



COUNTY GOVERNMENT OF NAIROBI CITY

THIRD ASSEMBLY – (SECOND SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, SEPTEMBER 13, 2023 AT 2.30PM

1. The Assembly assembled at Thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.

QUORUM OF THE ASSEMBLY

The temporary Hon. Speaker (Hon. Malyun Abdi, MCA) having confirmed that there was no quorum, ordered the bell to be rung for ten minutes.

After the expiry of ten minutes, the temporary speaker having confirmed that there was no Quorum ordered the bell to be rung further for five minutes.

After the expiry of five minutes, the temporary Speaker having confirmed that there was a Quorum called the Assembly to order.

3. MOTION – REMOVAL OF BROCKEN DOWN VEHICLES IN THE COUNTY.

(Resumption of debate interrupted on Tuesday 12th September 2023 at 2:30 p.m.)

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 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 County wide operation to enforce the foregoing vacation notices at the specified timelines; and continuously monitor any further violations for action.

(Hon. Sospeter Mumbi, MCA)

Debate ensued;

Mover replied;

Question put and **agreed to;**

4. MOTION - 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;
- 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.

(Hon. Paul Kados, MCA)

(Motion differed)

And the time being forty-seven minutes Past three O'clock the temporary Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

5. ASSEMBLY ROSE - at forty-seven minutes past three O'clock.

MEMORANDUM

The Speaker will take the Chair on
Thursday, September 14th, 2023 at 2.30 p.m