



COUNTY GOVERNMENT OF NAIROBI CITY

SECOND ASSEMBLY – SECOND SESSION

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, FEBRUARY 27, 2018

1. The Assembly assembled at Thirty Minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following Communication;

- VETTING OF THE COUNTY SECRETARY

“Honorable Members, you will recall that on Wednesday, 14th February 2018, the Hon. Peter Imwatok, Member for Makongeni Ward rose on a point of order seeking direction from the Chair on the vetting and subsequent approval of one Mr. Peter Kariuki as the nominee for the position of the County Secretary of Nairobi City County.

Honorable Members, You will also recall that the Chair undertook to give direction on the matter before the House in two weeks' time.

Hon. Member, you may also recall that on Thursday, 9th November 2017 I gave a direction on the matter that; the Select Committee on Appointment takes up the vetting of the nominee of the County Secretary and report back to the Assembly in line with the Public Appointments (County Assembly Approval) Act, 2017.

Accordingly **Honorable Members**, I am in receipt of a communication from H.E the Governor vide a letter ref: PSM/CCO/LOM/54/2018 dated 26th February 2018 regarding the vetting and approval of the County Secretary, Mr. Peter Kariuki.

Hon. Members, in his letter, the Governor advised as the appointing authority, to recall the aforementioned officer for further consultation before undertaking the appointment of the same.

Honorable Members, I therefore wish to direct as follows; that pursuant to provisions of Standing no. 1, I Direct that the nominee for the position of the County Secretary be referred back to the appointing authority for further consultation.

It is so directed.”

4. STATEMENTS

Pursuant to Standing Order 45 (2) (c) the following statements were requested

- i) Statement request by Hon. Naftaly Mathenge from the Chairperson of the Sectoral Committee on Culture and Community Services regarding rehabilitation of Githurai playground;
- ii) Statement request by Hon. Francis Ngesa from the Chairperson of the Sectoral Committee on Transport and Public Works regarding the pathetic status of John Osogo Road in Dandora area (IV) Ward.

5. MOTION – Hon. Maurice Gari, MCA

THAT, aware that Section 102(f) of the County Governments Act, 2012 provides for the principles of planning and development facilitation in a county, amongst which is the need for planning to *serve as a basis for engagement between county government and the citizenry, other stakeholders and interest groups*; **further aware** that Section 105 of the said Act provides that a County Planning entity shall be responsible for, amongst other things, *ensuring meaningful engagement of citizens in the planning process*; observing that Section 115 of the County Governments Act, 2012 provides that public participation in the county planning processes *shall be mandatory*; **noting** that the planning function as traditionally exercised by successive defunct Nairobi City Councils and indeed the first County Government of the Nairobi City County was centralized and did not include as many stakeholders as possible nor the public from the grassroots; **recognizing** that Section 48 of the County Governments Act, 2012 empowers the County Government to further decentralize its functions and provision of services to, amongst other decentralized units, the *Wards within the county established under Article 89 of the Constitution and section 26 of the said Act*; **realizing** that for Nairobi City County to realize true bottom-up planning that delivers development to the grassroots through robust participatory mechanisms a new way of implementing the planning function must be sought; this

Assembly urges the County Executive to consider devolving Planning Committees to the Ward level, with the creation of Ward Planning Committees made up of four (4) persons or as appropriate from various sectors, to endear greater public participation and help foster inclusive urban planning across the City.

(Hon. Maurice Gari, MCA)

Debate interrupted on Thursday, 22nd February, 2018 resumed;

Mover replied;

Question put and Agreed to.

6. MOTION– Hon. Antony Kimemia, MCA

Motion made and Question proposed;

THAT, aware that the Nairobi City County Persons with Disabilities Act, 2015 (Act No. 9 of 2015) was passed by Nairobi City County Assembly on 2nd December 2015 and subsequently published on 15th January 2016; **FURTHER AWARE** at Section 8 (1), Sub-Section (b) (vii) of the Act provides for the functions of the Board (Nairobi County Board for Persons with Disabilities) which is amongst others, to, “encourage and secure the establishment of vocational rehabilitation centre and other institutions and other services for the welfare, rehabilitation and employment of Persons With Disabilities”; **NOTING** that Section 13(c) of the Act also provides that, “the relevant County Executive Committee Member shall establish institutions to cater for the visually impaired, physically challenged persons, hearing and mentally challenged persons to cater for vocational education, skill development and self-reliance;” **FURTHER NOTING** that a number of Public Primary Schools in Nairobi County operate Special Unit classes without a clear progression plan; **CONCERNED** that there are limited Village Polytechnics and Home Craft Centre established by the County Government of Nairobi City for Persons With Disabilities as mandated by the Constitution of Kenya, 2010 under paragraph no. 9 of Part 2 of the Fourth Schedule; this assembly urges the County Executive move with speed to establish Centers for Vocational Education, skills development and self-reliance for Persons with Disabilities in Nairobi City County and ensure inclusive education within the existing pre-primary and childcare facilities.

(Hon. Antony Kimemia, MCA)

(007)

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(028)

Debate ensued;
Mover replied;
Question put and Agreed to.

And the time being nineteen minutes past Four O'clock; the Speaker adjourned the Assembly without question put pursuant to the Standing Orders.

7. ASSEMBLY ROSE - Nineteen minutes pastfour O'clock

MEMORANDUM

The Speaker will take the Chair on
Wednesday, February 28th, 2018 at 2.30 p.m.

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