficient institutional arrangements are done so that an independent body(ies) such as Kenya Medical Research Institute (KEMRI) and others carry out the said sample testing of food handlers and issuance of certificates be done by another independent body for transparency purposes. This can be enhanced through a Memorandum of Understanding(MOU) between the County and the Independent bodies;
 - vi) The County to advertise the contract for testing and issuance of food handler's certificates so that this service can be broadened and bring in a minimum of 2 internal and external testing centers to assist Ngaira Rhodes Dispensary and STC Casino Clinic; and
 - vii) All food and Snacks Vendors within the County be tested and issued with food handlers' medical certificates as non-compliance to food safety poses a health hazard to the public contrary to the Cap 254, section 67 of the Public Health Act and the Food Safety Act no. 7 of 2019.
3. The report of the sectoral committee on health services on a site inspection visit to Mama Lucy Kibaki Hospital to investigate the increased cases of medical negligence.

Resolution urging that;

- i) The County Executive Committee Member for Health, Nutrition and Wellness Sector to ensure efficient institutional arrangements are urgently put in place to accommodate and respond to the needs of expectant mothers and other isolated cases;
- ii) The County Executive Committee Member for Health, Nutrition and Wellness Sector to ensure capacity building for health workers particularly on customer care and management before the end of Financial year 2023/24 as it was passed in the Annual Development Plan 2023/24;
- iii) The County Executive Committee Member for Health, Nutrition and Wellness Sector need to ensure there is periodic reshuffle of staff at the Mama Lucy Kibaki hospital and indeed all other county hospitals to avert complacency and enhance quality services;
- iv) The County Executive to purchase equipment needed for intensive care unit and should ensure to develop a policy on the maintenance of the existing

machineries. This will enable efficient service delivery to patients particularly those admitted for emergency services; and

- v) ~~The County Government should hire more nurses in order to adhere to the ratio as recommended by WHO. As such, the County sector for health, nutrition and wellness should liaise with the County Public service board to ensure recruitment of more nurses before 30th December, 2023.~~

4. The report of the Sectoral Committee on Lands Planning and housing on the petition by dam estate residents on land grabbing by helicopter church in Langata sub – county

Resolution urging that;

- i) County Executive to immediately remap, fence off the dam and demolish the illegal structures allegedly erected by the owner of Helicopter church and any other persons on Nairobi dam's riparian land with three (3) months from the date of this communication and report on the progress be forwarded to the Committee; and
 - ii) County Executive Committee member for built environment & Urban Planning conduct an audit on all riparian lands in the County and ensure that no encroaching is entertained on the said reserves.
5. The report of the sectoral committee on Transport and Public Works on the investigation onto alleged road closure of thigitiri lane in karura ward.

Resolution urging that;

- i) The County Executive Committee Member for Mobility and Works and the Chief Officer for security and compliance to forthwith ensure that the road is opened to the public exiting from Karura forest in line with the plans of the Association;
 - ii) The County Executive member for mobility and works, the chairperson and the board of friends of Karura forest Community Forest Association to furnish the committee with progress reports on the foregoing recommendations within 60 days; and
 - iii) The County Executive Committee Member for Mobility and works to expedite the road classification in line with Section 11 of Nairobi City County Transport Act, 2020 in view of opening any illegal closed or blocked public roads in the County.
6. The report of the Sectoral Committee on Labour and Social Services Welfare on the petition by Kenya medical pharmacists and dentists union (kmpdu) on medical health insurance for its members in Nairobi City County Government, laid on the table of the assembly today, Thursday 6th july,2023

Resolution urging that;

- i) The Nairobi City County Government should ensure there is a representative from Kenya Medical Pharmacist and Dentist union (KMPDU) in the procurement evaluation Committee to confirm that the terms of reference provided for in the medical insurance cover are adhered to according to the laid parameters;



- ii) The Sector should benchmark with other counties that use the NHIF comprehensive cover and make a comparison of the services offered by the private medical insurance companies, in consideration of financial implications and SRC guidelines; and
- iii) Nairobi City County Government should ensure that NHIF Statutory deductions for all employees and any marching contributions from the Nairobi City County Government are paid to the NHIF by ninth (9) of every month as required under section 15 of the NHIF Act.
7. The report of the Sectoral Committee on Lands, Planning and Housing on a petition regarding grabbing of public land LR. NO. 209/12621 by a private developer in South b Shopping Centre in Nairobi County.

Resolution urging that;

- i) The County Executive to revoke any tittle deeds/ leases held by private individuals immediately repossess the grabbed land meant for a market in south B plot LR. No. 209/12621 and begin processing the paper work to ensure that the land is registered as public property;
- ii) The County Government to protect public land and maintain a register of all lands meant for public utilities including surrender lands and such a list be made public; and
- iii) The County Government should ensure that tittle deeds relating to the said lands are generated and kept in safe custody.
8. The report of the Sectoral Committee on Lands, Planning and Housing on petitions by residents of Mathare 4A in utalii ward on resettlement to public land LR. NO. 18170 in Nairobi city county

Petitions

Petition by Mary Wanjiru Githara regarding job dismissal due to alleged forgery of official document.

Bills

During the period under review, there were no Bills passed except for the Financial Bills.

In response, Various County Executive Committee members responsible for various sectors submitted the status of implementation of the Assembly resolutions to the Committee.

IMPLEMENTATION STATUS OF VARIOUS ASSEMBLY RESOLUTIONS

MOTIONS

1. Resolution that the County Public Service Board develops and early voluntary retirement package, sensitize the elderly workforce for early voluntary retirement with a view of employing a younger workforce for effective service delivery in the County.

The motion was moved by Hon. Mark Mugambi MCA and was passed by the County Assembly on 8th November 2022. The County Public Service Board has not submitted the status of implementation on the said Assembly resolution.

Observations

The County Public Service Board was yet to submit a report on implementation status of the said Assembly resolution.

Recommendation

The Committee to fast track the development and early voluntary retirement package, sensitize the elderly workforce for early voluntary retirement with a view of employing a younger workforce for effective service delivery in the County.

- The particular department to furnish the Committee with a report on the implementation status of the said Assembly resolution by 8th April 2024

2. Resolution that the County Executive in liaison with the Nairobi Water and Sewerage Company moves with speed to introduce and roll-out digital water meters in the County and have such intervention prioritized in the subsequent Annual Development Plan for timely implementation;

The motion was moved by Hon. Samora Mwaura, MCA and was passed by the County Assembly on 22nd November 2022

Observations

The County Executive Committee Member for Green Nairobi was yet to submit a report on implementation status of the said Assembly resolution.

Recommendation

The County Executive Committee Member for Green Nairobi to be invited to appear before the Committee and apprise the Committee in regards to the implementation status of the said resolution.

3. Resolution that the County Executive to urgently develop regulations that would enable award of Solid Waste collection service contracts granted to registered Youth SACCOs and Community Based Organizations (CBOs) at the Ward level to enable residents access effective solid waste management services;

The County Executive Committee Member Responsible for Green Nairobi responded on 8th August, 2023 as follows; THAT

CBO's play a significant role in waste management in Nairobi County. Nairobi, being the Capital City, faces significant challenges and implementing sustainable waste management practices especially in informal settlement which constitutes about 60% of Nairobi's population.

It is important to consider the specific context and dynamics of Nairobi County when making decisions about waste management contracts. Engaging CBO's can bring local expertise, community involvement and economic benefits.

While there can be advantages to involving CBOs in waste management contracts there are also valid concerns and reasons why they may not be suitable for such contracts in Nairobi. Factors to consider are: -

- i. **Limited Capacity and resources** – Many CBO's have limited capacity, resources, and expertise to handle large-scale waste management contracts effectively. They might lack



the necessary equipment, infrastructure, and skilled personnel required for complex waste management operations. Inadequate capacity could result in inefficient waste collection, improper disposal practices, and a lack of adherence to environmental and health organizations.

- ii. **Sustainability and long-term commitment** – Waste management is an ongoing process that requires long-term commitment and sustainability. CBO's, especially small or newly formed ones, may face challenges in sustaining their operations and maintain consistent service levels over an extended period. This could lead to service disruptions, compromising the overall waste management system.
- iii. **Regulatory Compliance and Accountability** – Waste management involves compliance with various laws, regulations, and standards. Ensuring proper waste disposal, handling hazardous materials, and managing environmental impacts required expertise and strict adherence to regulations. Some CBOs may not have the necessary knowledge or resources to comply with these regulations effectively, potentially resulting in legal and environmental contract management and oversight. This includes monitoring performance, ensuring timely and efficient service delivery, resolving disputes, and enforcing compliance. It may be challenging for CBOs to meet these requirements, especially without the necessary administrative and governance structures in place.
- iv. **Competitiveness and Fairness** – Open competition and fairness are crucial in awarding contracts to ensure the best value for money and prevent favoritism. While some CBOs may be capable of handling waste management contracts, others may not have the capacity or qualification to compete fairly. It is important to ensure a level playing field and consider all potential service providers, including private companies with expertise in waste management.
- v. **Risk Management** – Waste management involves potentially hazardous materials and dealing with health and safety risks. Without appropriate risk management protocols and resources, CBOs maybe ill-equipped to mitigate these risks adequately. This could lead to accidents, environmental pollution, and public health concerns.
- vi. **Focus on core community development objectives** – CBOs often have specific social, economic, or environmental development objectives that align with their communities' needs. Taking on waste management contracts might divert their focus and resources away from their core missions, impacting their ability to address other pressing community issues effectively.

Considering these factors, it is essential to assess the readiness, capacity and capabilities of CBOs before entrusting them with waste management contracts. Alternative approaches, such as partnering with CBOs for specific waste management activities, providing support and capacity building or involving them in smaller-scale initiatives, may be more appropriate to leverage their strengths while mitigating potential risks.

Committee observations 1

The Committee resolved to invite the responsible CECM for a meeting on **Wednesday 30th August, 2023**, to deliberate on the status of the regulations of the Nairobi City County Solid Waste Management Act, 2015. And most specifically the implementation of Section 38 (d) of the Act on Establishing mechanisms for participation of the private sector in solid waste management.

The CECM didn't not attend the meeting due to other engagements however, the following response was received and stated as follows: -

1. On implementation of Section 38 (d) of the Act on Establishing mechanisms for participation of the private sector in solid waste management.

The CECM responded that the Sector has supported Private Service Providers by licensing and giving them authority to engage in waste collection and disposal services,

the license/authority is renewed annually and so far, the Sector has registered a total of 92 PSPS for the Year 2023.

The Sector has continuously encouraged participation of Community based Organizations in waste management especially in informal settlement. The Sector issues accreditation letters for the CBOs to engage in waste management activities. For the year 2023, the Sector had accredited 350 groups, the requirements for accreditation are: -

- a) An application letter indicating the Sub – County and Ward
- b) Recommendation letter from the Sub – County Environment Officer
- c) Recommendation letter from the area chief/Ass Chief
- d) List of Members in the CBO
- e) Valid CBO registration with department of Social Welfare.

The CBOs take all the collected waste to a central collection point/ temporary holding point where the Sector supports the CBOs by carrying the waste from the collection point to the final disposal site (Dandora Dumping site)

Finally, the Sector is promoting the engagement of private sector in waste management by licensing private organizations to engage in waste recycling activities. Valuable waste is recycled and, in the process, income and revenue is generated, employment opportunities created and waste is managed.

Recommendation

The response was detailed and satisfactory.

4. Resolution that the County Executive in conjunction with the National Construction Authority conducts a Building Safety and Structural Audit of all the residential buildings in the County with an aim of highlighting the risks and recommending ways to address the identified risks;

The motion was moved by Hon. Nasra Nanda, MCA and was passed by the County Assembly on 24th November 2022

Observations

The County Executive Committee Member for Built & Urban Planning was yet to submit a report on implementation status of the said Assembly resolution.

Recommendation

The County Executive Committee Member for Built & Urban Planning to submit a report on the Implementation status of the said Assembly resolution by 8th April 2024

5. Resolution that the County Executive undertake the following measures; -
 - i. Issue a one-month Public Notice to be issued to the General Public on removal of all the street children dwelling and purporting to engage in socio-economic activities in the County;
 - ii. Fast track the construction and equipping of Ruai Rehabilitation Centre;
 - iii. Apprehend and direct to Ruai Rehabilitation Centre any street children upon the expiry of one-month notice; and,
 - iv. Develops a County Street Children exploitation prevention policy that will seek to deter street children exploitation and promotion of school enrollment forthwith.



The motion was moved by Hon. Waithera Chege, MCA and was passed by the County Assembly on 29th November 2022

Implementation status

The County Executive Committee Member responsible for Talents, Skills development & Care responded on 7th September, 2023 as follows: -

The Sector was fast tracking the construction of Ruai rehabilitation center. The Contractor is back on site after the project had stalled for a long period.

The Sector will undertake to carry out this exercise once the Ruai Rehabilitation Center is complete and we have adequate space to place all the children rescued from streets in the County.

The Sector has developed the Nairobi City County Child Protection and Safeguarding Policy to draft level, a product of consolidated County Assembly motion. This final draft has undergone, public participation and committee validation, it is currently awaiting presentation to the Cabinet for approval.

Sector Challenges

The County lacks the capacity in terms of space to accommodate the big numbers of street children in case of massive operation. This is because the ultra- modern Ruai Children Rehabilitation Center is still under construction. We expect phase one to be completed this Financial Year and thereafter the issue of one-month notice can be considered.

Observation

The sector is yet to apprise the Committee on whether the contractor is still on site one month later

Recommendation

The Committee to find out whether the public was given notice.

6. Resolution that the County Executive to prioritize implementation of all pending or incomplete Ward Development Fund projects from FY 2017/18 to FY 2022/2023 including capital projects and ensure payment of completed and certified Ward Development Fund projects and other capital projects across the County;

The motion was moved by Hon. Jeremiah Themendu, MCA and was passed by the County Assembly on 9th November 2022

Observation

The sector is yet to respond on the Assembly resolution

Recommendation

The County Executive Committee Member responsible for Finance & Economic Planning and Ward Development Fund Sector to furnish the Committee with the response by 8th April 2024

7. Resolution Urging the County Executive to urgently develop regulations to provide for:-
 - i) Mandatory sharing of the Ward-specific documents to be discussed in public participation forums well in advance and in a concise and easily understandable manner to enable members of the public to peruse the documents and adequately prepare for the public participation forums; and

- ii) Mandatory virtual public participation in all County Government public participation operations across the County to complement the usual physical public participation forums.
- iii) ~~Resolution Urging the County Executive to urgently move with speed to identify and map public spaces originally set aside for public utilities from planning approvals and reclaim those that were irregularly acquired by private development. Furthermore, the County Executive to liaise relevant national government agencies to compulsorily acquire land where such doesn't exist for purposes of building public utilities and amenities for the people of Nairobi;~~

The motion was moved by Hon. Davidson DNG Ngibuini, MCA and was passed by the County Assembly on 30th November 2022

Observation

The sector is yet to respond on the Assembly resolution

Recommendation

The County Executive Committee Member responsible for Inclusivity, Public Participation and Customer Service to furnish the Committee with the response by 8th April 2024

8. Resolution Urging the County Executive to:

- i) Erect or put bumps and signals along County roads that are near schools and other social amenities to safe vulnerable school children from accidents on roads; and
- ii) Deploy traffic marshals at all the zebra crossing lanes on all major roads in Nairobi City to help school children to safely close the roads to and from school on or before the beginning of the new 2023 school calendar.

The motion was moved by Hon. Perpetua Mponjiwa, MCA and was passed by the County Assembly on 13th November 2022

Implementation status

The County Executive Committee Member responsible for Mobility and Works responded as follows: -

The process of erecting bumps and relevant signages have been done in Komarock Ward, Kayole North, Kayole Central and it is being up scaled to other wards with time depending on the production of asphalt concrete. A team has been engaged to evaluate where traffic signals can be installed and come up with budget for approval, funding and implementation; and

The Sector has communicated with the Security and Compliance Sector to deploy traffic marshals at all Zebra crossings to enforce and ensure motorists are complying with traffic rules on this matter.

Challenges

The sector in their submission pointed challenges in acquiring materials as the allocation for the same was removed from budget for FY2023/24



Recommendation

The response was satisfactory however, the Committee to conduct site inspection visits to ascertain the implementation status of the Assembly resolution; and

Liaise with respective Committee (Sectoral Committee on Transport and Public Works) to cooperate the projects in the budget for the Financial Year 2024/25.

9. Resolution Urging the County Executive to:

- i. Implement all the legislations both at the County and National Levels on noise pollution to control all forms of public nuisance which has resulted in public outcry;
- ii. Develop regulations on noise mitigating measures pursuant to provisions of Section 35 of the Nairobi City County Public Nuisance Act, 2021 to curb all forms of noise pollution in residential areas in the County; and
- iii. Mandate proprietors to effect and install noise reduction and containment measures such as soundproofing, cut-offs, installing glass shields, repositioning of speakers and internal self-regulation mechanisms to minimize noise within the County.

The motion was moved by Hon. Davidson DNG Ngibuini, MCA and was passed by the County Assembly on 1st December 2022

Implementation status

The County Executive Committee Member responsible for Green Nairobi responded on 25th August, 2023 as follows: -

The Sector has continuously implemented National legislations namely; EMCA 2015, Noise and Excessive Vibrations regulation (Control), 2009 and Nairobi City County Public Nuisance Act, 2021.

Further the Sector has been receiving many complaints from the public on noise pollution emanating from different sources which include: entertainment joints, churches, construction sites, garages, mosques and matatus.

And to address the complaints, the following action steps are being implemented:

- Mapping of hotspot areas
- Impromptu visits and inspections
- Assisted compliance.
- Arrests
- Prosecution
- Follow ups-monitoring to ensure compliance.
- Closure orders for non-compliance

Furthermore, a Cabinet memo for Formulation of Nairobi City County Noise Pollution Prevention and Control Act will address the gaps in Noise pollution and prevention within the City.

Recommendation

The response was satisfactory

10. Resolution Urging the County Executive to establish a public resource centre (mini library) at the newly refurbished Uhuru Park to act as an open-source library stocked

with reading materials for all age categories, a free area for board games and other appropriate indoor amenities that shall be accessible by all members of the public free-of-charge;

The motion was moved by Hon. Perpetua Mponjiwa, MCA and was passed by the County Assembly on 18th February 2023

Observations

The Committee is yet to receive a response from the CECM responsible for Green Nairobi.

Recommendation

The County Executive Committee Member responsible for Green Nairobi to submit the response to the said resolution to the office of the Clerk Nairobi City County Assembly by 8th April 2024

11. Urging the County Executive to: -

- i) develop strategies and education programmes on adaptability to climate change within the County;
- ii) develop a policy on climate change; and
- iii) Implement the National Climate Change Plan across all the Sector in the County.

The motion was moved by Hon. Waithera Chege, MCA and was passed by the County Assembly on 18th February 2023

Implementation status

The CECM in charge of Green Nairobi responded on 25th August, 2023. as follows: -

- i. Nairobi City County has a robust Climate Action plan (2020-2030) and is currently implementing some of the actions within the action plan.
- ii. The City has continued to conduct environmental awareness through forums such as the world environment day.
- iii. The City has also formulated County climate steering Committee whose members are drawn from all the sectors within Nairobi City County and whose main purpose is to ensure climate change matters are mainstreamed in the Sectors activities such as budgets and programs.
- iv. The steering committee has also been inducted to sharpen their knowledge in mainstreaming climate change in their sector programs.
- v. The City will also put in place a climate change main streaming strategy and already a call for proposals has gone out to support the same.
- vi. To adapt to the changing climatic conditions, the climatic conditions the City has mapped some partners whom it believes are key in driving the Climate agenda in the City.
- vii. The City has also updated its greenhouse gas inventory (2019) to understand the emissions landscape thus priorities mitigations and adaption measures.
 - a) The Sector has developed a climate change policy which is currently undergoing review within other Sectors.
 - b) The City has also domesticated a draft climate change bill which currently is undergoing review from the Sectors.
 - c) The City is keen in implementing the actions in the National climate action plan which saw it domesticate ready to implement climate action in the city as contained in the Nairobi City County Action Plan (2020-2050).



d) The Sectors also submitted its recommendations on the draft Climate change Bill.

Recommendation

~~The Sector to update the Committee on the status of review of the developed climate change policy.~~

12. Urging the County Executive to establish and designate more parking slots for taxicabs and picking and dropping areas for online taxicabs within the Central Business District and revamp the existing ones in order to ease the pressure on the available spaces, provide efficient parking services to taxicabs and boost revenue collection for the County;

The motion was moved by Hon. Waithera Chege, MCA and was passed by the County Assembly on 22nd February 2023

Implementation status

The CECM in charge of Mobility and Works responded on 17th August, 2023. as follows: -

The Sector had identified and marked taxi cabs and picking and dropping areas for online taxi cabs within the CBD in consultation with the operators.

However, the Sector will upscale this to the entire CBD with a view of creating more slots to improve efficiency and boost revenue collection.

Recommendation

That the response was satisfactory However, the Committee to conduct site inspection visits to ascertain the identified and marked taxi cabs and picking and dropping areas for online taxi cabs within the CBD in consultation with the operators

13. Resolution that the County Executive urgently develop strategy and measures to rehabilitate all County parks across the County with a view of restoring them to: -
 - i. Modern aesthetics for recreational areas;
 - ii. Botanical spaces;
 - iii. Facilities for outdoor events; and
 - iv. All such related undertakings as are essential to modernize and beautify the parks.

The motion was moved by Hon. Waithera Chege, MCA and was passed by the County Assembly on 14th March 2023

Observations

That the County Executive Committee Member for Inclusivity and Public Participation and Customer Service was yet to respond on the matter.

Recommendation

That the County Executive Committee Member for Inclusivity and Public Participation and Customer Service be reminded to submit the response on the implementation status of the said Assembly resolution

14. Resolution Urging the County Executive to introduce and roll-out trainings for all County ECDE teachers on counseling and special child care trainings and incorporate

such programs in their subsequent Annual Development plan for continuous implementation;

The motion was moved by Hon. Lily Kidenda, MCA and was passed by the County Assembly on 20th March 2023

The CECM in charge of Talents, Skills development & Care responded 5th September, 2023 as follows: -

In the County Integrated Development Plan 2023-2027 that is yet to be launched the sub-sector had factored in psychosocial support for all teachers. This would then be rolled out in subsequent (ADP).

The subsector is at advanced stages of developing regulations to operationalized Child Care Facility Act, 2017. In the draft regulations special training for child care givers is factored.

Observations

The Committee observed that the response that the County Executive Member responsible for Talents, Skills Development and Care is misplaced since the spirit of the motion was child centered while the response portrayed an inclination towards teacher wellness.

Recommendation

The County Executive Member responsible for Talents, Skills Development and Care be invited to appear before the Committee and clarify on the response.

15. Resolution Urging the County Executive to fulfil the provisions of Article 43 of the Constitution on the right to accessible and adequate housing, this Assembly urges the County Executive to undertake a comprehensive public participation on the proposed projects in the identified areas to address pending questions by the residents before commencing the works;

The motion was moved by Hon. Anthony Kimemiah, MCA and was passed by the County Assembly on 3rd April 2023

The Committee received the implementation status report on 3rd May 2023 which stated as follows: -

The Nairobi City County Government had earmarked several estates for re-development under the Urban Renewal Programmed which was anchored on the Nairobi integrated Development Urban Development Master Plan (NIUPLAN) that identified the need to redevelop old estates and their related social and physical infrastructure with the County. NCCG prepared the Eastlands Urban Renewal Master Plan with the support of the World Bank and the State department for Housing and Urban Development specifically focusing on the redevelopment of the Eastland's area.

The 1st phase of the programme was initiated on 2015/2016 and through this the re-development of Pangani and Jeevanje estates was initiated.

The 2nd phase targets re-development of twelve County estates and one market through a phased approach to minimize displacements. The identified estates are: Bahati, Maringo, Jericho, Lumumba, Ziwani, Bondeni, Embakasi, Woodley, Kariobangi North, Kariobangi South, Huruma and Buruburu the Suna Market.



The development will generate about 42,000 affordable housing units and 3,000 market stalls. The first nine county estates were advertised on 20th February 2023.

~~To realize the achievements, the County executive had scheduled to undertake comprehensive consultative public engagement forums with all current tenants of the selected estates, interested parties and other stakeholders.~~

The Committee was informed that public participation in the estates except for Huruma, Buruburu and Kariobangi South, began way back in 2021 through public barazza's, after which the tenants elected leaders to represent them in various meetings between them and the NCCG. The process of engagement will continue until the projects are completed.

Recommendation

The Committee was satisfied with the response.

16. Urging the County Executive to:-

- i) Conduct an assessment on the number of Water hydrants in the County and conduct continuous routine inspection and repairs of water hydrants;
- ii. Construct/Install water hydrants in all the informal settlements that lack water hydrants; and
- iii. Immediately submit the Fire Rescue and Services Policy and Bill to the County Assembly for approval.

The motion was moved by Hon. Eutyclus Mukiri, MCA and was passed by the County Assembly on 18th April 2023.

Observation

The County Executive Committee Member responsible for Disaster Management was yet to submit a report on the implementation status of the said Assembly resolution.

Recommendation

The County Executive Committee Member responsible for Disaster Management to submit the said report by 8th April 2024

(19) Resolution Urging the County Executive to urgently rehabilitate and modernize all the existing County Social halls and streamline their management to ensure that youths across the County are encouraged and mentored to develop and manage their arts and talents in the County;

The motion was moved by Hon. Anthony Kimemimah, MCA and was passed by the County Assembly on 20th April 2023

Observation

The County Executive Committee Member responsible for Talent Skills and Development was yet to submit a report on the implementation status of the said Assembly resolution.

Recommendation

That the County Executive Committee member responsible for Talent Skills and Development to furnish the Committee with the response by 8th April 2024



(20) Resolution Urging that the County Executive:

- i. Identifies, automate and clearly mark all loading zones within the City and submit a comprehensive report on the identified loading zones to this Assembly within sixty (60) days of adoption of this Motion;
- ii. Repossess all loading zones with outstanding balances until the balances are cleared by concerned parties/beneficiaries;
- iii. Develops a legal framework either in form of a legislative proposal or regulations on allocation and management of loading zones and submit the same to this Assembly for approval within sixty (60) days of adoption of this Motion; and
- iv. Suspend any allocation or renewal of allocated loading zones until the aforementioned legal framework is enacted and/or operationalized.

The motion was moved by Hon. Paul Kados, MCA and was passed by the County Assembly on 27th April 2023

Implementation status

The CECM in charge of Mobility and Works responded on 17th August, 2023.

as follows: -

- i. Following applications by premise owners, approval and payment of required fees, the process of marking them has been ongoing but interrupted by delays in procurement materials. However, in the current budget FY 2023/2024, the budget for procurement of materials is not sufficient. The Sector will be seeking budget for automation during supplementary under Private Public Partnership.
- ii. Recently a crackdown was conducted by department of investigation and Information Analysis together with Mobility and all unpaid un-paid loading zones repossessed. However, this is a continuous process.
- iii. The Sector has developed parking regulations to operationalize Transport Act and will review them with a view of regulating allocation and management of loading zones.
- iv. The Sector will stop allocating and renewing more loading zones until the legal framework is finalized, however payment for existing loading zones has already been done and therefore its not possible to cancel them without requiring the County to return the revenue collected.

Recommendation

That the response is satisfactory however the Committee to conduct site inspection visits to some of the loading zones that have been marked;

That the County Executive to indicate estimated timelines on when the project of automation will commence and the duration it will take; and

That the County Executive to apprise the Committee on the status of developing legal framework.

(21) Resolution Urging that the County Executive on development of a programme to train youth on repair of streetlights. In the Motion, the Assembly urges the County Executive to develop a programme to identify and train youth in every Ward in repairing and maintenance of public/streetlights within the County as a way of improving security and achieving a twenty-four (24) hour economy in the County;

The motion was moved by Hon. Sospeter Mumbi, MCA and was passed by the County Assembly on 3rd May 2023



The County Executive Committee Member in charge of Mobility and Works responded on 17th August, 2023 as follows: -

- ~~i. The Sector is in the process of recruiting artisans with a view of enhancing internal capacity to adequately maintain public lights in all the 85 Wards.~~
- ii. Experience with a similar arrangement posed the following challenges: -
 - a) Very many electrocutions claim cases against the County;
 - b) Intentionally created faults with a view of causing bases of requesting materials;
 - c) Rampant and unnecessary shifting of working lights, control gears and other items from point A to point B;
 - d) Frequent conflicts between the Youth residents, County Staff, and the MCAs.
- iii. To mitigate the issues under 2 above the Sector is keenly pursuing upscaling internal capacity in terms of equipment and human capital to optimal level to enable it to maintain all the public lights under the jurisdiction of Nairobi City County efficiently, effectively and adequately.

Recommendation

- i) That the response is satisfactory however, the Sector to confirm to the Committee whether the programmes have been developed and if the 60 Artisans are beneficiary of the program; and
- ii) The County Executive to decentralize services to ward level by considering recruiting the Artisans from the locals/wards

(22) Resolution Urging that the County Executive to conduct a special audit on the compliance and operations of the Built Environment and Urban Planning Sector. In the Motion, the Assembly resolved that the County Executive in conjunction with the Office of the Auditor-General to conduct a special audit on the compliance and operations of the Built Environment and Urban Planning Sector with a view to establishing an effective, efficient and reliable department that can better plan and organize the City and report within six (6) months upon approval of this Motion;

The motion was moved by Hon. Anthony Kimemihah, MCA and was passed by the County Assembly on 7th June 2023

Observation

That the County Executive Committee Member responsible for Built Environment and Urban Planning was yet to respond with regards to the implementation status of the particular Assembly resolution.

Recommendation

That the County Executive Committee Member responsible for Built Environment and Urban Planning to submit the response by 8th April 2024

(23) Resolution Urging the County Executive on installation of security lights on commercial and residential plots. In the Motion, the Assembly urged the County Executive to:

- i. Formulate a policy to provide for installation of outdoor security lighting in all buildings, gates, plots and streets to provides a safer environment for the community; and
- ii. Ensure all building plans for residential buildings have provisions for installation of outdoor security lightings.

The motion was moved by Hon. Deonysius Mwangi, MCA and was passed by the County Assembly on 6th June 2023

Implementation Status

The CECM in charge of Mobility and Works responded on 17th August, 2023. as follows: -

~~That the said resolution was a policy issue, and the relevant policy is being drafted for onward transmission to the Cabinet.~~

Resolution

The response was satisfactory however, the County Executive to apprise the Committee on whether the development plans will be incorporated in the policy or if they will be independent.

(24) Urging the County Executive on designated termini for operation public transport vehicles in the County. In the Motion, the Assembly urges the County Executive to:

- i. Issue a public notice prohibiting public transport (PSVs) from using roundabouts as termini, road shoulders, laybys and/or parking areas in contravention of the law; Continuously enforce the foregoing prohibition notice using enforcement officers at the County and Sub-County levels; and
- ii. Formulate regulations to the Nairobi City County Transport Act 2020 forthwith to provide for punitive measures for operators who illegally use roundabouts as termini, laybys, or parking.

The motion was moved by Hon. Kennedy Swaka, MCA and was passed by the County Assembly on 8th June 2023

Implementation status

The CECM in charge of Mobility and Works responded on 17th August, 2023 as follows: -

- i. That It is illegal for PSVs to use roundabouts as termini, road shoulders and parking areas as this is in contravention of the Law. However, the Sector has written to Department of Investigation and Information Analysis requesting for enforcement of relevant by- laws prohibiting picking and dropping on undesignated areas; and
- ii. To operationalize Nairobi City County Transport Act, 2020, the Sector has developed several regulations clearly highlighting designated picking and dropping areas and outlined penalties for violators i.e. those picking and dropping in undesignated areas
- iii. The Sector has developed 18 regulations and among them is the Nairobi City County Public Vehicle Terminal regulation, 2023 which have been approved by the cabinet and will soon be subjected to public participation. the regulations have clearly described designated pick and drop points and the penalties applicable to violators.

Recommendation

- i) The County Executive to shed light on the implementation status of the stated 18 regulations;
- ii) That the County Executive to inform the committee once the public participation has been conducted; and
- iii) The Committee to conduct fact finding visits to ascertain continuous compliance of the law.

(25) Urging the County Executive on construction and reticulation of sewerage system in the County. In the Motion, the Assembly urges as follows, that:

- i. Nairobi City County Executive in conjunction with Athi Water Works constructs sewer trunks through informal settlements within the County;



- ii. Nairobi City County Executive to seek partnerships with non-governmental organizations (NGOs) to install sewer lines within informal settlements and embark on a drive to connect entities and residential housing units to the sewer lines; and
- iii. Nairobi City County Executive to formulate a sanitation policy to guide the provision of sanitation services within the county to provide a framework for accessible sanitation services and to provide the basis for a law to guide sanitation services in the County.

The motion was moved by Hon. Joyce Muthoni, MCA and was passed by the County Assembly on 13th June 2023

Observation

That the County Executive Committee Member for Green Nairobi Was yet to respond on the implementation status of the said Assembly Resolution.

Recommendation

That the County Executive Committee Member for Green Nairobi to furnish the Committee with the response by 8th April 2024

- (26) Resolution Urging the County Executive on provision of medical services for County contract/casual workers. In the Motion, the Assembly urges the County Executive to put in place structures, measures, and guidelines on attendance to the medical needs of staff on short-term contracts/casual workers;

The motion was moved by Hon. Khatemeshi Isalambo, MCA and was passed by the County Assembly on 15th June 2023

Implementation Status

The County Executive responded on 26th July, 2023 as follows;

That the following guidelines would be used as a standard opening procedure by the Public Service Management Confidential/Medical Section: -

1. To sensitize and facilitate all short-term casual employees on the provision set out in the Occupational Safety and Health Act, (OSHA) 2007.
2. That their personal accident Insurance covers be up to date to cover any accident or incidence that may occur during working hours.
3. That Public Service Management shall collaborate on policy and procedure with the Health and Wellness and Nutrition Sector to ensure that this cadre of staff are included alongside policies permanent and pensionable staff on the health and wellness programs within the County Health Facilities.
4. All staff short term contract/casual or permanent and pensionable covered under NHIF Statutory.

Recommendation

That the response was not satisfactory hence the Department to be invited to appear before the Committee and shed light on the Response

- (27) Resolution urging the County Executive to allocate sufficient funds from the County budget in the coming financial year 2023/2024 or seek alternative funding sources, including public-private partnerships, grants, or development loans, to finance construction of the market, ensuring its timely completion and sustainability to undertake

the construction of a well-planned, purpose-built market in the affected area, with the following objectives:

- ~~i. Enhancing safety and security measures to prevent arson attacks, such as installing;~~
- ii. Advanced fire suppression systems, robust security cameras, and employing adequate security personnel;
- iii. Providing proper infrastructure and facilities, including sheltered stalls, storage areas, sanitation facilities, and utilities, to ensure a conducive trading environment; and
- iv. Collaborating with administrative authorities, community leaders, and stakeholders to ensure the design and construction of the market are inclusive, meeting the specific needs of the traders and the community.

The motion was moved by Hon. Peter Imwatok, MCA and was passed by the County Assembly on 21st June 2023

Recommendation

The County Executive Committee Member responsible for Hustler Business Opportunities to be invited to appear before the Committee, the sponsor too to appear to elaborate on his motion.

(28) Resolution urging that the County Executive moves with speed and:-

- i. Partner with the National Transport and Safety Authority and the Judiciary through the City Courts towards introduction of a mandatory post-conviction community service for all the drink and drive case in the County;
- ii. Provide for Community service to be conducted in the existing Nairobi City County Mortuary facilities focusing on administrative and compound cleaning duties under the supervision and clearance by the facility's chief administrator;
- iii. Undertake a sensitization talk from the facility's chief administrator on the risk associated with drink and drive and information on death cases as result of drunk driving; and 4. Develop a policy that would see the introduction of the community services for the convicted drunk and drive cases in the County.

The motion was moved by Hon. Dr. Clement Kamaru, MCA and was passed by the County Assembly on 21st June 2023

Implementation status

The County Executive Committee Member responsible for Mobility and Works responded as follows;

That the Sector has communicated with the CECM for Boroughs and Sub – County Administration to undertake the issues raised as the issues fall under his jurisdiction.

Recommendation

That the Sector of Boroughs and Sub – County Administration to inform the Committee on the status of implementation of the said Assembly resolution

(29) Resolution urging the County Executive to:-

- i. Undertake an audit of County roads with a view to re-designate more speed limit areas and increase designated pedestrian cross where necessary



- and rehabilitate the existing ones with visible signs to ease traffic flow and minimize road carnage across all County roads; and
- ii. Enforce the speed limits and other traffic rules with the aid of modern technology.

The motion was moved by Hon. Sospeter Mumbi, MCA and was passed by the County Assembly on 27th June 2023

Implementation status

The CECM in charge of Mobility and Works responded on 17th August, 2023 as follows: -

- i. That the County has completed the process of identifying all County roads. The County has also recruited necessary technical staff and intends to deploy some of them to carry out road safety audit within this financial year that will inform areas that require speed limit, pedestrian crossings, visible signs to minimize road carnage across all County roads.; and
- ii. That the Sector is working closely with Kenya Urban Roads Authority on implementation of intelligent Transport System which has components that will be used by the Directorate of Security and Compliance in enforcement of speed limits and other traffic rules.

Recommendation

The committee to conduct site inspection visits to the County roads to ascertain implementation in regards to re - designation of more speed limits areas, whether the County Executive have increased designated pedestrian cross, rehabilitated the existing ones with visible signs and if the said department have ensured enforcement of existing laws.

(30) Resolution Urging the County Executive to develop regulations to provide for all building plans for residential buildings to have adequate parking spaces for tenants;

The motion was moved by Hon. Brian Itenya, MCA and was passed by the County Assembly on 18th July 2023

Observation

That the County Executive Committee Member responsible for Built Environment and Urban Planning was yet to respond on the Assembly resolution.

Recommendation

That the County Executive Committee Member responsible for Built Environment and Urban Planning to furnish the Committee a response on the said Assembly resolution by 8th April 2024

(33) Resolution Urging that the County Executive develops a Nairobi City County Broadcast Service Policy that shall seek to establish the Gubernatorial Digital Press Unit; the County Television and Radio Broadcast Directorate; and, Customer service & Complaint Directorate for effective dissemination of information, civic education and public participation for the residents in the County.

The motion was moved by Hon. Joyce Muthoni, MCA and was passed by the County Assembly on 1st August 2023

Observation

That the responsible department was yet to respond on the Assembly resolution.

Recommendation

That the County Executive to submit to the Committee a response on the said Assembly resolution by 8th April 2024

(33) Resolution Urging the County Executive: -

- 1) Issues a public notice asking the owners to remove all broken down vehicles and road construction equipment from any public spaces in the County or they be removed by the County at the owner's cost at the expiry of a period of 2 months;
- 2) Issues a public notice to all car yard owners to vacate any public spaces they operate in within a period of one (1) month at the expiry of which the County will enforce compliance through an operation of towing away the vehicles; and
- 3) Through, the County Executive Chief Officer for Security and Compliance puts in place measures for Countywide operation to enforce the foregoing vacation notices at the specified timelines; and continuously monitor any further violations for action.

The motion was moved by Hon. Joyce Muthoni, MCA and was passed by the County Assembly on 1st August 2023

Observation

That the County Executive Committee Member responsible for Mobility and Works was yet to respond on the Assembly resolution.

Recommendation

That the County Executive Committee Member responsible for Mobility and Works submit to the Committee a response on the said Assembly resolution by 8th April 2024

(34) Resolution Urging the County Executive: -

- i) Imposes a ban on all vehicles and motorbikes emitting pollutants particularly those discharging fumes and smoke to the environment from using all roads in the City; and
- ii) Invests in infrastructure that promotes the use of other greener forms of transportation such as bicycles and electric cars across the entire City.

The motion was moved by Hon. Moses Ogeto, MCA and was passed by the County Assembly on 26th September 2023

Observation

That the County Executive Committee Member responsible for Green Nairobi was yet to respond on the Assembly resolution.



Recommendation

That the County Executive Committee Member responsible for Green Nairobi submit to the Committee a response on the said Assembly resolution by 8th April 2024

(35) Resolution 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;
- ii. 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; and
- v. 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.

The motion was moved by Hon. Paul Kados, MCA and was passed by the County Assembly on 3rd October 2023

Observation

That the responsible department was yet to respond on the Assembly resolution.

Recommendation

That the County Executive to submit to the Committee a response on the said Assembly resolution by 8th April 2024

(36) Resolution Urging the County Executive to: -

- i) Develop a comprehensive policy that will promote sustainable solutions to child headed households; and
- ii) 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.

The motion was moved by Hon. Perpetua Mponjiwa, MCA and was passed by the County Assembly on 4th October 2023.



Observation

That the County Executive Committee Member responsible for Talents, Skills, Development and Care was yet to respond on the Assembly resolution.

Recommendation

That the County Executive Committee Member responsible for Talent, Skills Development and Care to the Committee a response on the said Assembly resolution by 8th April 2024

(37) Resolution that the County Executive to:

- i) Operationalize the Sports Fund as envisioned under Sections 10 and 11 of the Nairobi City County Sports Management Act, 2017 and further that the funds be utilized in supporting sporting teams in the County;
- ii) Factor monies in the Budget Estimates for the FY 2024/25 for purposes of the Fund; and
- iv) Develop and submit to the County Assembly Regulations contemplated under Section 16 of the said Act within three (3) months of adoption of this Motion. The regulations should amongst other things provide for the management of the Sports fund.

The motion was moved by Hon. Peter Imwatok, MCA and was passed by the County Assembly on 18th October 2023

Observation

That the County Executive Committee Member responsible for Talents, Skills, Development and Care was yet to respond on the Assembly resolution.

Recommendation

That the County Executive Committee Member responsible for Talent, Skills Development and Care to the Committee a response on the said Assembly resolution by 8th April 2024

(38) Resolution urging the County Executive in conjunction with the Non-Governmental Organizations Co-ordination Board to develop guidelines that will require Non-Governmental Organizations to publish and publicize programmes and projects undertaken in the Wards within the County for accountability.

The motion was moved by Hon. Perpetua Mponjiwa, MCA and was passed by the County Assembly on 31st October 2023

Observation

That the responsible department was yet to respond on the Assembly resolution.

Recommendation

That the County Executive to submit to the Committee a response on the said Assembly resolution by 8th April 2024

(39) Resolution Urging the County Executive to:

- i) Engage the Ministry of Health and other relevant agencies towards implementing the National Policies and Guidelines on suicide prevention in the county; and



ii) Introduce programs and interventions for suicide prevention and management in the County for consideration in the subsequent Annual Development plan for implementation.

Implementation status

The County Executive Committee Member responsible for Health, Wellness & Nutrition responded as follows: - THAT

- The County Executive gives undertaking that it will engage the ministry of Health and other relevant agencies towards implementing the existing National policies and guidelines on suicide prevention in the County to combat and mitigate on rising cases of suicide among residents of Nairobi City County.
 - The County to roll out programmes and interventions enumerated below to combat and address the rising cases of suicide among its population. The County will ensure the programs identified are captured in subsequent ADP
- i) Community Awareness campaigns;**
- The County Government to develop and implement targeted awareness campaigns through local media, community events and Social platforms to educate residents about suicide warning signs, mental health resources and destigmatize seeking help
- ii) Training of frontline workers;**
- The County to provide comprehensive training programs for social workers, health care professionals and community leaders to identify and respond to individuals at risk of suicide. This should include crisis interventions techniques and knowledge of available mental health services.
- iii) Helpline and Text support Services;**
- The County will strive to establish a 24/7 suicide prevention help line and text support service to provide immediate assistance and counseling for individuals in crisis. Ensure accessibility to these services across diverse communities
- iv) School based Mental Health Programs**
- The County to implement mental Health education programs in schools, focusing on building resilience, coping skills and creating a supportive environment. This can involve partnerships with educators, counselors, social workers, children officers and mental Health Professionals.
- v) Community support groups;**
- the County to facilitate support groups for individuals struggling with mental health issues and for those who have lost someone to suicide. These groups can provide a sense of community, understanding, and shared coping strategies.
- vi) Accessible Mental Health Clinic;**
- The County to increase progressively the number of mental health clinics in various neighborhoods, offering affordable or subsidized services. Ensure these clinics are easily accessible and staffed with training professionals.

vii) **Online Mental Health Resources;**

- The County develops a centralized online platform with information on mental health resources, self – help tools, and contacts details for local support services. This can serve as a readily available reference for those seeking help.

viii) **Crisis response teams;**

- The County Will establish mobile crisis teams equipped with mental health professionals to respond promptly to reported suicide threats or attempts. These teams can provide on – the –spot interventions and connect individuals to appropriate follow – up care.

ix) **Cultural competence training;**

- The County to ensure that all interventions are culturally sensitive and tailored to the diverse population of Nairobi. Training programs should address cultural nuances in approaching mental health and suicide prevention.

x) **Collaboration with religious Institutions**

- The County to engage with religious leaders and institutions to promote mental health awareness within their congregations. Encourages open dialogue about mental health and collaborates on support initiatives.

N/B evaluation and adjustments of these programs will be based on their effectiveness and are crucial for sustained success in suicide prevention and management.

Recommendations

That the response was satisfactory however, the County Executive to indicate the services to be free in regards to Helpline and Text support Services;

That the other programmes indicated above were viable however there was need for the County Executive to be clear on the timelines

Petitions

Petition by Mary Wanjiru Githara regarding job dismissal due to alleged forgery of official document.

The Committee was informed that the Labour & Social Welfare Committee deliberated on the matter in 2019 and resolved that complainant be reinstated.

The Committee deliberated on the matter and informed the CPSB to implement the resolution of the report.

A follow up on the implementation status was done on 20th February 2024 requesting the executive to furnish the Committee with a report on the implementation status of the report of Labour and Social Welfare Committee of November, 2018 on Mary Wanjiruru Githara on or before 4th March 2024



Bills

During the period under review, there were no Bills passed except for the Financial Bills.

In response, Various County Executive Committee members responsible for various sectors submitted the status of implementation of the Assembly resolutions to the Committee.

Reports

The County Executive were yet to respond to all the reports

COMMITTEE OBSERVATIONS

During Committee sittings held on 22nd and 23rd March 2024 during a workshop held at Lake Naivasha Resort, the Committee made the following Recommendations

1. Inadequate budgetary allocations hinder implementation of Assembly resolutions;
2. Late and incomplete responses by the County Executive Committee Members responsible for various Sectors which leads to back and forth communication with the Committee thus delaying reporting by the Committee to the Assembly;
3. The inordinate delay of court cases is hampering the implementation of Assembly resolutions and consequently, the Committee is unable to conclusively report on the implementation of affected resolutions and specifically under planning sector;
4. Lack of legal frameworks to guide policies hampers the implementation and operations of the policies; and
5. Some resolutions of the Assembly are not SMART (Specific, Measurable, Achievable, Realistic and Time bound; this poses a problem in their implementation

COMMITTEE RECOMMENDATIONS

During Committee sittings held on 22nd and 23rd March 2024 during a workshop held at Lake Naivasha Resort, the Committee made the following Recommendations

1. The relevant County Executive Committee Members responsible for various sectors to update the Committee on the implementation status of all the Assembly resolutions pursuant to Standing orders;
2. The House and by extension Committees should ensure all the Assembly resolutions passed are specific, Measurable, Achievable, Realistic and Time bound to ensure they are implemented and for effective follow up of the same; and
3. Clear legislations should be developed to implement various County Policies.