



**COUNTY GOVERNMENT OF NAIROBI CITY**

**SECOND ASSEMBLY – FIFTH SESSION**

**NAIROBI CITY COUNTY ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, 21<sup>ST</sup> SEPTEMBER, 2021 AT 2:30 P.M**

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

**QUORUM OF THE ASSEMBLY**

The Presiding Speaker (Hon. Emily Oduor, MCA, having confirmed that there was Quorum called the Assembly to order.

**3. NOTICE OF MOTION:- INTERVENTION TO PROHIBIT PSV OPERATORS FROM TERMINATING AT PETROL STATIONS.**

**THAT**, aware that Part 2 of the Second Schedule to the Constitution of Kenya 2010 bestows the traffic and parking function on County Governments; **FURTHER AWARE THAT** the National Transport and Safety Authority Act Regulations mandate the authority to tow away stalled commercial vehicles on the road; **COGNIZANT THAT** the Kenya National Bureau of Statistics economic survey of 2020 pointed to an increased number of accidents of up to 10.8% between 2019 and 2020; **NOTING THAT** stalled vehicles account for a significant percentage of the accidents; **DEEPLY CONCERNED THAT** delayed towing away of stalled vehicles or vehicles involved in accidents lead to tailback of traffic jam on the affected roads and congestion on other roads compounding the existing challenge of loss of productive time in traffic jams; **OBSERVING THAT** for unknown reasons, private players in the towing sub-sector take longer time to intervene in towing away vehicles involved in accidents or stalled vehicles on roads; a combination of the foregoing factors give the public an impression of a government that is reluctant to address or mitigate existing challenges in the transport Sector, particularly, traffic management. This **ASSEMBLY URGES** the County Executive in conjunction with the Nairobi Metropolitan Services (NMS) to:

- 1) Formulate policy to regulate private operators in the towing industry; and

2) Acquire government owned towing equipment and strategically locate them on roads in the County for timely intervention in cases of accidents or stalled vehicles.

*(Hon. Mark Mugambi, MCA)*

**4. NOTICE OF MOTION:- ACQUISITION AND STRATEGIC PLACEMENT OF TOWING EQUIPMENT ON ROADS IN NAIROBI COUNTY**

**THAT** aware part two of the Second Schedule of the Constitution of Kenya bestows the traffic and parking function on the County Governments. **FURTHER AWARE THAT** the National Transport and Safety Authority Act regulations mandates the authority to tow away stalled commercial vehicles on the roads; **COGNIZANT THAT** the Kenya National Bureau of Statistics, Economic Survey of 2020 pointed to an increased number of accidents up to 10.8% between 2019 and 2020. Noting that stalled vehicles account for a significant percentage of the accidents. **DEEPLY CONCERNED THAT** delayed towing away of stalled vehicles or vehicles involved in accidents lead to a tail back of traffic jam on the affected roads and congestion on other roads compounding the existing challenge of loss of productive time in traffic jams; **OBSERVING THAT** for unknown reasons, private players in the towing subsector take a longer time to intervene in towing away vehicles involved in accidents or stalled vehicles on the roads, a combination of the foregoing factors giving the public an impression of a government that is reluctant to address or mitigate the existing challenges in the transport sector particularly traffic management. This Assembly therefore urges the County Executive in conjunction with the Nairobi Metropolitan services to:

1. Formulate policy to regulate private operators in the towing industry.
2. Acquire government owned towing equipment and strategically locate them on the roads in the County for timely interventions in case of accidents.

*(Hon. Mark Mugambi, MCA)*

**5. NOTICE OF MOTION:- RENAMING OF MBAGATHI WAY AFTER THE RIGHT HONORABLE RAILA AMOLO ODINGA. I MOVE THE NOTICE OF MOTION.**

**THAT**, aware that the country has history of conferring honors and recognition on its most outstanding citizens for their services acts or deeds which promotes public good; **NOTING THAT** this tradition has historically been done by both the national government and the then council or municipal councils which are now county governments; cognizant that this honors and recognition has extended to not just medals and titles, but the renaming of roads and other public facilities

after our heroes and heroines and other variant Kenyans; **OBSERVING THAT** the Right Honorable Raila Amolo Odinga EGH has for the entire period of his adult life greatly impacted in the development of the Kenyan state both democratically and economically, and has during this period been involved in the fight for greater democratic space, good governance, rule of law and development of infrastructure against many odds including detention without trial for almost ten year; **NOTING THAT** in 2005 as the Minister for Roads and Public Works, the Right Honorable Raila Amolo Odinga conceived a plan and implemented masterpiece infrastructure such as the Thika Super Highway and the Mbagathi Way concrete road which have proved to be the most durable roads ever constructed in Kenyan history; **GRATEFUL THAT** this recent action of shaking hands with both the former President H.E Emilio Mwai Kibaki EGH and the current President H.E President Uhuru Kenyatta EGH led to restoration of peace and harmony in Kenya; **RECOGNIZING THAT** in the recognition of decades of service, the African Union recently appointed him as the African Union High Representative for Infrastructure Development, therefore this assembly resolves that the Nairobi City County Government renames Mbagathi Way in Kibera Constituency to Raila Odinga Way in recognition of Raila Amolo Odinga's contribution in the development and growth of Kenya state including his selfless sacrifice in championing for good governance, democratic space and development of infrastructure for the period of his entire adult life up to date

#### **6. STATEMENTS PURSUANT TO STANDING ORDERS 45 (2) C:-**

**Pursuant to Standing Order 45 (2) (c) the following Member requested for Statement: -**

- i. The Hon. David Mberia, MCA requested for a statement from the Sectoral Committee on Roads, Transport and Public Works, regarding the construction of roads in the County, specifically Academy Road in Karen Ward. **(Response is due in 2 weeks)**
- ii. The Hon. David Mberia, MCA requested for a statement from the Sectoral Committee on Trade, Tourism and Cooperatives, regarding the construction of markets in the County, specifically Karen Market in Karen Ward. **(Response is due in 2 weeks)**
- iii. The Hon. Patrick Musili, MCA requested for a statement from the Sectoral Committee on Planning and Housing regarding alleged illegal constructions in the County and specifically erection of an office block on land reference Number 21984/512 in Karen ward. **(Response is due in 2 weeks)**

#### **7. MOTION :- ESTABLISHMENT OF A STREET TO SCHOOL PROGRAM FOR THE STREET CHILDREN**

**AWARE** that Article 21 (3) of the Constitution of Kenya 2010 provides that all State organs and all public officers have the duty to address the needs of vulnerable groups within society, including women, older members of society, persons with disabilities, children, youth, members of minority or marginalized communities, and members of particular ethnic, religious or cultural communities” **FURTHER AWARE** that Article 53 (1) of the same constitution dictates that every child has a right interalias;- (b) to free and compulsory basic education; (c) to basic nutrition, shelter and health care; (d) to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment, and hazardous or exploitative labour; **CONCERNED** that according to the 2019 Kenya Population and Housing Census Report for the exercise conducted from 1st to 10th April, 2018 indicated that Kenya had a total of 46,639 street persons, out of whom the majority of the street persons being 21,550 were age 10 to 34 years, and below 19 years being 15,752, **FURTHER CONCERNED** that the highest concentration of street persons according to the said report was found in Nairobi (15,337 persons), Mombasa (7,529), Kisumu (2,746), Uasin Gishu (2,147) and Nakuru (2,005). **DISTURBED THAT** street children population in Nairobi County has increased over the years which has seen them thrust into a bleak, harsh and depraved environment often fraught with constant and sustained danger in various forms such as; Harassment, Violence, Drug abuse and trafficking, Sexual exploitation, Loneliness and fear, Physical and emotional abuse and neglect, Starvation, Exposure to the elements, Early pregnancy and Poor hygienic and sanitation conditions; **FURTHER DISTURBED** that most of the street children lack basic needs including education despite the Government intervention towards free Education system; this Assembly therefore resolves that the County Executive undertake the following measures;-

- i. Initiate a “Street to School” campaign programs towards eliminating children from the streets to school with a proper guideline for the same;
- ii. The County Executive to establish a street-children rescue center for learning through a Public Private Partnership with non-state agencies and equip it with personnel;
- iii. A one-month Public Notice be issued to the General Public on removal of all homeless children from the street and enroll them on the Street to School Program forthwith; and,
- iv. Homeless children that shall upon the expiry of the removal notice be promptly nabbed and directed to Ruai Rehabilitation Center for rehabilitation and subsequently enrolled in the “Street To School” program.

*(Hon. Benson Mwani, MCA)*

**Motion Differed**

**8. ADJOURNMENT**

There being no other business and the time being Twenty Five minutes to Three O'clock, the Temporary Speaker adjourned the assembly without Question put pursuant to the Standing Orders.

**9. ASSEMBLY ROSE** - at Twenty Five Minutes past Three O'clock.

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**M E M O R A N D U M**

The Speaker will take the Chair on  
Thursday, September 23<sup>rd</sup>, 2021 at 2. 30p.m

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