



**COUNTY GOVERNMENT OF NAIROBI CITY**

**SECOND ASSEMBLY – FIFTH SESSION**

**NAIROBI CITY COUNTY ASSEMBLY**

**VOTES AND PROCEEDINGS**

**THURSDAY, NOVEMBER 18, 2021 AT 2:30 PM**

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

**QUORUM OF THE COUNTY ASSEMBLY**

The Honorable Deputy speaker having confirmed that there was quorum, proceeded with the Business as it was in the order paper.

**3. MESSAGES**

The following message was read:-

**NOMINATION OF PAUL MUTUGA MUTUGI TO POSITION OF DEPUTY GOVERNOR**

**Hon. Members,** Standing Order 43 (1) relating to the messages from the Governor provides that the Speaker shall read to the County Assembly any message from the Governor or the Senator of the County delivered to the Speaker for communication to the County Assembly. In this regard, Hon. Members I wish to report that the office of the Speaker is in receipt of a message from Her Excellency the Governor of Nairobi City County Vide Letter dated 16th November 2021. In the message Hon. Members, Her Excellency, the Governor notifies this Assembly of the vacancy in the office of the Deputy Governor Nairobi City County following her swearing-in on Tuesday 16th November 2021 as the third Governor for the County City of Nairobi.

Subsequently Hon. Members, in her letter, the Governor nominate Mr. Paul Mutuga Mutugi for the position of Deputy Governor Nairobi City County, pursuant to section 31 of the County Government Act 2012. Hon. Members, pursuant to the Standing Order number 196 (4), I hereby commit the vetting of the nominee for the position of Deputy Governor Nairobi City County to the Select Committee on Appointment for vetting and conduction of public participation, for the suitability of the candidate and table its

report for consideration by the Assembly within 14 days as guided by the section 8 of the Public Appointment and Parliamentary Approval Act 2011.

Thank you Honorable Members.”

#### **4. PAPERS LAID –**

The following papers were laid:

- I. THE REPORT OF THE SECTORAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON THE INQUIRY INTO ALL PENDING BILLS ARISING FROM CASES HANDLED BY ALL THE PREQUALIFIED FIRMS THAT HAVE FINANCIAL IMPLICATIONS ON THE COUNTY SINCE 2017 TO DATE.**

*(Hon. Millicent Jagero, MCA)*

- II. THE REPORT OF THE SECTORAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES ON THE CONSIDERATION OF ENVIRONMENT WATER AND ENERGY SECTOR REPORTS ON THE CLOSURE OF KIAMAIKO ABATTOIRS.**

*(Hon. Wilfred Odalo, MCA)*

#### **5. NOTICE OF MOTION –**

The following notices of Motions were given:-

- I. REPORT OF THE SECTORAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON THE INQUIRY INTO ALL PENDING BILLS ARISING FROM CASES HANDLED BY ALL THE PREQUALIFIED FIRMS THAT HAVE FINANCIAL IMPLICATIONS ON THE COUNTY SINCE 2017 TO DATE.**

*(Hon. Millicent Jagero, MCA)*

- II. THE REPORT OF THE SECTORAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES ON THE CONSIDERATION OF ENVIRONMENT WATER AND ENERGY SECTOR REPORTS ON THE CLOSURE OF KIAMAIKO ABATTOIRS.**

*(Hon. Wilfred Odalo, MCA)*

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

**Pursuant to Standing Order 45 (2) (c) the following statement was requested: -**

- i. Hon. Fredrick Otieno, MCA requested for a Statement from the Chairperson of the Sectoral Committee on Planning and Housing regarding the allocation of land for public utility in the Lucky Summer ward. (Response due in 2 weeks)**

**7. MOTION: - PROHIBITION OF USE OF ROUNDABOUTS AS LAYBYS, PARKING AND TERMINI BY PUBLIC SERVICE VEHICLES**

Motion moved and Question proposed -

**THAT** aware that Article 46 of the Constitution of Kenya 2010 provides that consumers of goods and services have a right to protection, health, safety and **economic interests**, the Constitution in Part II of the Fourth Schedule apportions the parking and traffic aspects of transport function to County Governments; **COGNIZANCE THAT** Section 27 of the Nairobi City County Traffic Act, 2020 prohibits PSVs from picking and dropping passengers at undesignated bus stops and Sections 46 and 47 of the Act prohibits persons from parking on public roads in a manner that impedes traffic flow and strictly restricts parking to the designated areas, the Sections particularly prohibits PSVs from using undesignated areas as parking prior to obtaining authority from the County; **NOTING THAT** in pursuit of the County beautification initiatives, the County has from year to year allocated and appropriated funds towards rehabilitation, greening and decoration of roundabouts including entering into maintenance agreements with private companies for the purpose of environmental aesthetics; **DEEPLY CONCERNED THAT** the persistent use of roundabouts by PSVs as termini has continued to cause heavy tailbacks of traffic on key roads such as Outer Ring road on a daily basis leading to loss of productive time and loss of value for public money and investments; this Assembly urges the County Executive and the Nairobi Metropolitan Services to: -

- i. Issue a public notice prohibiting public transport (PSVs) from using roundabouts as termini, laybys and/or parking areas in contravention of the law;
- ii. Continuously enforce the foregoing prohibition notice using enforcement officers and the County and Sub-County levels; and
- iii. Formulate regulations to the Nairobi City County Transport Act 2020 forthwith to provide for punitive measures for operators who illegally use roundabouts as termini, laybys or parking.

*(Hon. John Kamau, MCA)*

Debate ensued

Mover replied

Question put and Agreed

And the time being Ten minutes to Four O'clock, the Deputy Speaker adjourned the Assembly without question put pursuant to the Standing Orders.

**ASSEMBLY ROSE**

- Ten Minutes to Four o'clock

**MEMORANDUM**

The Speaker will take the Chair on  
Tuesday, November 23<sup>rd</sup>, 2021 at 9.30 a.m.

