



COUNTY GOVERNMENT OF NAIROBI CITY

NAIROBI CITY COUNTY ASSEMBLY

PENDING ASSEMBLY BUSINESS

WEEK COMMENCING;

WEDNESDAY, 19TH MARCH, 2025



*** 3RD ASSEMBLY * 4TH SESSION**

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NAIROBI

18th March, 2025

**COUNTY GOVERNMENT OF NAIROBI CITY
NAIROBI CITY COUNTY ASSEMBLY
THIRD ASSEMBLY
(FOURTH SESSION)**

**PROGRAMME OF ASSEMBLY BUSINESS FOR THE WEEK COMMENCING
WEDNESDAY, 19TH MARCH, 2025**

WEDNESDAY: 19/03/2025 **Communication from the Chair, Petitions, Papers
Laid, Notices of Motions, Messages and Statements.**

**1. *MOTION – VICE-CHAIRPERSON, SELECT COMMITTEE ON POWERS
AND PRIVILEGES**

Subject: *Adoption of Committee Report*

THAT, pursuant to Section 15 (7) of County Assemblies Powers and Privileges Act, 2017, this Assembly adopts **THE REPORT OF THE SELECT COMMITTEE ON POWERS AND PRIVILEGES ON INQUIRY INTO ALLEGATIONS OF BREACH OF PRIVILEGE BY HON. HASHIM KAMAU, MCA, MEMBER FOR CALIFORNIA WARD**, laid on the table of the Assembly on Tuesday, 3rd October, 2023.

**2. *MOTION – VICE-CHAIRPERSON, SELECT COMMITTEE ON POWERS
AND PRIVILEGES**

Subject: *Adoption of Committee Report*

THAT, pursuant to Section 15 (7) of County Assemblies Powers and Privileges Act, 2017, this Assembly adopts **THE REPORT OF THE SELECT COMMITTEE ON POWERS AND PRIVILEGES ON INQUIRY INTO ALLEGATIONS OF BREACH OF PRIVILEGE BY HON. ROBERT ALAI, MCA, MEMBER FOR KILELESHWA WARD**, laid on the table of the Assembly on Tuesday, 3rd October, 2023.

**3. *MOTION – VICE-CHAIRPERSON, SELECT COMMITTEE ON POWERS
AND PRIVILEGES**

Subject: *Adoption of Committee Report*

THAT, pursuant to Section 15 (7) of County Assemblies Powers and Privileges Act, 2017, this Assembly adopts **THE REPORT OF THE SELECT COMMITTEE ON POWERS AND PRIVILEGES ON INVESTIGATION INTO ALLEGATIONS OF PHYSICAL CONFRONTATION BETWEEN HON. JOSEPH KARANJA NDUNG'U, MCA AND HON. CHRISTOPHER WANJOHI MTUMISHI, MCA**, laid on the table of the Assembly on Tuesday, 3rd October, 2023.



4. *BILL – THE NAIROBI CITY COUNTY BETTING, LOTTERIES AND GAMING BILL, 2023 (ASSEMBLY BILL NO.12 OF 2023)

Subject: *Second Reading*

The Nairobi City County Betting, Lotteries and Gaming Bill, 2023 (Assembly Bill No.12 of 2023)

(Hon. Chege Mwaura, MCA)

(Second Reading)

(Due for Second Reading)

5. *COMMITTEE OF THE WHOLE COUNTY ASSEMBLY TO CONSIDER THE NAIROBI CITY COUNTY CIVIC EDUCATION BILL, 2023 (ASSEMBLY BILL NO.9 OF 2023)

Subject: *Committee of the Whole County Assembly*

The Nairobi City County Civic Education Bill, 2023 (Assembly Bill No.9 of 2023)

(Hon. Silas Matara, MCA)

(Committee of the Whole County Assembly)

6. *THE GOVERNOR'S RESERVATION ON THE NAIROBI CITY COUNTY EARLY CHILDHOOD DEVELOPMENT AND EDUCATION BILL, 2023 (ASSEMBLY BILL NO.8 OF 2023)

Subject: *Governor's Reservation*

The Nairobi City County Early Childhood Development and Education Bill, 2023 (Assembly Bill No.8 of 2023)

(Hon. Perpetua Mponjiwa, MCA)

7. MOTION – HON. PERPETUA MPONJIWA, MCA

Subject: *Develop a County Local Tourism Policy*

THAT, aware that paragraph 4 of Part Two of the Fourth Schedule to the Constitution of Kenya, 2010 provides for the functions of cultural activities and public entertainment including sports, cultural activities, museums and county parks are vested in the County Government; further paragraph 7 of Part Two of the Fourth Schedule to the Constitution of Kenya, 2010 provides for the function of local tourism vested in the County Government; acknowledging that Nairobi City County serves as one of the main travel, diplomatic and cultural hub for Eastern and Central Africa with well-established tourist attraction sites from social, academic to spiritual matters; concerned that the County has not established well-founded cultural activities that can distinguish the uniqueness of the County from others despite having all it takes to be called “ the Green City in the Sun”; noting that cultural activities attract tourists from all over the world which is a source of revenue for the County, create job opportunities/employment for the county residents and create a platform for the Nairobi City County Tourism development agenda, this Assembly urges the County Government to develop a comprehensive County local tourism policy to provide for establishment of strategies and programmes to boost local tourism within the County.



8. *MOTION – CHAIRPERSON, SELECT COMMITTEE ON PUBLIC ACCOUNTS

Subject: *Adoption of Committee Report*

THAT, this Assembly adopts **THE REPORT OF SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD MORTGAGE SCHEME FUND FOR THE YEAR ENDED 30TH JUNE, 2019**, laid on the Table of the Assembly on Thursday, 19th September, 2024.

9. *MOTION – CHAIRPERSON, SELECT COMMITTEE ON PUBLIC ACCOUNTS

Subject: *Adoption of Committee Report*

THAT, this Assembly adopts **THE REPORT OF SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD CAR LOAN SCHEME FUND FOR THE YEAR ENDED 30TH JUNE, 2019**, laid on the Table of the Assembly on Thursday, 19th September, 2024.

10. *MOTION – CHAIRPERSON, SELECT COMMITTEE ON PUBLIC ACCOUNTS

Subject: *Adoption of Committee Report*

THAT, this Assembly adopts **THE REPORT OF SELECT COMMITTEE ON PUBLIC ACCOUNTS ON CONSIDERATION OF THE REPORT OF AUDITOR-GENERAL ON PUBLIC PARTICIPATION IN NAIROBI CITY COUNTY BUDGET MAKING PROCESS FOR FINANCIAL YEAR 2021/2022**, laid on the Table of the Assembly on Thursday, 19th September, 2024.

11. *MOTION – CHAIRPERSON, SELECT COMMITTEE ON PUBLIC ACCOUNTS

Subject: *Adoption of Committee Report*

THAT, this Assembly adopts **THE REPORT OF SELECT COMMITTEE ON PUBLIC ACCOUNTS ON CONSIDERATION OF THE REPORT OF AUDITOR-GENERAL ON COVID-19 VACCINE ROLL OUT FOR THE NAIROBI CITY COUNTY GOVERNMENT**, laid on the Table of the Assembly on Thursday, 19th September, 2024.

12. * MOTION – HON. MARK MUGAMBI, MCA – MINORITY WHIP

Subject: *Support for football teams in the County*

THAT, aware that paragraph 4 of part 2 of the Fourth Schedule of the Constitution of Kenya, 2010 provides for Cultural activities, public entertainment and public amenities, including; sports and cultural activities and facilities as a county function; **FURTHER AWARE**, that section 10 & 11 of the Nairobi City County Sports Management Act, 2017 provides for guidelines on financial support for sports initiatives and facilities in Nairobi County; **DISTURBED** that many grassroots football teams in Nairobi County struggle to meet the financial obligations required for registration in the Football Kenya Federation (FKF) league; **RECOGNIZING THAT** football plays an important role in society in promoting unity, health and talent



development in our communities including creation of employment for the youth; **ACKNOWLEDGING** that the facilitation of annual registration fees by the Nairobi County Executive would significantly boost the development of local football, empower youth and promote sports as a tool for development; strengthen partnership between Nairobi County and sports organizations & enhance the reputation of Nairobi as a hub for sports excellence; **DEEPLY CONCERNED THAT** local teams face challenges in affording the annual registration fees required by the Football Kenya Federation (FKF) in order to effectively participate in tournaments. This Assembly therefore urges that the County Executive to;

- i) Allocate funds in the County's sports budget to cover the annual FKF fees for registered football teams in Nairobi County;
- ii) Develop criteria for allocation of funds to the teams which shall be informed by parameters such as the team's active participation in local tournaments, adherence to FKF regulations and engagement in youth development; and
- iii) Form a committee that will administer and monitor the use of funds and ensure transparency and equity.

(Order Paper, Tuesday, 11th March, 2025 at 2.30 p.m.)

13. *MOTION – HON. JOHN REX OMOLLEH, MCA

Subject: *Operationalization of the Nairobi City County Outdoor Advertising and Signage Control and Regulation Act of 2018 and Development of Regulations to ban adverts on electricity poles, public walls across the County*

THAT, aware that Part Two of the Fourth Schedule of the Constitution of Kenya 2010 provides for the functions of the County Governments which include control of air pollution, noise pollution, other public nuisances and outdoor advertising; further aware that the County Assembly passed the Nairobi City County Outdoor Advertising and Signage Control and Regulation Act, 2018 which provides for the regulation of outdoor advertisement and signage within the County; **concerned that** there are several adverts and posters erected in various public places such as electricity poles, streetlight poles, public walls and buildings, which has not only affected the aesthetics of the City but have not complied with the Nairobi City County Outdoor Advertising and Signage Control and Regulation Act, 2018; **further concerned** that the County Assembly passed the Nairobi City County Outdoor Advertising and Signage Control and Regulation Act, 2018 which has not been published, publicized and operationalized to date; noting that Section 7 (I) of the Nairobi City County Office of the County Attorney Act, 2017 provides that the County Attorney shall publish all legislation passed by the County Assembly, this Assembly resolves that:-

1. The County Attorney to publish the Nairobi City County Outdoor Advertising and Signage Control and Regulation Act, 2018 within fourteen (14) days after the adoption of this Motion; and
2. County Executive Committee Member responsible for Urban Planning to develop Regulations pursuant to the provisions of Section 27 of the said Act to provide for a ban on illegal adverts and posters erected in various public places



such as electricity poles, streetlight poles, public walls and buildings across the County.

14. *MOTION – CHAIRPERSON, SECTORAL COMMITTEE ON LANDS, PLANNING & HOUSING

Subject: *Adoption of Report*

THAT, this Assembly adopts **THE REPORT OF THE SECTORAL COMMITTEE ON LANDS, PLANNING AND HOUSING ON THE INQUIRY INTO PANGANI AND JEVANJEE AFFORDABLE HOUSING PROJECTS IN THE COUNTY**, laid on the Table of the Assembly on Thursday, 5th December 2024.

15. *MOTION – HON. DAVIDSON DNG NGIBUINI, MCA

Subject: *Rename City Mortuary to Nairobi City County Funeral Home*

WHEREAS Article 186 and the Fourth Schedule of the Constitution of Kenya, 2010, assigns the responsibility for health services, including funeral homes and mortuaries, to the County Governments, thereby empowering the Counties to regulate and oversee the management and operations of such facilities within the County; **AND WHEREAS** Article 43 of the Constitution of Kenya guarantees every person the right to the highest attainable standard of health, which encompasses dignified and respectful handling of the deceased and adequate facilities for the bereavement process; **RECOGNIZING** that the facility currently known as City Mortuary has served the residents of Nairobi for decades as the primary public mortuary, but has been historically associated with unfortunate instances of mismanagement, including loss of bodies, poor record-keeping, inadequate facilities and other service delivery issues that have negatively affected its reputation among the residents of Nairobi City County; **NOTING** that the Nairobi City County Government has made considerable steps to improve the standards of the facility, addressing past challenges in its operations, including enhancing record-keeping practices, upgrading infrastructure and setting up better management practices to ensure efficient, dignified and reliable services for the bereaved and their families; **AWARE** that a name change to "Nairobi City County Funeral Home" would reflect the reformed identity and improved standards of the facility, and align it with the current National standards in the management of public mortuaries, thus helping to restore public trust and demonstrate a commitment to dignified service delivery; **NOW THEREFORE**, this Assembly **RESOLVES**:

- i. To rename City Mortuary as the Nairobi City County Funeral Home to signify a new era of improved standards, management, and public trust in the facility's operations; and
- ii. That the Nairobi City County Executive to take all necessary steps for the name change, including updating all legal, administrative, and public records, and ensuring widespread communication to the public about the renaming and rebranding.



16. *MOTION – CHAIRPERSON, SELECT COMMITTEE ON COUNTY FINANCE, BUDGET & APPROPRIATIONS

Subject: *Adoption of Report*

THAT, this Assembly adopts **THE REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET AND APPROPRIATIONS ON THE CONSIDERATION OF THE NAIROBI CITY COUNTY ANNUAL DEVELOPMENT PLAN FY 2025/2026**, laid on the Table of the Assembly on Tuesday, 4th March, 2025.

(Order Paper, Tuesday, 11th March, 2025 at 2.30 p.m.)

17. *MOTION – HON. WAITHERA CHEGE, MCA – DEPUTY MINORITY LEADER

Subject: *Development of Public/Street Light Management Policy*

THAT, aware that Article 29 of the Constitution of Kenya, 2010 grants every citizen a right to freedom and security; **further aware** that paragraph 5 of Part Two of the Fourth Schedule to the Constitution provides for street lighting as a function of the County Government; noting that in recent months we have witnessed a marked increase in incidences of insecurity across the Country and more so in Nairobi City County; concerned that most of the streets, public social areas, public parks, and markets in the County are in darkness due to lack of lighting, which has contributed to an increase in criminal activities within the County as evidenced by muggings and other violent crimes; further concerned that most of the installed high mast lights and public/street lights in most parts of the County have been stolen and/or vandalized, leaving the County in darkness for a long period of time due to poor and/or slow repair and maintenance of the public/street lights; noting that for the County to realize a 24 hour economy, security for business people and residents is indispensable; this Assembly urges the County Executive to formulate a policy to provide for a legal framework for management of public/street lights in the streets, public social areas, public parks, County public roads and markets in the County.

18. *MOTION – HON. ROBERT ALAI ONYANGO, MCA

Subject: *Guidelines for registering and issuance of reflective number plates for all wheelbarrows, rickshaws, handcarts, animal drawn carts, luggage trolleys and tricycles in the County*

AWARE Article 39 (1) of the Constitution of Kenya 2010, grants every person the right to freedom of movement; **FURTHER AWARE** that paragraph 5 (c) of Part 2 of the Fourth Schedule of the same constitution provides for County Transport, including but not limited to; traffic, parking, public road transport as a devolved County function; **ACKNOWLEDGING** the existence of the National Transport and Safety Authority Act, 2012, which establishes the Authority (NTSA) with one of its function being to advise and make recommendations to the Cabinet Secretary on matters relating to road transport and safety; **FURTHER ACKNOWLEDGING** that Section 67 of *Nairobi City County Assembly Business Committee*



the Nairobi City County Transport Act, 2020 compels the County Executive Committee Member in charge of transport to make guidelines for non-motorized transport which shall provide for design and provision of among others, safe movement of rickshaws and handcarts; **NOTING** that non-motorized means of transport such as; walking, use of wheelbarrows, handcarts, animal drawn carts, luggage trolleys, bicycles, tricycles, wheel chairs, skate boards and strollers which according to UN Environmental Program is used by 45% of the population in the County; **DEEPLY CONCERNED** that the rise in use of non-motorized means of transport has led to congestion in the city, with handcarts and trolleys being the lead cause of accidents resulting from high disregard to lane discipline by users and use reflective jackets; **DISTURBED** that most non-motorized operators being road users, lacks suitable road safety knowledge and insurance cover in an event of an accident; **NOWHEREFORE** this Assembly **RESOLVES** that the County Executive engages the National Safety Authority (NTSA) towards;-

- i) Developing guidelines for registering and issuance of **reflective number plates** for all **wheelbarrows, rickshaws, handcarts, animal drawn carts, luggage trolleys and tricycles** in the County;
- ii) Ensuring all operators possess operating badge with registered numbers and equipped with reflective jackets; and,
- iii) Granting a 6-month notice upon the operationalization of the non-motorized registrations guidelines for compliance for enforcement.

19. *MOTION – HON. JOSEPH NDUNG’U, MCA

Subject: *Renaming of Juja Road to Leonard Mambo Mbotela Road*

AWARE that Article 186 (1) of the Constitution of Kenya 2010, and Paragraph 5 of the Fourth Schedule of the same Constitution provide for transport including County roads, street lighting, public road transport traffic, and parking as a devolved county function; **FURTHER AWARE** that the Country has since independence named and renamed roads and other public facilities in honor of heroes and heroines who have contributed immensely in the society as a way of honoring them; **APPRECIATING** the late Leonard Mambo Mbotela, who was a distinguished Kenyan journalist, broadcaster, and patriot and who made indelible contributions to the nation through his dedicated service and unwavering commitment to public communication; **RECOGNIZING** his iconic radio and television programs, particularly "*Je, Huu ni Ungwana?*" and his coverage of national events, played a pivotal role in shaping Kenyan culture, promoting civic responsibility, and fostering national unity; **ACKNOWLEDGING** that his courage and selfless efforts during the 1982 attempted coup, where he risked his life to broadcast messages of peace and stability, demonstrated his unwavering dedication to the nation's well-being, earning respect and admiration; **APPRECIATING** that by renaming of a prominent road in Nairobi would serve as a fitting tribute to his enduring legacy and ensure that his contributions are remembered and celebrated by future generations; **COGNIZANT** that Juja Road,
Nairobi City County Assembly Business Committee

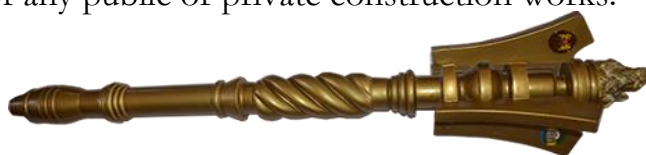


being a major artery in Nairobi, offers a significant opportunity to publicly recognize and honor Leonard Mambo Mbotela's contributions to the nation; this **ASSEMBLY THEREFORE URGES** the County Executive to initiate the process of renaming Juja Road to Leonard Mambo Mbotela Road, in honor of the late Leonard Mambo Mbotela, EGH, in recognition of his exceptional service to the Republic of Kenya.

20.*MOTION – HON. ANTONY MARAGU, MCA

Subject: Restoration of public infrastructure damaged by public and public construction works

THAT, aware that paragraph 5 (a) of Part II of the Constitution of Kenya provides for County Roads as a function of County Governments and that Paragraph 18 of Part II provides for National roads as a function of National Government; **Further aware** that Section 50 of the Kenya Roads Act, 2007 provides that the owner of a vehicle is liable for damages on a road by reason of vehicle passing over it in contravention of rules made by the relevant authority under the Act; **Noting that** Section 41 (8) of the Nairobi City County Transport Act, 2020 requires that utility companies that have been granted permission to carry out works shall ensure that the road and its facilities are reinstated to appropriate standards; **cognizant that** construction companies carrying out projects on real estate, roads and other sites are bound to use heavy equipment and machinery that use public roads and other public facilities; further cognizant that in executive their works, the mobility of these heavy equipment and machinery cause damage to public roads near the sites since their tonnage may be higher than the roads may tolerate; **deeply concerned** that the resulting poor condition of the road riddled with deep potholes and stagnant water cause profound inconvenience to other road users and accelerated wear and tear to vehicles of reasonable sizes, further, the ambition to reduce time spent on the road during movement of goods and services becomes greatly hampered; further concerned that should this trend be left to persist and National and County regulations unenforced in light of many construction works that are ongoing in the County, many roads that the County and National Governments have spent resources to construct will be left impassible forcing the allocation of fresh resources for their repair and maintenance. Now therefore, in order to curb reckless damage to public infrastructure, especially roads, the Assembly urges the County Executive Committee Member to urgently formulate and submit Regulations to Nairobi City County Transport Act, 2020 to provide for procedures, rules, offenses and sanctions on damage to public infrastructure in the course of any public or private construction works.



NAIROBI CITY COUNTY ASSEMBLY

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