



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Third Session

Tuesday 2nd April, 2024

The House met at 2.30 p.m.

(Hon. Speaker (Mr. Kennedy Ng'ondi) in the Chair)

PRAYER

Hon. Speaker: Hon. Members, you may be seated.

QUORUM

Hon. Speaker: Hon. Members, the attention of the Chair has been drawn to the lack of quorum. Under Standing Order No.37 (2), I direct the Serjeant-at-Arms to ring the bell for a record of ten minutes.

(Quorum bell was rung)

Clerk proceed.

COMMUNICATION FROM THE CHAIR

WELCOMING HON. MEMBERS BACK FROM THE SHORT RECESS

Hon. Speaker: Hon. Members, I have the communication on welcoming you back from the short recess.

Hon. Members, welcome back from the short recess. It is my sincere hope that you had a wonderful and fruitful break. As we progress with the Third Session, I wish to remind you of the business before the assembly. We will be considering pending business which include Motions, Statements, Bills and Petitions. It is worth noting that the proposed supplementary budget estimates for the financial year 2023-2024 was tabled before we proceeded for the short recess. I

urge the county assembly committees to review the estimates with a keen eye that ensures Nairobians get the services they deserve.

Hon. Members, the assembly is further expected to receive the County Budget Estimates for the Financial Year 2024-2025 on the 30th of April 2024 for examination and approval. I therefore urge you to take your time to peruse through the document to ensure that Nairobi residents receive development accordingly.

Hon. Members in fulfilment of the County Assembly core mandate of legislation, several Bills are in various stages of consideration before their respective committees. Key to note is that some Bills are past the Second Reading stage yet the committees have not tabled their reports.

(Hon. Majority Leader and several Members stood at the bar awaiting to be allowed to enter the chamber)

Hon. Majority Leader please proceed, thank you. Kindly honorable Members proceed and get seated.

(Several Hon Members proceeded to take their seats)

In this regard Hon. Members, I call upon all the Chairpersons with Bills in their purview to expedite the same and report to the assembly on/or before Thursday 11th April 2024. You will recall that at the assembly sitting held on 27th February 2024, I issued a comprehensive communication regarding pending statements in various committees. In the aforementioned communication, I directed the Chairpersons to proceed and table responses for all pending Statements before their respective committees by Tuesday 16th April 2024 at 2.30 p.m. notwithstanding the satisfaction status of the members who requested for statements. I therefore urge Chairpersons with pending statements to adhere to the provisions of timeline of 16th April 2024.

ADDRESS OF THE COUNTY ASSEMBLY

BY H.E THE GOVERNOR

Hon. Members, you will recall that on our last meeting held on 21st March 2024, I issued a communication regarding the request by H.E the Governor to address the County Assembly on the State of the County on Thursday 28th March 2024. In the said communication I requested the Leader of the Majority Party to liaise with H.E the Governor to identify a suitable date since on the proposed date the assembly was on recess.

Hon. Members, following the consultation between the assembly leadership, the County Assembly has scheduled Thursday 4th April 2024 at 2.30. p.m. for H.E the Governor to address the County Assembly on the State of the County pursuant to the provisions of Section 30 (2) (k) of the County Government Act 2012 and Standing Order No.25.

Hon. Members, I urge you to spare ample time and avail yourselves for the Governor's Address and thereafter a cocktail party in the evening; the venue to be communicated.

ADHOC COMMITTEE REPORT

Hon. Members, you will recall that at the sitting of the County Assembly held on Wednesday 11th October 2023, the County Assembly approved a Motion to establish Adhoc Committee to investigate into the performance of the Nairobi City County Revenue system and administration.

Hon. Members, I am in receipt of a Report of the Adhoc Committee which was supposed to be tabled today Tuesday 2nd April 2024. However, Hon. Members, I have to invoke Standing Order No. 1 to give ample time to peruse through the report before it is laid on the Table of this assembly.

Hon. Members, taking cognizant that H.E. the Governor is supposed to address the County Assembly on Thursday 4th April 2024, thereafter his address will be debated for at most four sitting days pursuant to the provisions of Standing Order No. 27 (5). I therefore direct the Report of the Adhoc Committee to be laid on the table of the assembly on Tuesday 16th April 2024 at 2.30 p.m.

Hon. Members, you are encouraged to continue working with the diligence that you have exhibited in executing your mandate for the benefit of the Nairobi residents. Once again Hon. Members, I warmly welcome you back from the short recess. Thank you.

MOTION

DEVELOPMENT AND IMPLEMENTATION
OF A COMPREHENSIVE AND INTEGRATED
TRAFFIC TRANSPORT MANAGEMENT SYSTEM IN THE COUNTY
(Loud consultations)

Hon. Speaker: I thought members of the House Business Committee had the schedule of business to communicate to the assembly! Hon. Robert Alai, Member for Kileleshwa Ward, you may proceed.

Serjeant-at-Arms kindly find out if the Hon. Leader of the Minority Party has just referred to the Hon. Member of the assembly as a chief cartel?

Hon. Robert Alai: Hon. Speaker, I wish to move the following Motion which calls for the development and implementation of a comprehensive and integrated transport management system in the county.

That, aware that Paragraph 5 (c) of Part 2 of the Fourth Schedule to the Constitution of Kenya, 2010 provided for County Transport, including but not limited to; traffic and parking as a mandate of the County Government;

Further aware that Section 5 (2) of the Nairobi City County Transport Act, 2020 dictates that the County Executive shall be responsible for amongst others; regulation of an integrated public transport system in the County,

Concerned that according to a Report by the Kenya Urban Roads Authority (2022), Nairobi was ranked the second most congested City in Africa and the Fourth (4th) in the world, costing an estimated amount of Kshs.100 billion annually loss both on fuel and productivity;

Acknowledging the need for the County Government to integrate conventional bus services such as Bus Rapid Transit (BRT) and exploring future possibilities of installation of Underground Metro and Light Rail Transit (LRT) as a solution towards provision of capillary connectivity to key urban centers, residential areas, and business districts for a sustainable urban development;

Cognizant that with an integrated transport system, commerce and in particular, movement of goods and services shall spur Nairobi to a smart City and an economic hub to its neighboring counties and cities, this Assembly therefore urges the County Executive to develop and implement a comprehensive and integrated Transport Management System that shall encompass Bus Rapid Transit (BRT), Underground Metro & Light Rail Transit (LRT) Public Service Buses and Motorbikes to facilitate seamless mobility across the City and its environs.

Hon. Speaker, with this Motion this House urges the Executive to develop a policy which will see the development of integrated Bus Rapid Transit (BRT) to enable the improvement of mobility in this county. As you are aware, Nairobi is facing a lot of challenges and mobility and congestion are the key challenges.

With the rapid development, Hon. Speaker, especially in the housing sector we are not going to move much in this city if things are not aligned. If you go to many cities like those the honorable Members have visited and many others Members will go to soon, I urge this assembly to pass this Motion so that we develop a system which will enable us even to come to this assembly using bikes. I don't see the reason why I cannot come to this assembly with a scooter or a motor bike. Recently I rode a motorbike to the assembly and everybody was surprised to see that it was me at the gate.

Hon. Speaker, I think there are going to be a lot of benefits to the county if an integrated transport system is to be implemented in this city. With such a system, we can have a lot of benefits and one of them being flexibility on mobility. I don't think we should be limited on using our personal cars or official cars. I think the future of the city can be more resilient with the integrated transport system. There are a lot of pressures with climate change which come about through the vehicles that we drive. There is a lot of pollution which is going on.

If we pay attention and implement a metro system which is going to run underground in this city, it is going to lessen the pressure on the normal transport system on our roads today. I also think with such a transport system we are going to see an improvement on the tourism sector.

Hon. Speaker, there are very many safety concerns today in the city. If you saw what was happening in one of the roundabouts, there were a lot of snatching of personal belongings from private cars to public vehicles along key roads. I think with the development of a safe public transport system, the number of such safety concerns can go down in the city. I also think that the urban development and land use can be implemented better with such a transport system.

Hon. Speaker, I think I am getting a lot of weight because I am spending a lot of time sitting in my car than walking to the city. If the city is going to be upgraded, it is going to enable me to walk to some places and my health will be greatly improved. I urge this assembly to pass this Motion so that we give the future generations of this city and country something to benefit from. With that, I urge Hon. Nasra to second. Thank you Hon. Speaker.

Hon. Nasra Nanda: Thank you, Hon. Speaker. I rise today to second the Motion for the development and implementation of a comprehensive and integrated transport management system as a solution to address the critical issue of capillary connectivity in the key urban centers such as Nairobi.

Hon. Speaker, as we stand in the forefront of urban development, it is imperative that we prioritize sustainable and efficient transportation in centres like Nairobi. Nairobi like other rapidly growing urban centres in Africa faces significant challenges related to traffic congestion, air pollution and inadequate public transportation which has become the basis of an increasing divide between the rich and the poor. These issues not only hinder the economic growth of a city and its productivity, but also negatively impact the quality of life for residents and with a population of 5.5 million people in Nairobi, this will only increase as urbanization is increased with Nairobi's rural to urban migration.

Therefore, this Motion comes at a critical point because it is a critical conversation for us to have as citizens of Nairobi. This Motion by Hon. Alai represents a bold and timely approach to addressing these challenges by investing in underground transportation networks, we can alleviate congestion on our roads, reduce travel times and improve overall mobility issues within the city.

Furthermore, by integrating public transit systems, it has the potential to ensure that Nairobi is the city that is accessible for the rich and the poor, for those who are able and differently abled, making it easier for people to reach employment centers, educational institutions, healthcare facilities and recreational areas so that all of us can truly say that no Nairobi is left behind.

Moreover, implementing an Underground Metro and Light Rail Transit System has the potential to stimulate economic development and foster social inclusion. Not only will it create jobs in construction, operations and maintenance, but it will also spur investment along the transit oriented development which will result in neighborhoods and local communities being supported and gaining employment and access to business and opportunities which will enhance and benefit city's growth and prosperity.

In conclusion, Hon. Speaker, I would like to urge all the Members to support this Motion and emphasize that seizing this opportunity to create a move inclusive, sustainable vibrant Nairobi that ensures and meets the needs of the rich and the poor, current and future generations is the only way we can ensure that we are creating the Nairobi of the future and the green capital of the world. Thank you, Hon. Speaker.

Hon. Speaker: Thank you Hon. Member for seconding the Motion. But I would like to caution you to follow the Standing Orders, next time just highlight on the key areas not reading the whole passage; this is not supported by our statutes.

(Question proposed)

Hon. Members, plenary.

Hon. Peter Imwatak: Hon. Speaker, with all humility (*laughing*), protect me from Hon. Robert Alai because this is my time. The chicken has come home to roost with all humility, Hon. Alai (*Laughing*)....

Hon. Speaker: Hon. Majority Leader, are you in support of the Motion or are you against?

Hon. Peter Imwatok: Mr. Speaker, I am building my preposition and will all humility the mover of this Motion is my very close friend and my heart is very heavy to oppose. For the sake of being his leader, allow me to support this Motion so that next time he should know (*Applause*) that when his leader moves his Motion, especially government business, his lieutenants must always try to align with it. Because if I dare say this Motion goes down, I think my entire team will say yes, as the leader has said.

Hon. Speaker: Hon. Majority Leader, are you trying to settle scores?

Hon. Peter Imwatok: Hon. Speaker, I am trying to set the path right.

Hon. Speaker: But kindly, before you proceed, can you withdraw the word chicken has come home to roast, please?

Hon. Peter Imwatok: Hon. Speaker, I withdraw and replace with the words: there is time for everything. As the Bible says, there is a time to ripe and a time to sow, a time to be responded to and a time not to be responded to.

On this note, Mr. Speaker, allow me to support this Motion. Hon. Alai has captured the aspiration for the city. Since 2013, we have had a Transport Act in this House today there is a lot of confusion, which is why my heart is so heavy and to settle a score would be the easiest thing to do.

However, the right thing to do at this particular moment is to support this particular Motion because if you go to the CBD as we are speaking, it is chaotic. In my office in the last three weeks ago, it was full of every kind chairperson from matatus [associations]. There is something that has to be done.

Hon. Speaker, I must fault the national government on the issue of BRT. It was a concerted effort between the national government and the county government to ensure that the BRT is operationalized in Nairobi. It is now 10 years down the line. If you go to Thika road, you will see a development process taking place. Today everything is stuck. I think this notion the national government can collaborate with the county government, come, and stagnate our issues has to come to a stop.

There is no point, Hon. Speaker, when the national government comes into a county affair issue and all of a sudden the national government pulls off. The issue of light trains was well designed in our first term in 2013 but just died a natural death. I implore in this House that this Motion go through and it is high time that the Implementation committee take serious consideration on this matter.

Hon. Speaker, we cannot be serving this House for the last 15 years and then leaving the city as it was; it is not well. I beg to ask the Members of this House to assist my friend and foe Hon. Alai to make sure that this Motion goes through. With all humility, I beg to support.

(Laughing)

(Applause)

Hon. Sospeter Mumbi: Thank you Hon. Speaker for the opportunity. May I begin by appreciating the work and the thinking behind this Motion by Hon. Alai. I support this Motion on one ground in terms of health. I am looking at how some of us in this county have been coerced, or rather conditioned to use cars and not the other avenues like those proposed in this Motion.

Today I had a bad experience as I was coming from home. Normally it takes 20 to 25 minutes to drive to town from my place of stay. I left home without thinking, but along the way, after getting to Allsopps there was a lot of traffic and it took me two and a half hours to get here. Unfortunately, I was not able to attend the committee meeting for WDF because of that mishap. I am looking at a place like Rwanda where they have even come up with a day where cars have been set aside, not to use on the roads. When you look at the flow that is there during such a time, you are encouraged that if we are able to come up with this intergraded transport management system it will benefit our population, and more importantly, anyone who feels like they want to drive will have a seamless process. Anyone who wants to use a motorcycle and anyone who wants to walk—at least there is that avenue with the adoption of this particular Motion and further implementation of the same.

Therefore Hon. Speaker, allow me to say that according to the projection of this county, by 2050 we are likely to be at 10 million people. Currently we are 5 million and by 2050 we might be about 10 million people.

Looking at state of this county there are no motorcycle path and footpath and even back in our various wards, we do not have footpath and cycling space. This Motion, if implemented to the letter, will go a long way in providing a seamless process and, more importantly, promoting health for our Nairobians. So allow me to end there and say congratulations to Hon. Alai on this Motion, and it is my prayer that if this Motion can realize its dream, it will help our county. Thank you very much, Speaker.

Hon. Samson Ooko: Thank you, Hon. Speaker. Just like other Members have said, I also wish to congratulate my brother Hon. Robert Alai for his wonderful thought in coming up with this Motion. Mr. Speaker, this country has spent a lot of money to allow Members to travel out of the country to go and learn what other countries do, particularly the first-world countries.

We go there to learn how they manage their countries and how they do their infrastructure. Our responsibilities as Members is to come and push so we are also able to do the same in our county.

Hon. Speaker, last week when I was on a TV show, somebody asked me why we spent money going out of the country on these overseas trips. I said we go there for an exchange visit to learn what they do and how we can implement the same here. I am glad that Hon. Alai has come up with a wonderful Motion so that, as Members of this Assembly, we are able to request and push the Executive to start such a project here in Nairobi.

I am certain that by so doing, we will be easing traffic across the county. Again, the other aspect is that it is very important that when such project start in Nairobi it will be a job creation opportunity. Many youths, women and people across the county will have something to do.

Therefore, Mr. Speaker, as the Majority Leader has said, this is a Motion that we must support. I personally support this Motion by Hon. Robert Alai. Thank you so much.

Hon. Jeremiah Themendu: Thank you, Hon. Speaker. I first stand to congratulate Hon. Robert Alai for the good Motion because it shall fix the traffic jam in our capital city by use of underground transport.

I had visited London where you can see such transport that is underground, light train and BRT buses. When you visit there, you cannot waste 10 minutes waiting for the bus or rail to where you are headed. When we have those underground buses or rails I think we will reduce a lot of congestion in our city and the usage of fuel. We shall make the economy grow as there will be normal traffic on our roads.

Hon. Speaker I know it will cost a lot of money like kshs100 billion but it shall save a lot and make our capital city great. I have seen that the Vice Chair has done research in other African countries. In Nairobi, we are second in congestion on roads which is not good for our economy. Therefore, Hon. Speaker, I beg to support the Motion.

Hon. Lily Kidenda: Thank you Hon. Speaker for giving me this privilege to speak to this very timely, in fact, let me just add a long overdue Motion, and I am grateful that Hon. Alai has just captured it in words that are really painful to even look at.

A number of honorable Members have spoken about this but allow me to add my voice. Nairobi ranks as the fourth most congested city in the world, and in Africa, it is number two. I have been around nations, and I am even shocked that we are not at the very top because of the condition we are dealing with in this nation. Like one of the honorable Members said, getting to work itself is totally crazy. There were lights introduced in this city, but some of them are not even working.

What we had at some point is actually deteriorating. Now if some intervention is not done at this time, and we thank God we are having this to create the underground, and I am sitting there thinking about how we even approach this. Do we do it piecemeal? Do we start with CBD, then work around connectivity?

I would like to just appeal to Hon. Alai to do great research and have some pictures of what this would look like. Maybe partner with the Transport committee or with some experts in the engineering sector. So this is not just debated and passed; it is debated on and the next step is put in place.

Hon. Speaker, the rate of accumulation of filth in this city, I believe, is connected to a lack of porosity in terms of transport and a lack of ways to put things together. Something is collapsing, and I am glad that we are starting at some point, but we really do need to think about who we are. I know we are working about sign laws, but what exactly are we doing with sign laws to create walkways to create transport, even just walking ways? I am glad he has mentioned this.

As we talk about bringing *nduthis*, sorry, motorbikes into the city, we have to create standards so that Nairobi can regain the glory that was Nairobi. Even some of us were growing up in the village, I do not want to be classified as those who grew up here.

Hon. Speaker, I am excited to support this and I am also imploring the Hon. Member to push it beyond passing it in the Assembly, to have implementation done quickly, and to hold the Executive to their responsibility. I am excited to hear that the Governor will be coming to speak to us about the state of whatever he has in mind, and I believe that the Motion will address some of those things out there. I stand to support you, thank you.

Hon. Speaker: Hon. Alai I can see my screen is clear, an indication that you can proceed and reply to your Motion.

Hon. Robert Alai: Thank you, Hon. Speaker, and I wish to first thank the whole House and, more so, the Majority Leader and the honorable Members who have contributed to supporting the Motion.

Hon. Speaker, this win is not Alai's; it is the House's win, and this Assembly being led by a relatively young Speaker and the County being led by a relatively young Governor I think we can benefit from implementing this system, which will move Nairobi to a better city as mobility is improved.

Hon. Speaker, paying attention to the fact that Nairobi holds two very important UN organizations, one of which is UNEP and the other is UN Habitat. These two very important UN bodies have their headquarters in Nairobi. I think it will be very unfortunate to let Nairobi congest to the point where mobility, environmental challenges and even urban habitation... Hon. Speaker (*laughing*) protect me from the Majority!

Hon. Speaker: Hon. Alai, as I protect you, your space is to reply, congratulate Members, and give them a word of thanks for supporting your Motion. I can see you are building your case again, but you can proceed.

Hon. Robert Alai: Thank you, Hon. Speaker. I beg to submit that but also to thank the Members because they have done a great deal and supported this motion. It did not start today, it started at the point of the Notice of Motion up today; from the House committees to the relevant House Business committee to today. Hon. Speaker, I wish to thank the House and beg to reply. Thank you, Hon. Speaker.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: Hon. Members, we have concluded and the House stands adjourned to 2.30 p.m. tomorrow on Wednesday. Thank you, Hon. Members.

The House rose at 4.10 p.m.