



COUNTY GOVERNMENT OF NAIROBI CITY

THIRD ASSEMBLY – FOURTH SESSION

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, APRIL 2, 2025 AT 2.30 P.M.

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

QUORUM OF THE ASSEMBLY

The Hon. Speaker (Hon. Kennedy Ng'ondi) having confirmed that there was Quorum at the commencement of the Sitting called the Assembly to order.

3. COMMUNICATION FROM THE CHAIR: -

The Speaker issued the following communications: -

GETTING BACK ON TRACK: RESTORING EFFECTIVENESS AND ACCOUNTABILITY IN SECTORAL COMMITTEES

“Hon. Members, I have the following Communication to convey regarding restoring effectiveness and accountability in Sectoral Committees. Due to the gravity of the issues the Communication raises, I request all Hon. Members to remain attentive: -

Hon. Members,

The strength and effectiveness of any legislative body lie in the work of its committees. Sectoral committees serve as the backbone of oversight, legislation, and representation, ensuring that government policies and programs are implemented efficiently and in the best interest of the people.

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These committees are tasked with scrutinizing county executive actions, monitoring service delivery, and providing well-researched reports with substantive recommendations to guide this House in making informed decisions. Without active and functional committees, our mandate as representatives of the people is significantly weakened.

Hon. Members, This Assembly has a proud history of vibrant and proactive committees that have played a critical role in ensuring accountability and good governance. In the past, our committees have exposed inefficiencies, influenced policy changes, and provided strong oversight on county affairs. It is through the diligent work of these committees that key service delivery improvements have been realized in various sectors. It is therefore deeply concerning that committees of this Assembly especially sectoral committees have relapsed in their oversight responsibilities. The current state of affairs paints a sad picture that now calls for immediate action by the Chair.

Hon. Members, I have analyzed a number of weaknesses exhibited by our committees which I can summarize as follows: -

a) Failure to Produce Substantive Reports

Many committees have failed to generate well-researched reports with actionable recommendations. Reports presented to this House often lack depth, are repetitive, and do not provide concrete solutions to the challenges facing the county. This failure has weakened the Assembly's ability to hold the Executive accountable.

b) Lack of Regular Site Inspection Visits

Committees are mandated to conduct **site inspections** to assess the implementation of county projects and services. However, many committees have neglected this responsibility, choosing instead to rely on second-hand information from county officials. Where they conduct inspection visits, their reports are either not forthcoming or do not provide information that may help to hold to account executive officials who continue to act with impunity. A critical area of concern is the physical planning and construction area. We have left executive officials in the planning department to run their affairs

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with little accountability. This neglect has resulted in the blatant disregard of the Physical Planning Act, leading to the approval of substandard buildings and the proliferation of rogue developers who prioritize profit over safety and quality. For instance, Section 19 of the Physical Planning Act (Cap 286) require involvement of residents before approval of any development. Unfortunately, this has been disregarded on many occasions. Without strict oversight, illegal developments have continued to emerge, endangering lives and contributing to Nairobi's growing urban chaos. The failure of the Sectoral Committee on Planning and Housing to conduct regular inspections and enforce compliance has allowed these violations to persist, putting residents at risk of disasters such as building collapses.

c) Complacency and Laxity Among Committee Members

There has been a noticeable decline in the enthusiasm and commitment of committee members. Some committees barely meet, and when they do, deliberations are often unstructured and lack focus. In some instances, committee members fail to attend scheduled sittings, further delaying the committee's work or resulting in lack of any substantive output. The House is starved with critical business such as Bills since most committees are holding on business as simple as pre-publication scrutiny of legislative proposals which have timelines. In addition, the most impactful program to Hon. Members and the residents in general i.e. the Ward Development Program has collapsed due to this complacency by the relevant Committee. This also extends to the health of residents especially with the mushrooming of restaurants which pose a public health concern.

d) Delayed or Non-Implementation of Committee Resolutions.

Even in cases where committees make recommendations, there is little follow-up to ensure that their resolutions are implemented. To make matters worse, I have not seen the Implementation Committee table its report in the recent past. This has allowed county departments to ignore or delay necessary reforms without consequences.

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e) Lack of Proactive Oversight on Major County Programs

Committees have not been proactive in scrutinizing key county projects, budgets, and policies. Instead of taking a forward-looking approach to oversight, some committees only react after problems arise, making it difficult to prevent mismanagement or wastage of public funds. Why are committees for instance not reporting on issues like a failed public transport system, lack of street lighting in our estates, garbage problem and the challenges in the health sector?

f) Poor Coordination between Committee Chairs with respective CEC Members and Committee Secretariat.

Some committee chairs and members have not established effective working relationships with County Executive Committee Members, Chief Officers, and their own committee secretariats. This has resulted in delays in receiving crucial information, poor communication, and, ultimately, ineffective oversight.

Honourable Members,

With the forgoing, I have a duty to guide this Assembly so that it can provide leadership and oversight that drives positive change. Our committees must operate with diligence, commitment, and integrity to ensure that county resources are utilized efficiently and services delivered effectively. I therefore wish to direct as follows: -

- a) **Committee Status Reports:** I direct that all the sittings of next week i.e. Tuesday, Wednesday and Thursday shall be dedicated to receiving status reports from all Committees. All committee chairpersons must appear before the House next week to present a status report on their work, detailing achievements, challenges, and pending assignments. Additionally, they must provide an assessment of their working relationship with the secretariat, relevant County Executive Committee Members, and Chief Officers. I do not expect the usual annual reports that

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have been the norm before the Liaison Committee. I expect very informative and forward-looking report and the Chair must understand all the facts in the report. The Clerk is directed to prepare a schedule on How the Chairs shall appear before the House and convene an urgent House Business Committee to ratify the same on or before **Monday 7th April, 2025.**

- b) **Ward Development Programme:** The Chairperson of the Ward Development Fund Committee must provide a detailed report on the status of all ongoing and completed projects under the Program, including challenges affecting their implementation. The Chair must report on the status of the Bill on this matter and explain why the Committee has not finalized on its consideration at whatever stage it is.
- c) **Site Inspection Visits:** Committees must resume regular site visits to assess the progress and impact of county programs and services. These visits must inform the committees' inquiries and subsequent reports.
- d) **Planning and Development Oversight:** The Sectoral Committee on Planning and Housing is directed to inspect all ongoing developments across Nairobi and report to the House within two weeks. In line with the **Physical Planning Act**, the committee must also ensure that public participation is conducted for all developments before commencement as required under Section 19 of the Physical Planning Act (Cap 286).
- e) **Health and Public Safety Inspections:** The Sectoral Committee on Health Services must inspect all food joints and restaurants in Nairobi and report within two weeks on their compliance with health and sanitation regulations. The safety and well-being of Nairobi residents must remain a top priority.
- f) **Review of the Standing Orders:** I direct the Procedure and Rules Committee to urgently finalize and table its report which is long overdue on the review of Standing Orders

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g) particularly on the issue of introduction of question times that will see CEC Members appear before this House on Wednesdays to respond to urgent issues.

Hon. Members,

Let us recommit to the responsibilities entrusted to us and work towards an Assembly that truly serves the interests of the people of Nairobi. I want to promise that I will personally monitor compliance with these directives, and failure to adhere will attract consequences. The time for action is now.

The House is so guide. I thank you.

Hon. Members, I have the following further Communication to convey: -

PAYMENT OF FUNDS RECEIVED FROM THE COUNTY ASSEMBLY

Hon. Members, as promised during yesterday's sitting, I wish to provide an update regarding the payment of funds received from the County Treasury. As you are all aware, the Nairobi City County Assembly relies on the County Executive for funding to facilitate its operations and any delay in receiving the funds has a potential of grounding our operations. Accordingly, from the requested amount of Kshs 500 million, we have been able to receive only Kshs 239, 438,082 which we have since paid as follows: -

S/N	Receipt Date	Requisitioned Amount	Particulars
1	06.03.2025	57,793,806	January Salary-IPPD
2	06.03.2025	11,858,170	January Salary-Ward Office
3	13.03.2025	6,760,812	Ward Office Imprest
4	13.03.2025	2,042,200	Professional Bodies
5	13.03.2025	25,581,400	Committee Allowances
6	13.03.2025	2,000,000	Fuel
7	14.03.2025	16,824,172	Lapfund
8	14.03.2025	4,375,442	Lapfund

9	14.03.2025	1,193,259	Hotels & Adverts
10	14.03.2025	19,336,800	Committee Allowances
11	14.03.2025	1,588,399	Professional Bodies
12	19.03.2025	1,182,535	Insurance-Kenya Orient
13	21.03.2025	20,467,179	Speaker's Motor Vehicle
14	21.03.2025	20,364,960	Ward Office Imprest-Pending Bills (refunded to Loans and Mortgage)
15	21.03.2025	28,253,510	Lapfund PB
16	21.03.2025	4,611,452	INSURANCE PB
17	21.03.2025	1,521,480	LAPTRUST-PB
18	21.03.2025	5,738,636	TRAINING FEES FOREIGN
19	21.03.2025	2,417,070	LAPTRUST-PB
20	21.03.2025	1,915,000	O&M CLAIMS-FUT
21	05.11.2024	3,611,800	ALLOWANCES-DOMESTIC
	TOTAL	239,438,082	

Hon. Members,

I take this opportunity to urge the County Treasury and relevant State agencies such as the Controller of Budget to prioritize the release of these funds to enable the Assembly fulfil its mandate effectively. Adequate and timely funding is critical in ensuring that legislative duties are carried out without disruption and that all financial obligations are met. I appreciate your patience and cooperation as we work towards the resolution of this matter.

I thank you.”

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4. NOTICE OF MOTION- DIGITAL PLATFORM FOR REGISTRATION, VETTING AND LINKING ARTISANS TO CLIENTELE WITHIN THE COUNTY.

THAT AWARE that paragraph 7 of part 2 of the Fourth Schedule of the Constitution of Kenya, 2020 provides for Trade development and regulation, including but not limited to markets and trade licenses (excluding regulation of professions) as a devolved County function; **NOTING** that Nairobi City County hosts a significant number of informal traders who contribute substantially to the local economy by providing employment opportunities, enhancing livelihoods, and fostering economic growth, hence despite their contribution, the informal sector remains unregistered mainly, leading to challenges in regulation, revenue collection, and service provision; **FURTHER NOTING** that according to the Kenya National Bureau of Statistics 2014 Report, 82.7% of the jobs in Kenya being categorized in the informal economy, “*Jua Kali*,” with the majority being artisans such as; carpenters, plumbers, electricians and other forms of crafts; **ACKNOWLEDGING** the need by the County Government to provide a digital platform for registration, vetting and linking artisans to clientele within the County and its environs; **NOW, THEREFORE**, this Assembly **RESOLVES** that the County Executive to:-

- a) Develop a provide a seamless digital registration system for artisans/informal traders in the County;
- b) Subsequently, conduct a county-wide registration process for all informal traders within Nairobi City County through the established platform;
- c) Issues Business and Personal Trading Numbers (BPTN) to all registered artisan/informal traders to enhance identification, regulation, and access to County services;
- d) Ensures sensitization and capacity-building programs for informal traders on the importance of registration, formalization, and compliance with County regulations; and,
- e) Reports back to this Assembly on the progress of implementation within three (3) months from the date of adoption of this motion.

(Hon. Robert Alai, MCA)

5. STATEMENTS

The following Statements were requested;

- a) Hon. Sospeter Mumbi, MCA made a general Statement with regards to skewed development in various sub – counties in the County; and

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- b) Hon. Diana Katile, MCA issued a Statement regarding the business appearing before the Assembly for the week beginning Wednesday, 2nd April 2025 (A statement given on behalf of the Assembly Business Committee Pursuant to Standing Orders 47(2) (A))

6. BILL*- THE NAIROBI CITY COUNTY BETTING, LOTTERY AND GAMING BILL, 2023 (ASSEMBLY BILL NO. 12 OF 2023)

Order for Second Reading read;

Motion made and question proposed-

THAT, The Nairobi City County Betting, Lottery Bill, 2023 (Assembly Bill No. 12 of 2023) be now read a Second Time.

(Hon. Chege Mwaura)

Debated ensued;

Mover replied;

Question put and Agreed to.

Bill read a Second Time and committed to the Committee of the Whole County Assembly.

There being no other business and the time being Five Minutes past Five O'clock, the Hon. Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

7. ASSEMBLY ROSE - at Five Minutes past Five O'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Thursday, 3rd April, 2025 at 2.30p.m.

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