



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Fifth Session

Tuesday 27th July 2021

The House met at 9.30 a.m.

[Hon. Speaker (Mr. Benson Mutura) in the Chair]

PRAYER

QUORUM

Hon. Speaker: Clerk, confirm whether we have quorum. I understand we have quorum, let us proceed.

PAPERS

Hon. Joseph Komu: Pursuant to Standing Order No.215 Cap 2, I beg to lay the following Paper on the Table of the Assembly today Tuesday 27th July 2021:

The report of the Sectoral Committee on Justice and Legal Affairs on the Petition from Mr. John MakOjiambo on behalf of the Kenyan citizens, Nairobi residents---

Hon. Speaker: Hon. Member, order! The report to be laid is on budget, it is the first item here. We will get back to you. Who is laying the report on budget? The Petition is second. But since the leadership are not around, we can proceed to the next order on the report of the Justice and Legal Affairs Committee.

Hon. Joseph Komu: Thank you Hon. Speaker. Pursuant to Standing Order No.215 Cap 2, I beg to lay the following Paper on the Table of the Assembly today Tuesday 27th July 2021:

The report of the Sectoral Committee on Justice and Legal Affairs on the Petition from Mr. John MakOjiambo on behalf of the Kenyan citizens, Nairobi residents and Nairobi County tax payers on request for removal from office of Ms. Lydia Kwamboka, the Nairobi City County Attorney.

Hon. Speaker, I beg to lay.

Hon. Speaker: Very well, we can go now to the Minority Whip.

Hon. Peter Imwatok: Hon. Speaker, I must appreciate that this is an honor in my entire nine years in the County Assembly to be in a position to table the budget of the government of the day. Hon. Speaker,

pursuant to Article 228 (6) of the Constitution of Kenya 2010, I beg to lay the following Papers on the Table of the Assembly today Tuesday 27th July 2021:

1. First half County Government Budget Implementation Review Report for the financial year 2020-2021 covering the period from July 2020 to December 2020; and
2. First nine months' County Government Budget Implementation Review Report for 2020-2021 and July 2020 to March 2021.

I beg to lay the Papers.

Hon. Speaker: Very well, next order.

NOTICES OF MOTION

Hon. Joseph Komu: Hon. Speaker, I beg to give Notice of the following Motion: THAT this assembly adopts the report of Sectoral Committee on Justice and Legal Affairs on the petition from Mr. John MakOjiambo on behalf of the Kenyan citizens, Nairobi residents and Nairobi County tax payers on request for removal from office of Ms. Lydia Kwamboka, the Nairobi County Attorney laid on the Table of the Assembly on 27th July 2021. Thank you.

MOTION

DEVELOPMENT OF NAIROBI CITY ELECTRIC LIGHT TRAIN TRANSPORT

Hon. Patrick Musili: Thank you Hon. Speaker. I beg to move the following Motion on development of Nairobi City Electric Light Train Transport---

Hon. Speaker: Hon. Member, be closer to the mike.

Hon. Patrick Musili: Thank you Hon. Speaker. Aware that the Electric Light Rail Transit System as a medium capacity mode for mass rapid transport has been embraced by modern Cities in the world as a convenient and eco-friendly mode of urban transport system with its greatest benefits being; - i) Reduce traffic congestion in the City; ii) Reduction of pollution in the City due to its electric functionality; iii) increasing property values and fostering economic development; and, iv) Provision of affordable and reliable means of transportation APPRECIATING that Addis Ababa, Ethiopia is one of the Cities in Africa to install and commission a 17 Kilometers Light Rail Transit Line on 20th September 2015, running from Northern part of the city to its industrial areas in the south and a second 14.6 Kilometers Light Rail Transit Line running from the east to west of Addis Ababa City commissioned on the 9th of November 2015, with a total length of 31.6 Kilometers and with a total of 39 stations; Acknowledging the provision of Article 189 of the Constitution of Kenya 2010 which provides for cooperation between the National and County Governments, particularly, 189 (1) (a) which states that Governments at either level shall, inter-alia, assist, support and consult and, as appropriate, implement the legislation of the other level of government; Further acknowledging the provision of Article 189 (2) which provides that Government at each level, and different governments at the county level, shall co-operate in the performance of functions and exercise of powers and, for that purpose, may set up joint committees and joint authorities. Noting the need for top-bottom co-ordination by the National Government and the County Government as provided for in Article 189 of the Constitution of Kenya, 2010 through multi-agency technical Committee approach; Now therefore, this Assembly resolves that the County Executive initiates a multi-agency technical Committee from the following agencies:

- i. Representative from the Ministry of Transport and Public Works;
- ii. Representative from the Ministry of Planning and National Development
- iii. Representative from the Ministry of Finance and Economic Planning
- iv. Representative from the Kenya Railways;
- v. Representative from the National Transport and Safety Authority (NTSA)
- vi. Representative from the Nairobi Metropolitan Service (NMS),
- vii. The County Secretary, Nairobi City County;
- viii. Representative from Kenya Urban Roads Authority;
- ix. Representative from the Kenya National Chamber of Commerce - Nairobi County;
- x. Representative from the Nairobi Metropolitan Area Transport Authority (NaMATA);
- xi. Two (2) experts from a reputable firm dealing with light railway system;
- xii. Two (2) persons representing stakeholders that the County Executive to Committee;

With the following Terms of Reference, namely to: -

1. Undertake an Economic Feasibility Study to determine the cost-benefit analysis of an Electric Light Rail Transit System in Nairobi City County;
2. Undertake a Technical Feasibility Study for anticipatory establishment of an Electric Light Rail Transit System in Nairobi City County against the required resources; and
3. Undertake an Operational Feasibility Study to determine if the county needs would be met by the proposed project; and Report to the County Assembly with a Comprehensive Report within Four (4) months from the date of establishment of the Technical Committee on the reliability, sustainability and viability of the proposed project.

Hon. Speaker, the reason why we are moving this Motion is after looking into the challenges that Nairobians are facing with transport within the city. This morning, I spoke to one of my colleague MCA, who was supposed to come and support this Motion, Hon. Kabiro. He has been stuck in traffic jam for the last two hours while trying to reach this place.

There is a research that was been conducted by NAMATA in September 2019, which ranked Nairobi as fourth most congested city in the world. It also says, the jam itself costs Kenya almost Kshs.1 billion US Dollars in a year. This is reducing productivity of our economy. On average, travel time to come to the City Center is 57 minutes. Whereas on average in other cities in the world take 15 minutes, this is because of established and reliable mode of public transport. This is attributed to the low levels of public scheduled transport system that lack non elaborate motorized transport network.

Hon. Speaker, we acknowledge the Government is still working on reducing traffic congestion within the city by initiating Bus Rapid Transport System (BRT). Although this has not been implemented or realized and the Government had set aside Kshs. 200 billion on this.

Hon. Speaker, when you look at countries like Ethiopia, this system of transport was initiated in 2008 and was funded 85% by Chinese Government. This system of light rail transport is able to move 60 thousand people per hour in and outside the city. The research and the findings after the development of this system shows that now the economy in Ethiopia is growing at a fast rate. There is no much traffic congestion within its City Addis Ababa. The people are now able to move faster within the suburbs. If we can adopt this mode of transport within Nairobi, we are able to connect the suburbs that are within Nairobi,

like Thika, Ngong, and other towns surrounding Nairobi. This will move people quickly hence encourage and create a conducive environment for the growth of our economy.

I want to call Hon. Komu to second this Motion.

Hon. Joseph Komu: Hon. Speaker, I second.

(Question proposed)

Hon. Speaker: Minority Whip

Hon. Peter Imwatok: Hon. Speaker, I want to first thank Hon. Musili for thinking widely on this matter. I know he is an architect by profession. I had the chance to read some of the findings from NAMATA on the issue transport within the City during my first term between 2016/2017. I then traveled to Dubai in 2015 and realized that this is not about the space that we do not have but the plans that we have for Nairobi.

When you read the NAMATA findings you will realize that we are able to be the next Dubai or even Singapore and all that is required is for the Government to move with speed. We are left with less than 120 days here and I hope that they will remember you for this as history is written by those who dare to dream.

Hon. Speaker, I do not understand why the Constitution speaks on all levels of Government but the County Government cannot initiate the same process, involve the treasury and get an investor for posterity. We will all leave this Country and I expect the next Government or NMS to take this matter seriously.

Currently when you drive along Mombasa road, you feel proud to be Kenya. If we are to put up the light rail system, how will Africa look at us as a Country? We are doing all this for our children and the ones to come. This Motion is not about Hn. Musili but the future we are creating for our children and those to come.

We need to overcome the fear of the small-scale matatu population because that is what causes issues for NAMATA. It is a big industry and the Government should think of ways of assimilating these young people into employment opportunities. We must understand that the matatu industry is a challenge for us and I propose that going forward, this committee have a representative from the industry. So that when we make decisions on how to sort this mess within Nairobi, then they are part and parcel of this. I beg to support

Hon. Speaker: Very well. It seems that most of our Members are stuck in traffic and no one is on the Zoom. Without much ado, may the mover reply.

Hon. Patrick Musili: Thank you, Hon. Speaker, and thank you Minority Whip for supporting this motion. Let me mention the need as identified through this Motion is to build cost-effective public transportation systems to reduce traffic congestion and improve road safety.

Many people are scared of using matatus because firstly of their safety and secondly there is no comfort.

That is why many people would prefer to use their cars but if we can come with a reliable safe clean modern transport system as proposed in this Motion. I would tell you, Hon. Speaker, there would be no need for you to fuel your car at Kshs. 2,000 to come to the city while you can pay kshs 200 to come to the city and go back to your home at the comfort of your sit in the rail transport system.

Hon. Speaker also this proposed mode of transport will help in reducing pollution in the city because it uses electricity rather than using many vehicles that produce carbon dioxide that pollutes our city and environment.

Therefore, Hon. Speaker, I am grateful for the support and to the clerks of the Assembly who worked tirelessly with me to come up with this motion. Thank you Hon. Speaker.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: Hon Members, that brings us to the closure of business for the morning session. The House resumes at 2.30 p.m. for the afternoon session.

The House rose at 10:25 am