



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY – (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY, SEPTEMBER 14, 2023 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statement

8. *MOTION – HON. PAUL KIGUATHI KADOS, MCA – DEPUTY SPEAKER

Subject: *Inefficiencies and delays in the delivery of County Government Services*

THAT, aware that Article 232 (1) (c) of the Constitution of Kenya as read together with Section 7 (1) of the Public Service (Values and Principles) Act, 2015 provides that public services shall be provided promptly, effectively, impartially, and equitably; **FURTHER AWARE** that, Section 56 of the County Governments Act, 2012 requires each County Government to establish its own public service responsible for delivering county government services across various departments; **RECOGNIZING** that pursuant to Section 46 of the County Governments Act, 2012, the Nairobi City County Government has created various departments for purposes of performing County Government functions; **NOTING** that in the recent past, there have been unwarranted delays in the provision of public services by the County Government of Nairobi City, characterized by:-

- a) Failures in service payment systems such that service seekers make payments for various taxes, charges, levies, and license fees at various payment points but the payments take longer periods than expected to reflect and get acknowledged by the County Treasury or County Government departments and the subsequent issuance of receipts thus delaying their access to a County service; .../9*Cont.

- b) Delays in the settlement of dues owed to service providers and suppliers of goods and services due to an unreliable payment system adopted by the County Treasury;
- c) Delays in the issuance of development approvals for a period spanning up to six (6) months or more after the application is lodged and the requisite payments are made thus inconveniencing property developers who end up incurring huge losses, especially those with commercial loans;
- d) Unreliable revenue collection system that is shrouded in secrecy with little control by the County Government thus leading to unaccountability in revenue collection and potential loss of revenues, hence affecting overall service delivery; and
- e) General lethargy among County Government departments;

NOW THEREFORE, in order to address the said inefficiency, the County Assembly resolves that:

- i. The County Treasury adopts a service payment system that will shield service seekers from unnecessary delays, instantly acknowledge receipt of service fee payments made, and allow various departments to issue receipts and offer services paid for in the event of a system downturn. Alternative measures must be put in place to ensure the seamless provision of services;
- ii. All payments to service providers and suppliers of goods and services should be decentralized to respective sectors or departments and executed by sector or departmental accountants through the Online Purchase Order under IFMIS, and eradicating the manual LPO system to ensure efficiency and accountability;
- iii. The Physical Planning department should take deliberate steps to ensure timely processing of development approvals and undertake to clear all pending approvals within the next three months of the adoption of this Motion and submit a report to the County Assembly;
- iv. That the County Executive Committee Member for Finance and Economic Planning should; first disclose to the County Assembly the automated revenue collection system currently in place, and secondly, demonstrate that the system is foolproof, under the control of the County Government, and can generate instant reports for audit and accountability within the next one month of adoption of this Motion and submit a report to the County Assembly; and
- v. That each County Government sector, department, or agency should develop a service charter, share it with the public, and submit the same to the County Assembly within three) months of the adoption of this Motion.

9. *MOTION – CHAIRPERSON, SELECT COMMITTEE ON PUBLIC ACCOUNTS**Subject: *Adoption of report***

THAT, this Assembly adopts **THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD MORTGAGE SCHEME FUND FOR THE YEAR ENDED 30TH JUNE 2018**, laid on the Table of the Assembly on Thursday, 22nd June, 2023.

10. *MOTION – CHAIRPERSON, SELECT COMMITTEE ON PUBLIC ACCOUNTS**Subject: *Adoption of report***

THAT, this Assembly adopts **THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD CAR LOAN SCHEME FUND FOR THE YEAR ENDED 30TH JUNE 2018**, laid on the Table of the Assembly on Thursday, 22nd June, 2023.

NOTICES

I. The Assembly resolved on Tuesday, 21st February, 2023 as follows: -

- a) **THAT**, each speech in a debate on any **Motion**, including a Special motion be limited in the following manner:-A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.
- b) **THAT**, each speech in a debate on a **Report of a Committee, a Sessional Paper or any other Report submitted to the Assembly**, be limited as follows: - A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.

* Denotes Orders of the Day*

NOTICE PAPER I

**Tentative business for
Tuesday, 19th September, 2023 at 2.30p.m.**

(Published pursuant to Standing Order 41(1))

IT IS NOTIFIED that the Select Committee on Assembly Business, at its last meeting, approved the following ***tentative*** business to appear in the Order Paper for Tuesday, 19th September, 2023 at 2.30 p.m.: -

A. *MOTION – HON. MOSES OGETO, MCA – MAJORITY WHIP

Subject: *Control of Air Pollution*

THAT, aware that, Paragraph three (3) of Part two (2) of the Fourth Schedule to the Constitution of Kenya gives County Governments the mandate of controlling air pollution; **CONCERNED** that, according to the United Nations Environment Program (UNEP), Nairobi City's air quality breaches all limits set by the World Health Organization (WHO); **FURTHER CONCERNED** that, air pollution represents the largest environmental risk to public health in the City and contributes to the increase in the number of cases of respiratory diseases such as asthma, lung and throat cancer and damage to vital body organs such as blood vessels, liver and kidneys; **ACKNOWLEDGING** that, the City's air pollution is particularly attributed to emissions from old vehicles, including cars, buses, motorbikes and trucks; **NOTING** that, the area along Landhies Road has been identified as the most polluted area in terms of air quality due to the high number of pollutant emitting vehicles using the said road; **FURTHER NOTING** that, the County Government has failed or refused to take any remedial measures to address this public health threat in the City; **NOW THEREFORE**, the County Assembly resolves that the County Executive:-

- i) Imposes a ban on all vehicles and motorbikes emitting pollutants particularly those discharging fumes and smoke to the environment from using all roads in the City; and
- ii) Invests in infrastructure that promotes the use of other greener forms of transportation such as bicycles and electric cars across the entire City.

