

**RECORD OF DISCUSSIONS
ON
THE PROJECT ON INTEGRATED URBAN DEVELOPMENT
MASTER PLAN FOR THE CITY OF NAIROBI
IN
THE REPUBLIC OF KENYA
AGREED UPON AMONG
MINISTRY OF LOCAL GOVERNMENT
AND
CITY COUNCIL OF NAIROBI
AND
JAPAN INTERNATIONAL COOPERATION AGENCY**

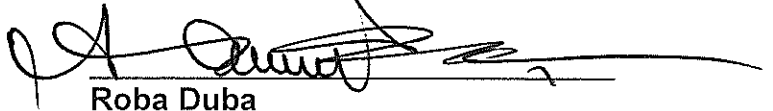
Nairobi, 23 July, 2012



Masahiko SUZUKI
Leader
Japan International Cooperation Agency

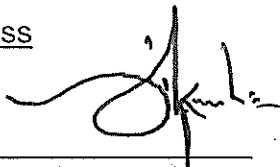


Prof Karega Mutahi, CBS
Permanent Secretary
Ministry of Local Government



Roba Duba
Town Clerk
City Council of Nairobi

Witness



Joseph Kinyua, CBS
Permanent Secretary
Ministry of Finance

Witness

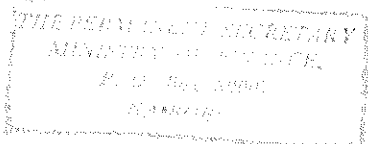


Arch Philip Sika, CBS
Permanent Secretary
Ministry of Nairobi Metropolitan
Development.

Witness



Dorothy N. Angote-Muya CBS
Permanent Secretary
Ministry of Lands



In response to the official request by the Government of Kenya (hereinafter referred to as "GOK") to the Government of Japan, the Japan International Cooperation Agency (hereinafter referred to as "JICA") held a series of discussions with Ministry of Local Government of GOK (hereinafter referred to as "MoLG") and City Council of Nairobi of GOK (hereinafter referred to as "CCN") and relevant Government organizations/agencies to develop a detailed plan of the Project on Integrated Urban Development Master Plan for the City of Nairobi (hereinafter referred to as "the Project").

The parties agreed the details of the Project and the main points discussed as described in the Appendix 1 and the Appendix 2 respectively.

The parties also agreed that CCN, the counterpart to JICA, will be responsible for the implementation of the Project in cooperation with JICA, coordinate with other relevant Government organizations/agencies and ensure that the self-reliant operation of the Project is sustained during and after the implementation period in order to contribute toward social and economic development of the Republic of Kenya.

The Project will be implemented within the framework of the Note Verbales exchanged on June 13, 2012 between the Government of Japan (hereinafter referred to as "GOJ") and GOK.

The effectiveness of the record of discussions is subject to the approval of JICA.

Appendix 1: Project Description

Appendix 2: Main Points Discussed

PROJECT DESCRIPTION

I. BACKGROUND

The city of Nairobi is one of the most important economic centers for Kenya as well as other East and Central African Regions. The City accounts for 50% of formal employment in the country and generates over 50% of Kenyas' GDP. The stable population is 3,138,369 (2009 population census) with an estimated one more million flowing into the City daily. The 1973 Nairobi Metropolitan Growth Strategy expired in year 2000.

Urban development in Nairobi takes place within a context of a complicated institutional and legal framework. This compounded by current lack of City Master Plan has led to unfettered, uncoordinated and haphazard urban development, marked by increased informality in the city's economy, dysfunctional infrastructure, inefficient spatial economy and degraded environment among others.

Within this background, it was necessary to provide a context and framework for future decisions concerning strategic and structural development of the City as well as management of future urban growth.

This is a component of "the Program on Improvement of Infrastructure for Transportation in Nairobi Metropolitan Area" in line with JICA's Assistance Program.

II. OUTLINE OF THE PROJECT

1. Title of the Project

"Project on Integrated Urban Development Master Plan for the City of Nairobi"

2. Overall Goal

To provide a framework to guide and manage the city's development

3. Objective

To prepare the Fourth Master Plan for the City of Nairobi

4. Outputs

- i. Formulate an Integrated urban development master plan for the period 2014 to 2030
- ii. Formulate an implementation and management program
- iii. Prioritize intervention areas/ flagship projects
- iv. Formulate policies, rules and guidelines for local development
- v. Conduct technical transfer to the counterparts in the course of the Project

5. Activities

Some of the envisaged activities to formulate the master plan (not limited to the following)

- i. Review and analysis of the current situation
- ii. Review policy, related plans and social economic data

- iii. Review existing rules and regulations and to analyze existing urban development master plan
- iv. Review the existing sector plans
- v. Analysis of development potentials, challenges and constrains toward future development in the City of Nairobi
- vi. Setting of socio-economic framework
- vii. Develop a methodology/ approach for formulating the Master plan
- viii. Formulation of development vision in line with Kenya Vision 2030 and Nairobi Metro 2030
- ix. Formulation of Structure plan including Land use
- x. Stakeholder consultations
- xi. Review and analysis of urban social services (public education, health facilities community facilities etc)
- xii. Analysis of alignment between the land use plan and each sector's basic concept (Road/Transportation, Power, water supply, sewage system, telecommunication, environmental management)
- xiii. Analysis of institutional arrangement, legal framework for urban planning and human resource development for Nairobi master planning

6. Input

(1) Input by JICA

Dispatch of Mission

- i. Urban Planning
- ii. Land Use Planning
- iii. Environmental Management
- iv. Infrastructure/ Power Planning
- v. GIS
- vi. Industrial Promotion.
- vii. Urban Transport
- viii. Water Supply/Sewage Planning
- ix. Drainage (storm water) System
- x. Institutional System/Capacity Development
- xi. Socio-economic planning

Inputs other than indicated above will be determined through mutual consultations between JICA and CCN during the implementation of the Project, as necessary.

(2) Input by CCN

CCN will take necessary measures to provide at its own expense:

- (a) Adequate project counterpart staff;
- (b) Suitable office space with necessary equipment;
- (c) Supply or replacement of machinery, equipment, instruments, vehicles, tools, spare parts and any other materials the council puts into the implementation of the Project other than the equipment provided by JICA;
- (d) Credentials or identification cards;
- (e) Available data (including maps and photographs) and information related to the Project; and

- (f) Provide adequate budget for counterpart funding (Running expenses and maintenance).

7. Implementation Structure

The Project organization chart is given in the Annex I. The roles and assignments of relevant organizations are as follows:

- (1) Responsible Agency
MoLG will supervise the Project.
- (2) Implementation Agency
CCN will be responsible for smooth implementation of the Project.
- (3) JICA Experts
The JICA experts will give necessary technical guidance, advice and recommendations to MoLG and CCN on any matters pertaining to the implementation of the Project.
- (4) Joint Coordinating Committee
Joint Coordinating Committee (hereinafter referred to as "JCC") will be established in order to facilitate inter-organizational coordination. JCC will be held whenever it is deemed necessary. A list of proposed members of JCC is shown in the Annex II.

8. Project Site(s) and Beneficiaries

- (1) Project Site
The Project will cover the area of the City of Nairobi covering an approximate area of 684km² as shown in Annex III.
- (2) Beneficiaries
Direct beneficiaries will be staff of MoLG and CCN and people of Nairobi and its environs (3,138,369 as per the 2009 census in Nairobi). Being a capital and part of the metropolitan area, this project will also be contributing directly or indirectly to the people of Kenya and in the socio-economic development of Kenya.

9. Duration

The Project duration will be 15 (fifteen) months. The Project will be carried out in accordance with the schedule as shown below.

Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Project																		
JCC	▲				▲								▲					
Report	▲ IcR				▲ ItR		▲ PR					DfR	▲		▲ FR			

Notes: JCC: Joint Coordinating Committee, IcR: Inception Report, ItR: Interim Report
PR: Progress Report, DfR: Draft Final Report, FR: Final Report

10. Reports

JICA will prepare and submit the following reports to the CCN in English.

- (1) 30 copies of Inception Report at the commencement of the assignment
- (2) 30 copies of Interim Report 5 months after the commencement of the assignment
- (3) 30 copies of Progress Report 8 months after the commencement of the assignment
- (4) 30 copies of Draft Final Report
- (5) 30 copies of Final Report within two (2) months after the receipt of the comments on the Draft Final Report

11. Environmental and Social Considerations

CCN agreed to abide by 'JICA Guidelines for Environmental and Social Considerations' in order to ensure that appropriate considerations will be made for the environmental and social impacts of the Project.

III. UNDERTAKINGS OF MoLG and CCN

MoLG and CCN will take necessary measures to:

- (1) ensure that the technologies and knowledge acquired by the GOK nationals as a result of Japanese technical cooperation contributes to the economic and social development of Kenya, and that the knowledge and experience acquired by the personnel of GOK from technical training as well as the equipment provided by JICA shall be utilized effectively in the implementation of the Project;
- (2) grant privileges, exemptions and benefits to members of the JICA missions referred to in II-6 (1) above, and their families, which are no less favorable than those granted to experts and members of the missions and their families of third countries or international organizations performing similar missions in Kenya; and
- (3) ensure smooth transition of the Project outcomes during the implementation of new government structure.

IV. EVALUATION

JICA will conduct the following evaluations and surveys to mainly verify sustainability and impact of the Project and draw lessons. The CCN is required to provide necessary support for them.

- (1) Ex-post evaluation three (3) years after the project completion, in principle
- (2) Follow-up surveys on necessity basis

V. PROMOTION OF PUBLIC SUPPORT

For the purpose of promoting support for the Project, CCN will take appropriate measures to make the Project widely known to the people of Kenya.

VI. MUTUAL CONSULTATION

JICA, MoLG and CCN will consult each other whenever any major issue arise in the course of the Project implementation.

VII. AMENDMENTS

The record of discussions may be amended by the minutes of meetings between JICA, MoLG and CCN.

The minutes of meetings will be signed by authorized persons of each side who may be different from the signatories of the record of discussions.

Annex I Project Organization Chart

Annex II A List of Proposed Members of Joint Coordinating Committee and Technical Working Group

Annex III Project Area



MAIN POINTS DISCUSSED

1. The Project title

Japanese side proposed to change the adopted project title which is "Project for third Nairobi city master plan".

Both sides agreed to change the Project title as follows;

"The Project on Integrated Urban Development Master Plan for the City of Nairobi"

2. Treatment of Slum Areas

The slum areas are located in the City of Nairobi. It is estimated that the population of the slum settlements is more than 1 Million distributed over 100 settlements located in various parts of the City. However this data is not conclusive. When the future demands and socio-economic frameworks in the Master Plan are forecasted, the basic statistic data such as population, gender, households are very crucial. Therefore, Japanese side requested Kenyan side to provide the necessary data for developing the Master Plan as the precondition for the commencement.

Kenyan side agreed that they will make available the necessary data for the formulation of Master Plan before the commencement of the Project.

In addition, both sides agreed that the Project will not focus on the planning of slum areas. This Master Plan shall however treat the slum areas as informal residential areas.

3. Map data

JICA installed the digital map data of City of Nairobi under "The Study for the Establishment of the Spatial Data Infrastructure Framework for the City of Nairobi in the Republic of Kenya (2002-2005)". Digital map data is very important and necessary for developing the Master Plan.

Both sides agreed to facilitate the following through JCC:

- Collaborate in generation and sharing of map data among agencies,
- The Kenya National Spatial Data Infrastructure Standards (KNSDI) shall be applied in spatial planning, and
- In this regard Survey of Kenya shall share the existing Nairobi spatial data with CCN. In reciprocal CCN shall share the spatial data generated by the end of the Project with the Survey of Kenya.

4. Assignment of counterparts and Secure office space

Kenyan side agreed to assign the counterparts for the Project and inform JICA of members of the counterpart staff in writing. Kenyan side also agreed to secure office space in City Hall for the Project team during the Project period.

5. Start of the Project

Kenyan side requested to know the commencement date.

Both sides are committed to commencement of the Project before the end of December, 2012 subject to approval by the Government of Japan.

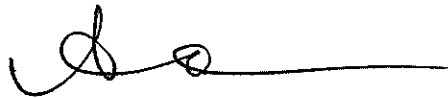
6. Existing, on-going sector based plans

Both sides agreed to utilize the JCC to give policy direction and coordination with regard to the sector plans' utilization and alignment with the Master Plan.

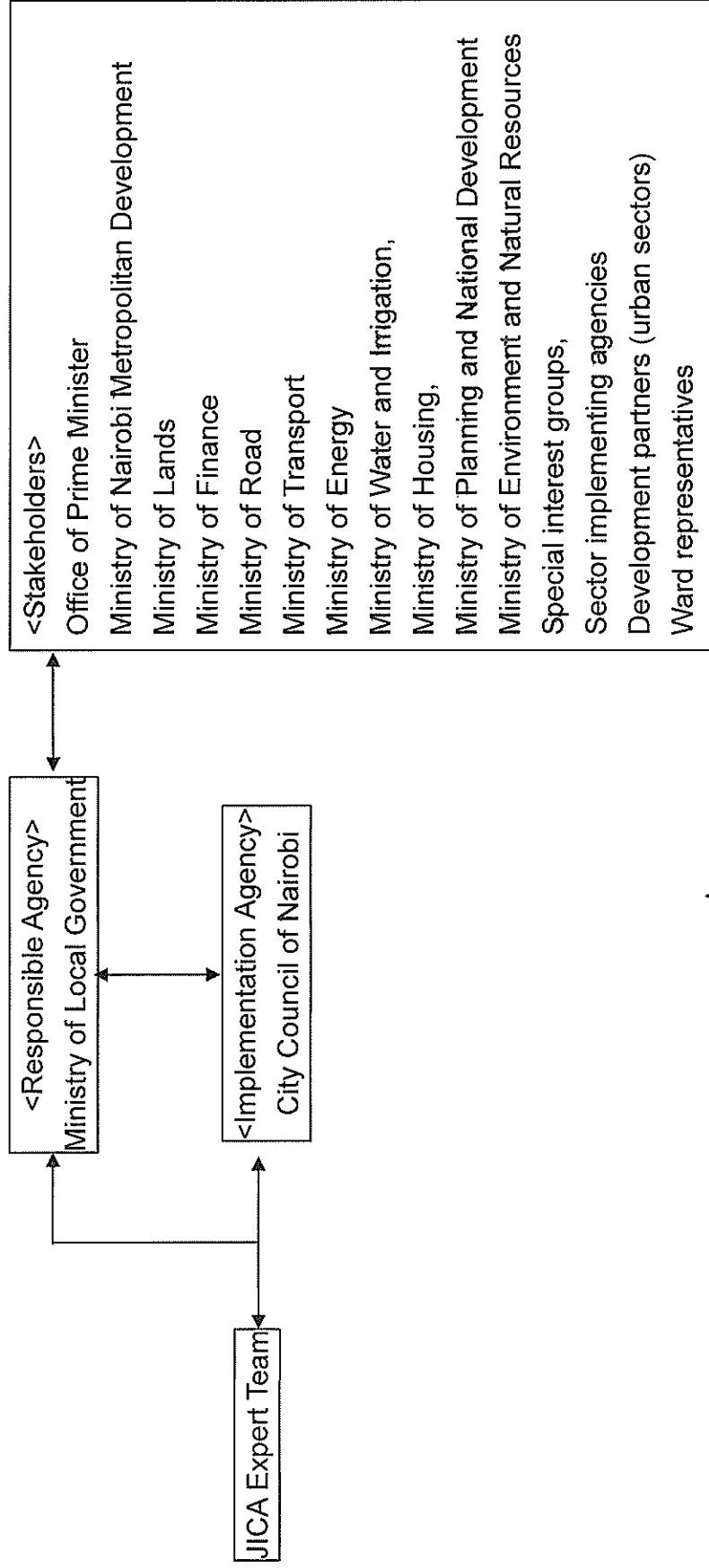
7. Counterpart staff

The Government of Kenya is committed to ensuring that deployment of counterpart staff will not be affected by transition to devolved government work currently in progress.

END



Project Organization Chart



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A List of Proposed Members of Joint Coordinating Committee
and Technical Working Group

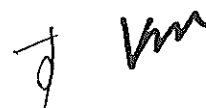
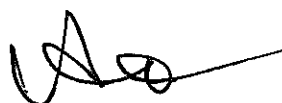
<JCC>

- a. Chair : Permanent Secretary, Ministry of Local Government
- b. Vice Chair: Town Clerk, City Council of Nairobi
- c. Members : Office of Prime Minister
 - Ministry of Nairobi Metropolitan Development
 - Ministry of Lands
 - Ministry of Finance
 - Ministry of Roads
 - Ministry of Transport
 - Ministry of Energy
 - Ministry of Water and Irrigation,
 - Ministry of Housing,
 - Ministry of Planning and National Development
 - Ministry of Environment and Natural Resources
 - Chair of the Technical Working group
 - Chair of the secretariat
 - JICA representativesOther organizations can participate in JCC if necessary.

*Level of participation to be limited to Secretary of the particular Ministry and above or designated person by the Secretary.

d. Functions

- 1) To steer and advise the project team
- 2) To appraise the results of the Project
- 3) To facilitate the necessary endorsement procedures of the Project outputs
- 4) To coordinate and give policy direction to existing and on-going sector plans



<Technical Working Group>

- a. Chair : Director Urban Development Department, MoLG
- b. Secretary : Director, City Planning Department, City Council of Nairobi
- c. Co-chair : Leader, the JICA team
- d. Members : Staff of MoLG

Staff of CCN

Survey of Kenya

Department of Physical Planning, Ministry of Lands

Kenya Urban Road Authority

Kenya Power Lighting Co Ltd.

Nairobi City Water and Sewerage Company

Athi-water and service board

Communication Commission of Kenya

Kenya Civil Aviation Authority

Kenya Wildlife Service

Kenya Railways

National Environmental Management Authority,

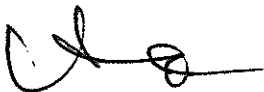
Representatives of development partners

Ward representatives

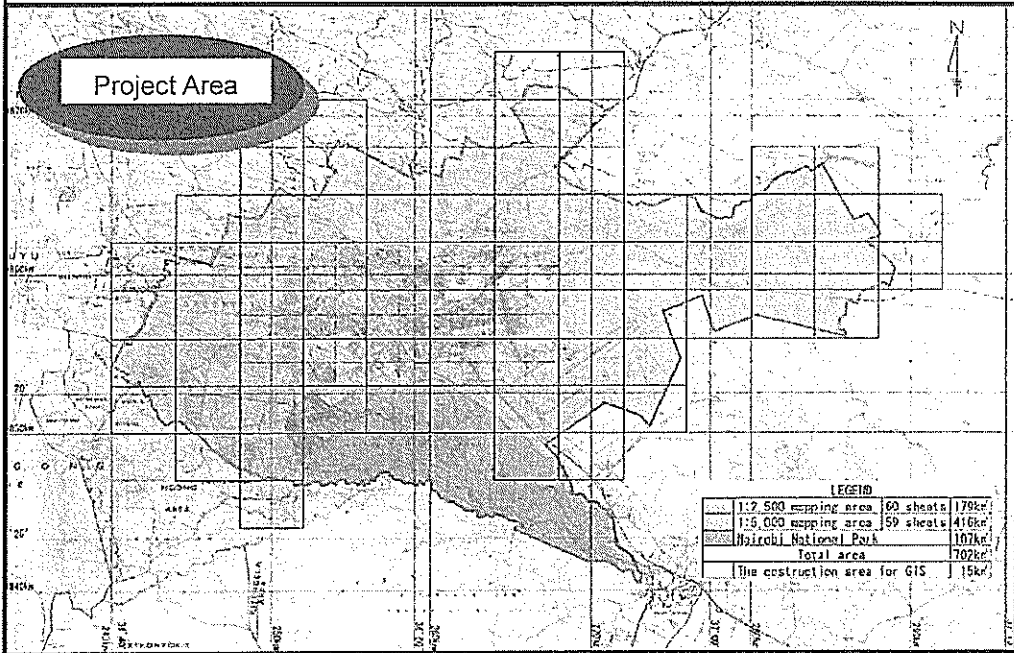
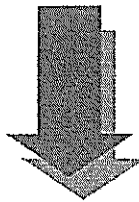
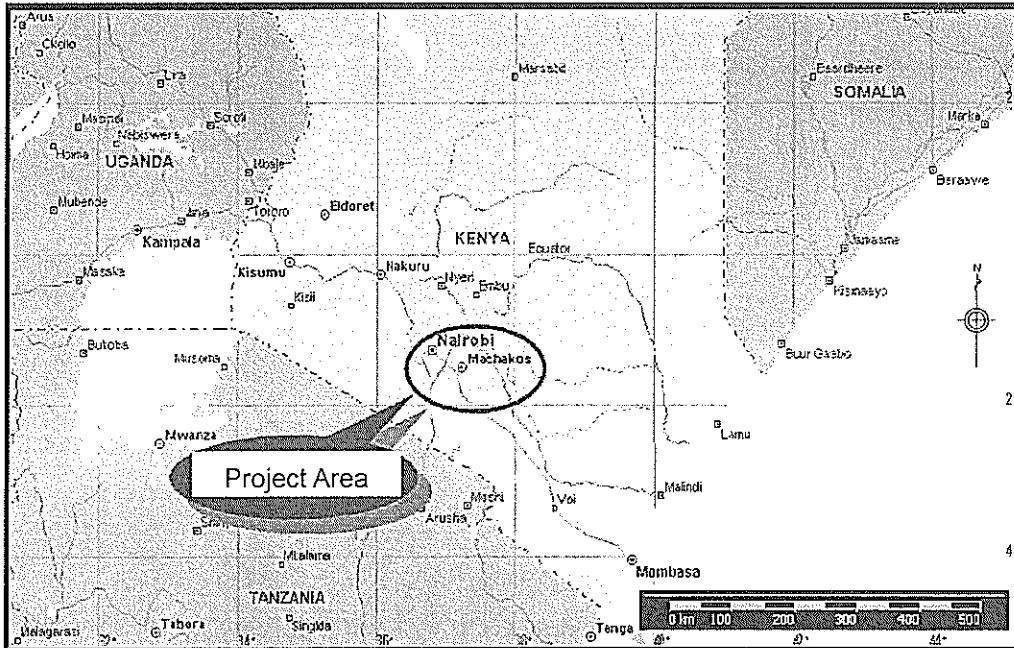
Any other relevant government/private sectors agencies

e. Functions

- 1) To carry out surveys and analyze the current situation of the project area
- 2) To prepare reports for presentation to the JCC
- 3) To harmonize the presented reports
- 4) To coordinate the working team
- 5) To anticipate challenges of sectoral plans with a view to ensure horizontal co-ordination among agencies



Project Area



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