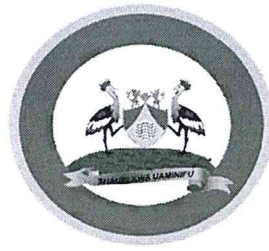


THE GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY

REPORT OF THE SECTORAL COMMITTEE ON TRANSPORT
AND PUBLIC WORKS

ON

INDUCTION WORKSHOP HELD FROM 9TH TO 12TH NOVEMBER

2017

AT SAI ROCK HOTEL

MOMBASA

Report laid on 6/6/18
by Hon. James Mwa
Mwa
PCA (LSP) -
06/06/2018

Approved to be tabled
Blair
6/6/2018

CLERK'S CHAMBERS,
CITY HALL,
NAIROBI.

JANUARY, 2018

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BACKGROUND

The sectoral Committee on Transport and Public Works is one of the Sectoral Committees established under Standing Order 203. The Committee is mandated under the 3rd Schedule of the Standing Orders to investigate, inquire into and report on all matters related to County transport, including county roads, street lighting, traffic and parking, public road transport, county public works and services including storm water management systems in built-up areas.

Following the conduct of the elections that were held in August, the Nairobi City County Assembly came into being upon the swearing in of the Members.

Upon swearing in, the Selection Committee is mandated to place Members into the various Committees and 19 Members were selected to serve in the Transport and Public Works Committee.

It is imperative, as it is a practice for the Members to be trained on the various aspects of the Assembly and specific Committees for them to understand their mandate, Committee's mandate and how to go about business of the Assembly.

It is on this background that the Committee underwent an induction workshop from 9th to 12th November 2017 in Mombasa upon scheduling of the Liaison Committee of the Assembly.

Upon completion of the workshop, the Members were expected to, among others:

- i.) Appreciate and understand the role and place of Committees in the Assembly
- ii.) Appreciate the role and mandate of the Transport and Public Works Committee
- iii.) Appreciate and understand the role of the Committee Chairperson and the structures of the Committee
- iv.) Appreciate practice and procedure in Committees

MEMBERSHIP OF COMMITTEE

The Sectoral Committee on Transport and Public Works comprises the following membership:

- 1) Hon. Mark Ndung'u, MCA
- 2) Hon. Mark Mugambi, MCA
- 3) Hon. Fredrick Njogu, MCA
- 4) Hon. Osman Adow, MCA
- 5) Hon. Mwaura Samora, MCA
- 6) Hon. Patricia Musyimi, MCA
- 7) Hon. Anthony Ngaruiya, MCA
- 8) Hon. Joyce Muthoni, MCA
- 9) Hon. Abdi Ibrahim Hassan, MCA
- 10) Hon. Paul Kados, MCA
- 11) Hon. Habiba Hassan, MCA
- 12) Hon. Patrick Mbanguli Musili, MCA
- 13) Hon. Evans Otiso, MCA
- 14) Hon. Kennedy Obuya, MCA
- 15) Hon. Stazo Elijah Omungala Angila, MCA
- 16) Hon. David Ayo, MCA
- 17) Hon. Jared Okoth Okode, MCA
- 18) Hon. Mary Mwami, MCA
- 19) Hon. Osman Khalif Abdi, MCA

Hon. Members,

On behalf of the Members of Sectoral committee on Transport and Public Works, it is my pleasant duty and privilege, to present the Committee's Report on work shop that was held from 9th to 12th November 2017 at Sai Rock Hotel.

SIGN.......... DATE..........
HON. JAMES MWANGI, CHAIRMAN

ACKNOWLEDGEMENTS

The Sectoral Committee on Transport and Public Works wishes to thank the offices of the Speaker and the Clerk of the Nairobi City County Assembly for the support extended to it in the conduct of the induction workshop.

Further, the Committee is thankful to the Secretariat for their contributions during and after the visit and compilation of this report.

Finally, many thanks to the Members of the Sectoral Committee. Your commitment during the workshop contributed immensely to the compilation of this report.

OPENING REMARKS BY THE CHAIRMAN

The Chairman, in his remarks, congratulated all the Members for their election and nomination to the County Assembly and mentioned that all the Members had undergone an induction process regarding the general operations of the Assembly. However, he noted that there was need for the Members to undergo induction in their respective Committees to ensure that they are adequately equipped with skills to engage in Committee business.

He welcomed all the Members to the Sectoral Committee on Transport and Public Works and underscored the importance of the induction workshop which would give the Members an opportunity to understand the management, manner of conducting Committee business and most importantly the mandate of the Committee.

The Chairman stated that he was looking forward to a vibrant Committee membership who will work as a coherent group with an objective of delivering their mandate.

While concluding, he wished all the meeting fruitful engagement as he then handed over to the session chair to usher in the facilitator to proceed and train the engage the Members in the workshop as he wished the Members fruitful deliberations.

PRESENTATIONS

1.1 PRESENTATION 1: PRELIMINARY INFORMATION

1.2 Introduction

The Committee was informed that the County Assemblies are a creation of Article 177 of the Constitution as an organ of the County Government in whom the legislative authority is vested. They are mandated by law to discharge the following roles:

- Representation
- Legislation
- Oversight
- Approval of expenditure and revenue raising measures
- Approval of appointments and removal thereof
- Deliberation & resolution of issues of concern to residents

The aforementioned mandate is discharge through Plenary and Committees of the Assembly.

1.3 Establishment of Committees of the Assembly

The Committee was informed that Committees are smaller units or groups of Members of the County Assembly that allow the Assembly to perform multiple functions simultaneously.

The Members learnt that the power of the Assembly to form Committees is manifest in the functions given under Articles 176 and 185 of the Constitution and that the authority to establish Committees of the Assembly is granted in Section 14 (1) (b) of the County Governments Act.

However, there are other Committees that are formed by Acts of Parliament or County Assembly. For instance, the Powers and privileges Committee and the Committee on Delegated County Legislation are statutory Committees established by the County Assemblies (Powers and Privileges) Act and Statutory Instruments Act respectively.

Other Committees can be formed pursuant to the provisions of Standing Orders and by a resolution of the Assembly.

1.4 Rationale for Committees

The Committee was informed that the role of the County Assemblies under Article 185 and Part 2 of the Fourth Schedule of the Constitution is broad and cannot be effectively discharged in the Plenary singly.

In view of the above, Committees play a critical role in discharging Assembly business in the following respects:

- The allow multiplicity in performance of functions
- Committees provide forums in which Assembly makes contact with the people as pursuant to Article 196 on public participation
- They provide forums in which eexperts and stakeholders can provide insight in legislative affairs.
- Through Committees, the Assembly is able to tap into the expertise of Members based on their academic and professional backgrounds
- Committees avail an environment where matters are scrutinized in detail with specialty.
- Through Committees, the Assembly is able to conduct fact finding on a matter before the Assembly for action, advice the Assembly through reports.
- Committees offer forums for examining witnesses, conduct enquiries and gather evidence from expert or individuals and drawing conclusions.

1.5 Powers of Assembly Committees

Members were informed that in order for Committees to effectively discharge their mandate, they are guaranteed powers and immunities that are conferred collectively and individually.

The said powers and immunities are derived from the following documents:

- The Constitution (Art. 196 of the Constitution);
- County Governments Act (s. 17);
- County Assemblies Powers and Privileges Act; and
- Standing Order 183.

It is however important to note that immunities are limited to the extent of the nexus with parliamentary work and precincts of the Assembly.

1.6 Powers and immunities of the Committees³

The Committees have the following powers:

- Power to Summon witnesses to appear;
- Power to enforce attendance of witnesses;
- Power to examine witnesses on oath/affirmation;
- Power to compel production of documents;
- Power to compel answering of questions;
- Power to examine to issue commission or request to examine witnesses abroad; and
- Freedom of debate and speech.

In addition, the Committees enjoy protection from civil or criminal proceedings for Legislative work (committee, reports)

PRESENTATION 2: THE SECTORAL COMMITTEE ON TRANSPORT AND PUBLIC WORKS

2.1 Establishment of Committee

The Committee was informed that the Sectoral Committee on Transport and Public Works is established pursuant to Standing Order 203 and its mandate is drawn from the Constitution and the County Assembly Standing Orders.

2.2 Mandate of the Committee

The meeting was informed that the mandate is related to matters of County Transport as per the Standing Order 203 as follows:

1. County roads, street lighting, traffic and parking, public road transport; and
2. County public works and services including storm water management systems in built up areas and sanitation services.

However, the Committee was cautioned that in discharging its mandate, the Committee is confined to its mandate as per the Standing Orders. Extension of mandate may be directed by the Assembly, Bill committed unto it or mandate of the Counties in Part 2 of Fourth Schedule of the Constitution.

PRESENTATION 3: AVAILABLE TOOLS FOR DISCHARGING MANDATE

The Committee was informed that there are various avenues through which it can discharge its mandate as follows:

1. Committee meetings/Sub-Committee meetings;
2. Request for memoranda from stakeholders;
3. Site visits;
4. Public hearings;
5. Committee inquiries;
6. Fact finding visits;
7. Benchmarking visits;
8. Review of legacy reports by previous Committees;
9. Review of public audit reports by independent offices & commissions; and
10. Questioning witnesses for oral evidence.

3.1 Conducting site inspection visit

The meeting was informed that site inspection visit is a form of inquiry/fact finding through which Members gather information regarding a matter under consideration.

Before embarking to such a mission, the Committee is expected to undertake the following:

- Make a resolution of the intent to conduct a site inspection visit
- Agree on the dates and time of the visit
- Agree on the purpose/objective of the visit
- Agree on the target groups to be met during the visit
- Make a decision on the delegation to undertake the visit

- Record the resolution documented in the minutes of the sitting at which the decision to undertake the visit was discussed and resolved

In undertaking such a visit, the Committee is guided by the provisions of Standing Order 174 that relates to sitting outside the precincts of the Assembly.

The Committee was informed that in conduct of site inspection visit, the Clerk, in consultation with the Chairperson is responsible for handling the logistical arrangements of the visit.

During the visit, the Members are expected to attend all the sessions, be focused the subject of the visit, manage politics properly and avoid cases of conflicts of interest.

Upon concluding the visit and return from the Clerk is expected to draft a report documenting the findings and recommendations of the visit which is expected to be discussed and adopted by the Committee.

3.2 Conducting a foreign study visit

The meeting was informed that the decision to conduct a foreign study visit is made by the Committee based on the objective, work plan and resources available.

She emphasized that such a visit must be in conformity to the Standing Orders, any other laws and sanctioned by the Speaker.

In this, the Clerk of the Committee facilitates the Members in terms of travel logistical arrangements and reporting.

3.3 Committee meetings

3.3.1 Frequency of meetings

The meeting was informed that pursuant to Standing Order 167, the Committee is expected to meet at least once in two months while taking into account the ceilings set by the Salaries and Remunerations Commission.

It was noted that Committees may not sit when the Assembly is sitting lest the sitting becomes void.

3.3.2 Chairing of meetings

The meeting was informed that Standing Order 159 stipulates that the Chairperson shall preside over meetings of a Committee, in absence of whom the Vice-Chair presides.

However, in the absence of both the Chairperson and the Vice- Chairperson, a Member designated by the Chairperson presides and absence of whom the Committee elects another Member to preside over that meeting.

3.3.3 Holding a Joint sitting of Committees

The meeting was informed that two Committees may conduct a sitting to deliberate on a matter that is crosscutting and chaired by the Chair with the longest cumulative period and the quorum shall be the number obtained by adding the quorum of the respective Committees pursuant to Standing Order 183

A report of such a sitting shall be supported and adopted by a majority of the total membership of the Committees.

3.3.4 Attendance by non-Members.

The meeting was informed that Standing Order 176 allows non- Members to attend a meeting of a Committee but they cannot vote on matters under consideration.

3.3.5 Failure to attend meeting/temporary absence

The meeting was informed that pursuant to Standing Order 179, a Member who fails to attend four (4) consecutive Committee meeting, without written permission from the Chairperson of Committee or Speaker, in the case of Chairperson, the Chairperson shall notify the Committee and the provisions under Standing Order 179 (2) ,(3)and (4) shall apply.

Further, pursuant to Standing Oder 184, if a Member is absent or unable to attend a sitting of the Committee, the party whip may, with permission of the Speaker, appoint another Member to act in the Member's place for a period of which such a Member will be absent.

In this case, a Member shall be considered absent when outside the country on official duty or indisposed.

3.3.6 Public Access to meetings

The meeting was informed that meeting should be open to the Members of the Public pursuant to Standing Order 179 and in the spirit of the Constitution unless justifiably excluded with the Speaker's permission.

3.4 Reports of Committee

The meeting was informed that pursuant to Standing Order 180 the report of a select committee shall be prepared and kept in the same form as the Votes and Proceedings of a Committee of the whole County Assembly and in such other form as may be prescribed in the Committee Manual.

Further, the report of the committee, having been adopted by a majority of the members has to be signed by the chairperson on behalf of the Committee.

A report having been adopted by a majority of members, a minority or dissenting report may be appended to the report by any member(s) of the Committee

A report of a select committee including any minority report, together with the minutes of the proceedings of the committee, and with such note or record of any evidence by the committee as the committee may deem fit to be laid on the Table of the County Assembly by the chairperson or the vice chairperson or by a member authorized by the committee on its behalf within fourteen days of the conclusion of its proceedings.

3.5 Committee progress reports and engagement of experts

The Committee learnt that Standing Order 181 requires Committees to prepare and submit half yearly progress reports to the Liaison Committee which will cumulatively be submitted to the Assembly.

In its conduct of business, a Committee may need the services of experts in a particular filed to bring insight into deliberations of a particular subject. In this regard, the meeting was informed that a Committee may, pursuant to the Standing Orders, engage such an expert for a comprehensive and meaningful consideration of a matter.

3.6 Consideration of statement

The meeting was informed that whenever a statement is requested on the floor of the Assembly and the matter falls within the mandate of the Committee, the Chairperson notes and makes an undertaking as regards the timeline for reporting.

However, the Committee was advised that the timeline should be adequate to allow for engagement of the County Executive Committee Member, site visit, if any and urgency of the concerns raised by the Member.

In this case, the Committee analyzes the request to identify issues of concern, areas of possible supplementary questions, agrees on the date to expect response and meeting with CECM and dispatches correspondence to the line department.

The Committee is expected to have a background briefing on the matters before meeting the CECM, invite the Member who requested the Statement to a meeting with the CECM, have the response circulated to Members before the meeting.

After the meeting, the Committee is expected to compile a response for reporting to the Assembly within the time undertaken.

Subsequently, the Committee is expected to follow up on the long term and short term interventions on various concerns raised by the Committee and the member requesting the Statement by the CECM.

3.7 Consideration of Petition

The meeting was informed that a Petition is a written prayer to the Assembly by the Members of the public through an MCA requesting for the Assembly's intervention on a matter of concern.

When a Petition is committed to the Committee, the Committee is expected to come up with a work plan for its consideration bearing in mind that is a time bound business under Standing Order 202

The Committee then analyzes the prayers in order to identify the relevant departments to respond to the various issues and the best approaches to addressing the issues.

Further, the Committee needs to have a background research about the issues raised then invite and invite the Petitioners to shed more light on the concerns raised in their Petition and subsequently invite the CECM from the concerned departments to submit their perspectives as regards the prayers in the Petition and if need be, conduct fact finding missions.

A report is then compiled with replies to specific prayers which will be Tabled in the Assembly and after which a reply is communicated to the Petitioners and shared with the Executive. The Committee is expected to follow up on the recommendations to ensure their implementation.

3.8 Committee legislative business

The Committee was informed that this is the law making process. It is composed of a number of stages that potentially culminate into an Act of the Assembly.

3.8.1 Pre-Publication scrutiny

The Committee was informed that legislation is one of the principal roles of the Assembly and it does so through Committees. The Members learnt that they can be the originators of Bills by presenting legislative proposals to the Speaker on a matter that falls within the purview of the Committee's mandate.

Further, the meeting was informed that when a Bill is committed to the Committee for pre-publication scrutiny, the Committee is expected to ensure that the Bill is in conformity with the Constitution and other legislations, its pronouncements on rights and freedoms and that it falls within the mandate of the County Governments.

In addition, the Committee is also expected to assess the overall policy implications of the Bill and whether necessary structures are set out for its implantation and propose points to enrich it.

At this point, the Committee is also receives views of the public and stakeholders and endorse for publication or propose otherwise through a report.

3.8.2 Committal after First Reading

The meeting was informed that this is a time-bound stage under Standing Orders and that the Committee is needed to come up with a work plan for processing the various elements of the Bill.

At this stage, the Committee is expected to:

- Plan for the Bill processing by preparing a work plan;
- Identify relevant stakeholders;
- Facilitate expert input from the stakeholders through the process of public participation;
- Undertake Clause-by-clause consideration and propose appropriate amendments; and
- Prepare a Report that includes proposed amendments and Table it in the Plenary within 20 days.

3.8.3 Second Reading and Committee of the whole

The Committee was informed that in case of a Committee sponsored Bill, the Committee plays a key role in moving and seconding, lead debate on the principles of the Bill, make indications for amendments and support the Bill when the question is put in the Assembly.

Further, they are expected to sponsor amendments to the Bill, lead Clause- by- Clause amendments during the Committee of the Whole Assembly, informing the Assembly on amendments sponsored by Committee and lobby for vote.

During the post enactment, the Committee does the oversight its implementation, initiate support its implementation where necessary and review the operationalization of the Act with a view of identifying gaps that may be addressed through amendments.

3.9 Conduct of Public inquiries

The meeting was informed that this is one of the tools at the disposal of the Committee to do comprehensive fact finding on a topic that falls within the scope of its mandate. Such topics may be out of the Committee's initiative or on referral by the Assembly for consideration.

In this regard, the Committee chooses a topic and draws a plan for conducting the various activities and events. Such a plan should be flexible enough to allow for address urgent response to changing circumstances. The Committee should also spell out the range of events and witnesses, duration of hearings and number of sittings.

It was recommended that an ideal inquiry should not span more than one month and the following step by step events were emphasized.

- Receipt of terms of reference;
- Collecting of evidence from relevant parties;
- Processing of submissions/evidence;
- Conducting of hearings;
- Preparation of a draft report and adoption and Tabling in the Plenary; and
- Follow up for implementation of recommendations

3.10 Committee's power in relation to evidence collection

In this regard, the meeting was informed that the Committee has the power to require people to appear before it, give oral or written evidence and submit documents.

The background briefing papers for each oral evidence session, including a number of suggested questions and proposed questioning structure for the session, are prepared by the secretariat.

3.10.1 Questioning of witnesses

During the questioning, the Committee is expected to adhere to the following guidelines:

- Questions should be asked with intent to draw evidence from the witness;
- Members should not respond to questions on behalf of the witness;
- Committee members should not make statements or outline their own views during oral sessions;
- Members' views and statements should be reflected during report writing; and
- Witnesses should be treated with respect and courtesy.

3.10.2 Rights of witnesses

The Committee was informed that witnesses are entitled to the following:

- Reasonable notice of the meeting;
- Statement of the matters expected to be deliberated upon;
- Permission to submit a written submission prior to appearing to give oral evidence;
- Should be allowed to answer only those questions that are relevant to the committee's inquiry;
- Access to Counsel and to consult counsel for advice;
- Permission to object to answering any questions on any ground of self-incrimination, or invasion of privacy. However, the Committee may however insist on an answer;
- Protection from interference or improper influence, i.e intimidation or promise of inducement in respect of evidence that may be given before a committee; and
- Provision of evidence in private session or make a confidential written submission subject to the agreement of the committee.

PRESENTATION 4: CONSIDERATION OF COMMITTEE REPORTS

4.1 Consideration of report

The meeting was informed that a report is a presentation of facts and findings as a basis for recommendations, written for a specific readership, and intended to be kept as a record. It was noted that reports are the only way through which a committee documents and communicates their activities officially to the House.

Further, the Committee learnt that most of the activities conducted by the Committees result in a report whose confidentiality is paramount until it is Tabled in the Assembly.

The Chairperson is responsible for presenting reports to the Committee and leads the discussions on the same. Suitable amendments to the report are noted and taken into account before it is adopted and Tabled in the Assembly. The Members opposed to sections of the report their dissenting views via a dissenting report attached to the main report pursuant to Standing Orders.

Members are expected to append their signatures to a report in order to demonstrate their approval of the report and signed by the Chairperson who Tables it in the Assembly through a motion.

4.2 Qualities of a good report

The Committee was informed that a good Committee report should bear the following qualities to ease of understanding and official consumption:

- Should be factual i.e it should be based on facts, verified information and valid proofs;
- Report should be clear and easily understandable;
- Be free from errors and duplication;
- Should facilitate right decision making;
- Should be result focused and result oriented;
- Should be well organized and structured;
- Should be ethical in style; and
- Be prepared on time and tabled in the Assembly.

In processing the report, the Committee Members are expected to support the Chairperson or Vice-Chairperson in Seconding of the Motion, contribute to the debate and support and lobby other Members to support the report in the assembly.

PRESENTATION 5: MANAGEMENT OF COMMITTEES

5.1 Introduction

The Members were informed that Committees work under the direction of the Speaker, the Assembly Business Committee and under the supervision of the Liaison Committee and they are supported administratively by the Clerk through the department of Committees and Clerk Assistants.

They are facilitated by the County Assembly Service Board through provision of staff, meeting rooms and financial resources to enable them operate without hitches.

The Committees are under the leadership of chairpersons and assisted by vice-chairpersons who manage the affairs of the respective Committees.

5.2 Determinants of an effective Committee

The Committee was informed that the effectiveness of a Committee can be measured based on the following factors:

- The skills of the chairperson in managing activities and meetings of the committee;
- The quality of support staff and resources available;
- Consensus building;
- Level of commitment and involvement of Members in Committee matters;
- Public & stakeholder involvement and participation;
- Adequate preparation of the Committee Chair and Members;
- Integrity of Committee membership;
- Production of timely and qualitative committee reports;
- Ability to evaluate or assess its own performance;
- Quality of staffing is essential for effective functioning;
- Consensus building – the multiparty nature of legislatures often translates into multiparty committees that call for effective consensus building for committee effectiveness;
- Adequate resources and facilities to carry out assigned mandates;
- Manageable size of the committee, i.e if a committee is too large or too small it renders it ineffective; large committees become unwieldy and small numbers limit the quality of ideas needed for effective work; and
- Commitment of Members to committee business

5.3 Qualities of a good Chairperson

The Committee was informed that the qualities and skills of the Committee Chairperson will influence the works and output of the Committee. Therefore, an effective Chairperson is expected to possess the following requisite qualities in order to effectively manage the effective the Committee:

- The Chairperson should be competence and demonstrate understanding of parliamentary process. He/she should have good working relationship with members and key staff and know the content of matters assigned to the committee;
- The Chairperson must be flexible and adaptable to new conditions when circumstances change;

- He/she should demonstrate firmness and decisiveness when decision are to be made;
- He/she should demonstrate honesty and dependability with committee members, staff and media in order to earn respect;
- The Chairperson needs to be open and build strong open communication links for trust;
- He/she must exercise fairness in dealing with Committee Members;
- He/she needs to be tolerant with an understand and accept that members will not support committee leadership all the time;
- He/she should demonstrate patience in certain circumstances in the Committee;
- The Chairperson should embrace humility and accept responsibility for mistakes;
- He/she should be able to build consensus and demonstrate high regard for diverse opinions in view of building synergy in the Committee; and
- He/she is expected to be impartial and treat all members and attendees with equity irrespective of party or position.

5.2 Roles of the Committee Chairperson

The Committee was informed that a chairperson plays a key role in the effectiveness of the Committee. He/she is the most important personality and is usually responsible for convening and managing the committee.

He plays the following roles in Committee management:

- The Chairperson is the spokesperson of the Committee. In this regard, he/she presents position of the Committee and talks on behalf of the Committee;
- He/she presides over committee meetings;
- He/she performs the functions and exercises the powers assigned to office of the Chairperson by the committee, resolutions of the Assembly or legislation
- Deals with disorder among members or by the public where the latter are admitted to hearings;
- Answers oral questions and responds to Statements in the Assembly on behalf of the committee;
- Signs committee reports after consideration of a matter;
- Requests the appearance of witnesses or the production of papers on behalf of the committee;
- Controls the hearing of evidence and directs the proceedings;
- Liaises with the government and other members of the committee on the progress of important legislation;

- Maintains open communication channels with all committee members for effective functioning of Committees; and
- Determining questions of privilege at the Committee level.

5.3 Role and attributes of effective Committee Member

The Committee was informed that second to the Committee leadership, the effectiveness of the Committee also depends on certain attributes of the Members.

In this regard, the meeting was informed that an effective Committee Member should be able to demonstrate the following attributes;

- Regular attendance of committee meetings;
- Be prepared to take a lead occasionally on particular items of agenda;
- Should be active and interested participants in the committee proceedings;
- Be assertive without being aggressive, in essence, be prepared to give an opinion/ start a point without being domineering;
- Be conscious of the goals and mandate of the committee;
- Should maintain confidentiality on Committee matters ;
- Be supportive of other members of the committee;
- Be well prepared and contributes to discussion in a relevant and constructive way;
- Be proactive, well briefed and informed about the various items on the agenda to be discussed;
- Should be attentive listener who respects the views of the other Members;
- Be respectful of opposing and divergent views and opinions of other Members;
- Observe punctuality in attending Committee meetings and activities ; and
- Be collaborative and objective without being influenced by party ideology or personal differences.

5.4 Role of the Secretariat in the effectiveness of a Committee

The Committee was informed that the secretariat plays a critical role in the effective running of a Committee in the following respects:

- Procedural and technical advice;
- Administrative arrangements for meetings, public hearings, and visits;
- Notice preparation and programme of meetings;
- Preparation of briefing materials for the committee;
- Recording Committee proceedings and preparation of minutes of meetings and draft reports;

- Linkage between committee and stakeholders;
- Administration of oath to witnesses;
- Ensuring execution of committee resolutions; and
- Preparation of documents for debate and/or adoption in the House;

PRESENTATION 6: MANAGEMENT OF COMMITTEE MEETINGS

6.1 Introduction

The meeting was informed that Committee meetings are meant to boost the productivity and effectiveness of the Assembly through information sharing and decision making.

She mentioned that for conduct of proper, productive and decisive meetings, there ought to be adequate prior planning and that before convening a meeting, it needs to be clear if the meeting is necessary, who should attend and the items to be deliberated upon.

At the preparation stage, all the participants ought to be furnished with the agenda, time and venue.

The Committee was also informed that every meeting needs to be clear on the purpose and objectives it is expected to achieve within span of time agreed upon.

Further, it was highlighted that meetings are forums that are expected to generate specific outcomes, punctuality to the meeting is critical in granting sufficient time to cover all the agenda items, avoid recapping on already covered topics and allow the participants time to attend to other commitments.

Furthermore, the meetings are important for reference, tracking of action points and follow up purposes. In this regard, it is important that the proceedings go down into record in whatever form, in essence, minutes, reports e.t.c. These records need to be available to the participants of the meeting for verification of information and endorsement.

In addition. It was also noted that a sound meeting is the one in which the participants are creative, focused on tackling the agenda item, properly directed, one that follows laid down rules and procedure and one that is short and concise.

6.2 Etiquette of Members during meetings

The Committee was informed that an Assembly/Committee meeting is a formal gathering and therefore should be guided by certain set guidelines (both written and unwritten) which participants ought to abide by. Such guidelines include:

- Respect for the authority of the Chairperson;
- Observation of rules of procedure and maintenance order;
- Respect for witnesses;
- Professionalism in conduct of meetings;
- Keeping arms-length operations with witnesses;
- Avoiding disclosure of content of ongoing investigations;
- Committed presence in the meetings throughout and avoid technical appearances;
- Declaration of conflict of interest;
- Keeping arm's length Relations between staff and Members; and
- Respect for divergent opinions.

WAY FORWARD

Following the deliberations held during the Committee induction workshop, the following was agreed upon as the way forward:

- The Committee to adopt sound and relevant periodic work plans on issues that fall within the scope of its mandate;
- The Chairperson of the Committee to take charge of the affairs of the Committee and ensure that Members work together and with decorum while conducting the business of the Committee;
- The Members to work in unison, observe the rules of engagement and uphold the dignity of both the Committee and the Assembly;
- The Committee to ensure that adequate mapping of the stakeholders who will come in handy during deliberations on key issues in the Committee;
- Members of delegations visiting foreign countries to observe protocol and to have proper briefing at the pre-travel for productive engagement;
- Members to take leading role in coming up with legislations on various aspects of the mandate of the Committee;
- Members to make effective use of the tools available in the Standing Orders, i.e Statements, Motions, Petitions, Bills, inquiries, stakeholder meetings e.t.c in addressing the various issues of concern to the County; and
- The secretariats to work professionally with Members in assisting them to discharge their mandate as far as the Committee is concerned.

CHAIRMAN'S CLOSING REMARKS

The Chairman, on behalf of the Committee also thanked the facilitator for her informative insights in the various items in the programme and appreciated her grasp of the topics. He assured her that the Members found the deliberations relevant and practically applicable in the day to day business of the Committee.

Finally, he expressed gratitude to the secretariat for co-coordinating the logistics and availing the various documentation necessary for the workshop. To the office of the Clerk and Speaker, the Chairman appreciated their efforts in assisting the Members by making sure that they were adequately facilitated enough to participate in the workshop

Finally, he appreciated the Members for attending the workshop and participating actively seeking to understand the various topical issues.

He then officially closed the workshop and wished all safe travel back to Nairobi.

MIN. NO. 115/T&PW/MARCH/2018: CONSIDERATION OF COMMITTEE REPORT ON SITE INSPECTION VISIT AND RETREAT REPORT

Site visits

The Committee was informed that following the site inspection visit to Parklands, Roysambu, Mwiki, Clay City and Nairobi Central Wards to on 30th November, 7th December 2017 and 21st February 2018, the Committee is expected to compile a report to the House on its findings and recommendations, hence the agenda of the day.

The Vice-Chairman, therefore, requested that the report be circulated to all the Member present in for perusal. He subsequently led the Committee in reading through the said report.

Upon confirming that the report captured the observations of the Committee and recommendations, the Committee adopted the report after being proposed by Hon. Joyce Muthoni and seconded by Hon. Kennedy Obuya and then signed by the Vice-Chairman.

Action point

Clerk of the Committee to convey the adopted and signed report to the Tables and Journals Office for onward Tabling in the Assembly.

Consideration and adoption of the report of the Committee on workshop that was held from 19th to 12th November 2017.

The Committee was informed that following the retreat of the Committee that was held from 19th to 12th November 2017, the Committee is expected to compile a report to the House on its findings and recommendations, hence the agenda of the day.

The Vice-Chairman, therefore, requested that the report be circulated to all the Member present in for perusal. He subsequently led the Committee in reading through the said report.

Upon confirming that the report captured the observations of the Committee and recommendations, the Committee adopted the report after being proposed by Hon. Mary Mwami and seconded by Hon. Anthony Ngaruyiah and then signed by the Vice-Chairman.

Action point

Clerk of the Committee to convey the adopted and signed report to the Tables and Journals Office for onward Tabling in the Assembly.

MIN. NO. 116/T&PW/FEBRUARY/2017: A.O.B

The Committee was informed that a letter from the Institute of Economic Affairs inviting the Members of the Committee to a round table meeting to discuss and share on study findings on Kenya's Urban Area Performance Index report 2017 on 28th March 2018 at Stanley Sarova Hotel. The Committee nominated Hon. James Mwangi and Hon. Evans Otiso to represent the Committee.

MINUTES OF 31ST THE SITTING OF THE SECTORAL COMMITTEE ON TRANSPORT AND PUBLIC WORKS HELD ON 27TH MARCH, 2018 AT 11.00 A.M AT THE CHARTERHALL
PRESENT

- 1) Hon. Mark Mugambi Vice Chairman
- 2) Hon. Mary Mwami, MCA
- 3) Hon. Kennedy Obuya, MCA
- 4) Hon. Geophrey Majiwa, MCA
- 5) Hon. Stazo Elijah Omungala Angila, MCA
- 6) Hon. David Ayoi, MCA
- 7) Hon. Anthony Ngaruiya, MCA
- 8) Hon. Evans Otiso, MCA
- 9) Hon. Fredrick Njogu, MCA
- 10) Hon. Patricia Musyimi, MCA
- 11) Hon. Joyce Muthoni, MCA
- 12) Hon. Hon. James Mwangi, MCA
- 13) Hon. Hafsa Khalif, MCA

ABSENT

- 1) Hon. Habiba Hassan, MCA
- 2) Hon. Abdi Ibrahim Hassan, MCA
- 3) Hon. Paul Kados, MCA
- 4) Hon. Osman Adow, MCA
- 5) Hon. Mark Ndung'u, MCA Chairman
- 6) Hon. Wilson Ochola, MCA

SECRETARIAT

– COUNTY ASSEMBLY
- Clerk of Committee

1. Mr. Inyundele Austin

Agenda

- 1) Preliminaries
- 2) Consideration and adoption of the Committee's report on site inspection visit to Roysambu, Parklands, Clay City and Mwiki Wards.
- 3) Consideration and adoption of the report of the Committee on workshop that was held from 19th to 12th November 2017.
- 2) Any Other Business

- 4) Adjournment

MIN. NO. 114/T&PW/MARCH/2018: PRELIMINARIES

The meeting was called to order at 11.00 a.m. and began by a word of prayer said by the Vice Chairman and he welcomed the Members who requested for Statements.

The agenda of the meeting was read by the Vice-Chair of the meeting and adopted by the Committees after being proposed by the Hon. David Ayoi and seconded by the Hon. Joyce Muthoni.

Further, another letter had been received from International Transport Workers Federation inviting the Members of the Committee a one day workshop at Lilian Towers on Nairobi Bus Rapid Transit –Labour Impact assessment to discuss the preliminary research and baseline study report launch on 28thn March 2018. The Committee nominated Hon. Mary Mwami and Hon. Kennedy Obuya to represent the Committee.

MIN.NO.117/T&PW/MARCH/2018: ADJOURNMENT AND DATE OF NEXT MEETING

There being no any other business, the meeting adjourned at noon. The next meeting would be communicated to the Members by the Clerk.

CONFIRMED AS TRUE RECORD.

SIGNATURE
(CHAIRPERSON)

DATE 5/6/18

SIGNATURE
(CLERK)

DATE 5/6/2018