



**REPUBLIC OF KENYA**

**NAIROBI CITY COUNTY ASSEMBLY**

**THIRD ASSEMBLY – (SECOND SESSION)**

**ORDERS OF THE DAY**

**WEDNESDAY, SEPTEMBER 13, 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. SOSPETER MUMBI, MCA**

***Subject: Removal of broken down vehicles in the County***

**THAT**, aware that Part II of the Fourth Schedule to the Constitution of Kenya, 2010 apportions traffic and parking function to County Governments; **ACKNOWLEDGING THAT** Section 14 of the Nairobi City County Transport Act, 2020 prohibits any activities on road reserves and spells out the sanctions for violation of the same; **COGNIZANT THAT** there are many vehicles in the County that are broken down and whose owners are unknown and that such vehicles are often parked and left along main roads, in estate roads and public spaces; **FURTHER COGNIZANT** that car yards operating along major roads in the County also illegally park their units on public spaces resulting to obstruction of pedestrian walkways; **CONCERNED THAT** such abandoned vehicles present obstruction to flow of traffic mostly along pedestrian walk ways and that such vehicle provide an inadvertent hiding spaces for would be criminal, hence pre-exposing residents to security risks; **FURTHER CONCERNED** that such activities on road reserves constitute encroachment onto road reserves that are meant for road construction related activities; **NOTING THAT** removal of such vehicles from public spaces will go a long way to

.../8\*Cont.

clear up the most needed public spaces for activities they are purposed for; now therefore, this Assembly resolves that the County Executive: -

- 1) Issues a public notice asking the owners to remove all broken down vehicles and road construction equipment from any public spaces in the County or they be removed by the County at the owner's cost at the expiry of a period of 2 months;
- 2) Issues a public notice to all car yard owners to vacate any public spaces they operate in within a period of one (1) month at the expiry of which the County will enforce compliance through an operation of towing away the vehicles; and
- 3) Through, the County Executive Chief Officer for Security and Compliance puts in place measures for Countywide operation to enforce the foregoing vacation notices at the specified timelines; and continuously monitor any further violations for action.

*(Resumption of debate interruption on Tuesday, 12<sup>th</sup> September, 2023 at 2.30 p.m.)*

**9. \*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;
- 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;

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- 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.

# NOTICES

## I. The Assembly resolved on Tuesday, 21<sup>st</sup> 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.

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\* Denotes Orders of the Day\*

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# **NOTICE PAPER I**

**Tentative business for  
Thursday, 14<sup>th</sup> September, 2023 at 2.30p.m.**

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*(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 Thursday, 14<sup>th</sup> September, 2023 at 2.30 p.m.: -

**A. \*MOTION – CHAIRPERSON, SELECT COMMITTEE ON PUBLIC ACCOUNTS**

**Subject: *Adoption 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 30<sup>TH</sup> JUNE 2018**, laid on the Table of the Assembly on Thursday, 22<sup>nd</sup> June, 2023.

**B. \*MOTION – CHAIRPERSON, SELECT COMMITTEE ON PUBLIC ACCOUNTS**

**Subject: *Adoption 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 30<sup>TH</sup> JUNE 2018**, laid on the Table of the Assembly on Thursday, 22<sup>nd</sup> June, 2023.

