



COUNTY GOVERNMENT OF NAIROBI CITY

THIRD ASSEMBLY – (SECOND SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, OCTOBER 3, 2023 AT 2.30PM

1. The Assembly assembled at Thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.

QUORUM OF THE ASSEMBLY

The Temporary Speaker (Hon. Doreen Mugambi, MCA) having confirmed that there was a Quorum, called the Assembly to order.

3. PAPERS LAID: -

The following Papers were laid on the Table of the Assembly;

- I. **REPORT ON INQUIRY INTO ALLEGATIONS OF BREACH OF PRIVILEGE BY HON. ROBERT ALAI.**
- II. **REPORT ON INQUIRY INTO ALLEGATIONS OF BREACH OF PRIVILEGE BY HON. HASHIM KAMAU/**
- III. **REPORT ON INVESTIGATIONS INTO ALLEGATIONS OF PHYSICAL CONFRONTATION BETWEEN HON. JOSEPH NDUNG’U AND HON. CHRIS MUTUMISHI.**

(Hon. Hamisi Maleya, MCA)

4. REQUEST FOR STATEMENTS

The following statements were requested pursuant to Standing Order 47(2)(c): -

- i. The Hon. Samson Jera, MCA requested for a Statement from the Chairperson of the Sectoral Committee on Health Services regarding the proliferation of illegal health facilities in the County. **(Response due in 1 week)**

- ii. The Hon. Victor Ochola, MCA requested for a Statement from the Chairperson of the Sectoral Committee on Labour and Social Welfare regarding welfare of staff of the County Executive. **(Response due in 1 week)**

5. RESPONSE TO STATEMENTS

The following statements were responded to pursuant to Standing Order 47(2) (f): -

- i. The Chairperson of the Sectoral Committee on Water Hon. Redson Onyango, MCA gave response to a statement requested by Hon. Jeremiah Themndu regarding the perennial lack of water and rationing in the County, particularly in Kayole Central Ward. **(Satisfied)**
- ii. The Chairperson of the Sectoral Committee on Water and Sanitation Hon. Redson Omyango, MCA gave a response requested by Hon. Shadrack Machanje, MCA regarding the sewer system in the County, especially in Umoja II Ward. **(Satisfied)**

6. BILL – THE NAIROBI CITY COUNTY CLIMATE CHANGE MANAGEMENT BILL, 2023 (ASSEMBLY BILL NO.4 OF 2023)

Subject: Second Reading

The Nairobi City County Climate Change Management Bill, 2023 (Assembly Bill No.4 of 2023)

(Hon. Waithera Chege, MCA)

(Second Reading)

(Bill Deferred)

7. MOTION – INEFFICIENCIES AND DELAYS IN THE DELIVERY OF COUNTY GOVERNMENT SERVICES.

(Resumption of debate interrupted on Thursday 28th September, 2023)

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

functions; **NOTING** that in the recent past, there have been unwarranted delays in the provision of public services by the County Government of Nairobi City, characterized by: -

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

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

- i. The County Treasury adopts a service payment system that will shield service seekers from unnecessary delays, instantly acknowledge receipt of service fee payments made, and allow various departments to issue receipts and offer services paid for in the event of a system downturn. Alternative measures must be put in place to ensure the seamless provision of services;
- ii. All payments to service providers and suppliers of goods and services should be decentralized to respective sectors or departments and executed by sector or departmental accountants through the Online Purchase Order under IFMIS, and eradicating the manual LPO system to ensure efficiency and accountability;
- iii. The Physical Planning department should take deliberate steps to ensure timely processing of development approvals and undertake to clear all pending approvals within the next three months of the adoption of this Motion and submit a report to the County Assembly; 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

- iv. 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.

(Hon. Paul Kados, MCA)

Debate ensued;

Mover replied;

Question put and agreed to;

8. MOTION – ADOPTION OF REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS FOR NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD MORTGAGE SCHEME FUND FOR THE YEAR ENDED 30TH JUNE 2018

Motion Made and Question Proposed;

THAT, this Assembly adopts the report of the Auditor General on the Financial Statements of the Nairobi City County Assembly Service Board Mortgage Scheme Fund for the year ended 30th June 2018, laid on the Table of this Assembly on Thursday 22nd June 2023.

(Hon. Chege Mwaura, MCA)

Debate ensued;

Mover replied;

Question put and **agreed to;**

9. MOTION – ADOPTION OF REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS FOR NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD CAR LOAN SCHEME FUND FOR THE YEAR ENDED 30TH JUNE 2018

Motion Made and Question Proposed;

THAT, this Assembly adopts the report of the Auditor General on the Financial Statements of the Nairobi City County Assembly Service Board Car Loan Scheme Fund for the year ended 30th June 2018, laid on the Table of this Assembly on Thursday 22nd June 2023.

(Hon. Chege Mwaura, MCA)

Debate ensued;

Mover replied;

Question put and **agreed to;**

And the time being twenty-two minutes Past four O'clock the Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

10. ASSEMBLY ROSE - at twenty two minutes past four O'clock.

MEMORANDUM

The Speaker will take the Chair on
Wednesday, October 4th, 2023 at 2.30 p.m